

Residential Infill Project Summary

REVISED PROPOSED DRAFT

Shaping the future of our neighborhoods together

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

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

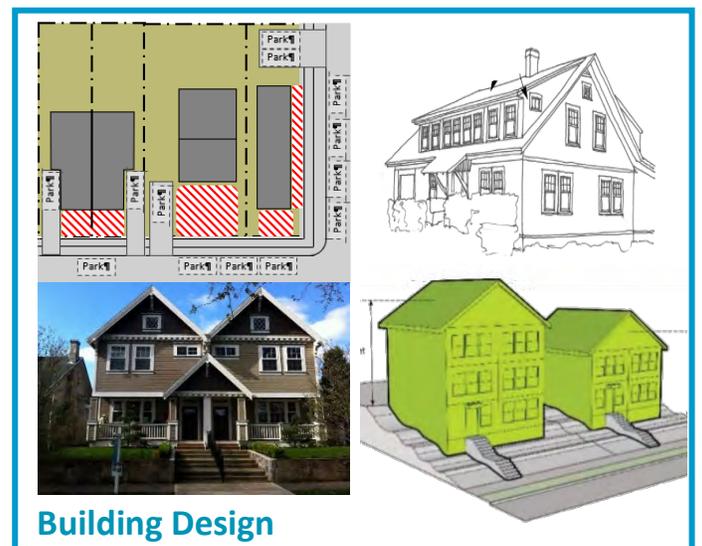
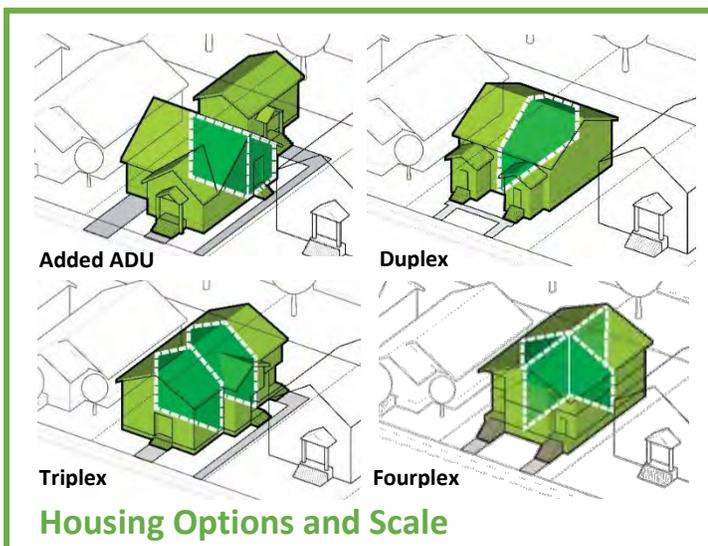
To address these issues around growth and change, the City of Portland is taking a look at the rules that determine the types of housing allowed in our neighborhoods.

This proposal would allow more housing units to be built in residential neighborhoods, *but only if they follow new limits on the size of new buildings.*

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

How this project is organized

This project addresses these concerns through the following topics:



The proposals in this document would **add more housing options for people's changing needs.**

Take a look inside and see how they have evolved based on public testimony and Planning and Sustainability Commission direction.

February 2019

www.portlandoregon.gov/bps/infill



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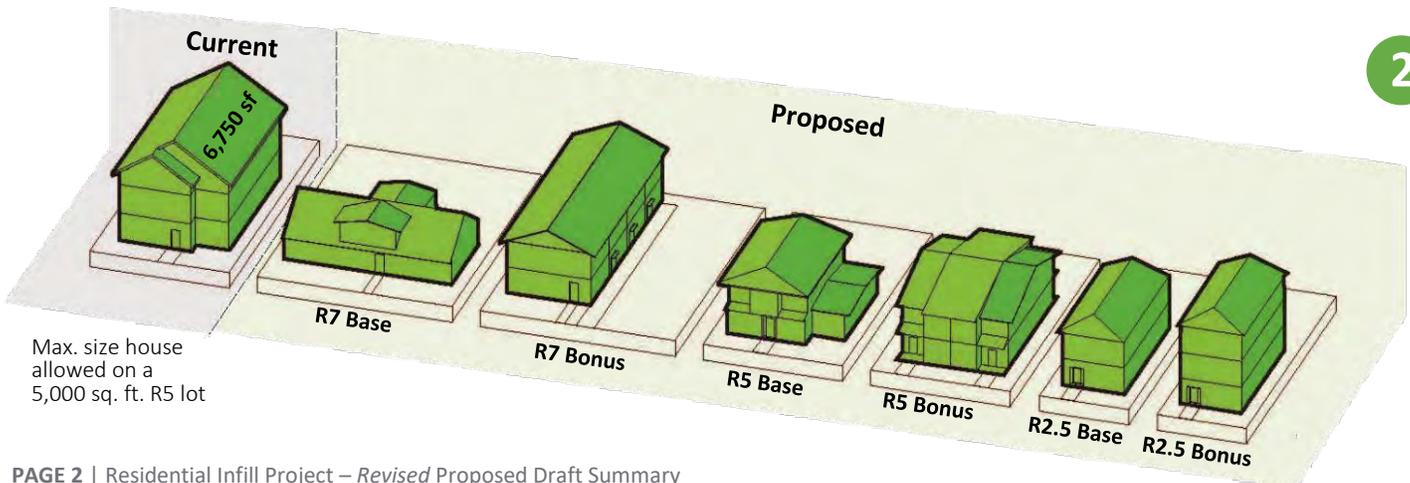


HOUSING OPTIONS AND SCALE

HOUSING OPTIONS AND SCALE

1. **Allow for more housing types (R7, R5 and R2.5 zones).**
 - a. Allow for duplexes, triplexes and fourplexes.
 - b. Allow a house to have two accessory dwelling units (ADUs) or a duplex to have one ADU.
 - c. Limit lots with the following constraints to a house plus one ADU or a corner lot duplex:
 - 100-year floodplain
 - Areas identified in the natural resource inventory (NRI)
 - Landslide hazard areas
 - Unpaved streets
 - d. Set a minimum lot size for lots with 1 or 2 units and a larger lot size for lots with 3 or 4 units.
2. **Limit the overall size of buildings (R7, R5 and R2.5 zones).**
 - a. Set a total maximum building size, measured by floor-to-area ratio (FAR), that is less than what is achievable today.
 - b. Scale the FAR to increase as the number of units increases on the site.
 - c. Exclude attics and basements from FAR.
 - d. Allow a bonus increase in FAR on the site if:
 - At least one of the units is affordable (80% median family income); or
 - Units are added to a site with an existing house and the street-facing facade of the house remains substantially unaltered.

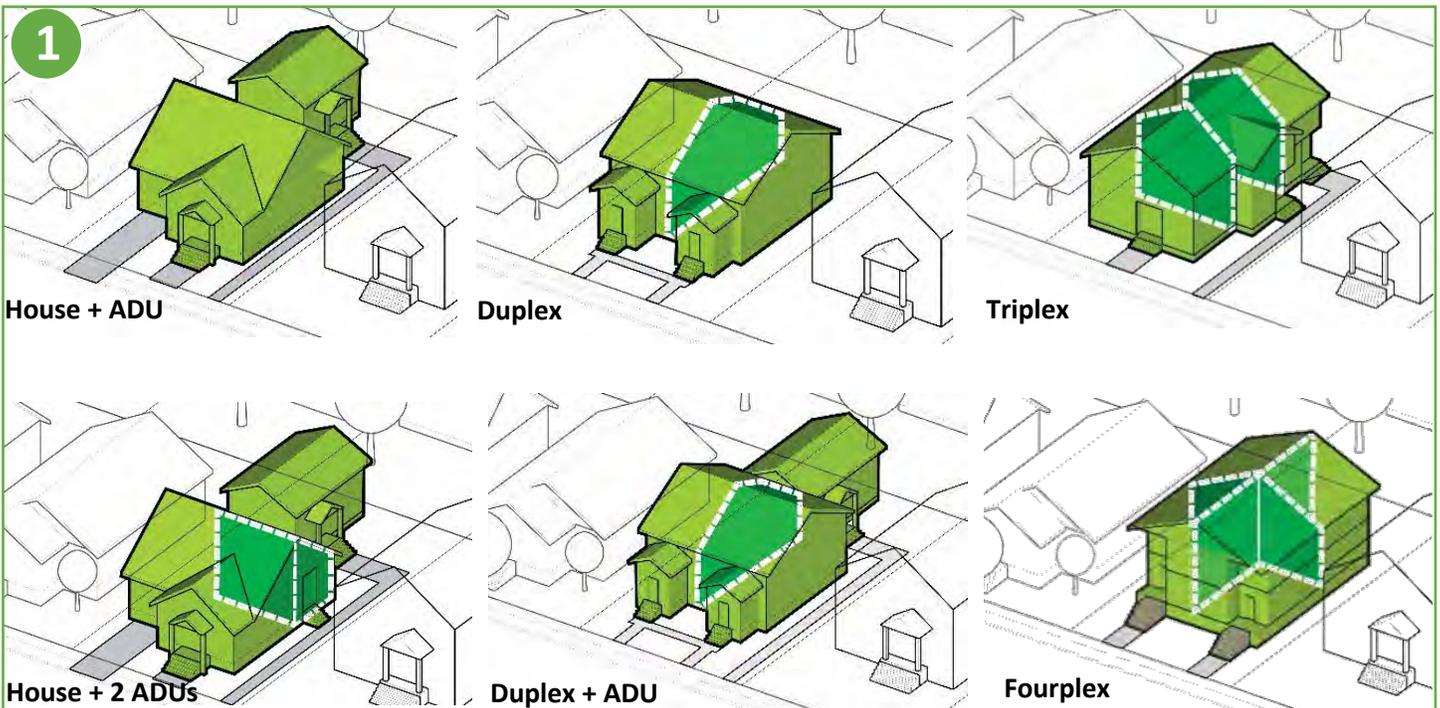
# of Units	Allowed Housing Type	Zone								
		R7		R5		R2.5		R2.5		
		Min. lot size	FAR		Min. lot size	FAR		Min. lot size	FAR	
Base	With bonus		Base	With bonus		Base	With bonus			
1	House	4,200 sq ft	.4	n/a	3,000 sq ft	.5	n/a	1,600 sq ft	.7	n/a
2	Duplex <i>or</i> house + ADU		.5	.6		.6	.7		.8	.9
3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	5,000 sq ft	.6	.7	4,500 sq ft	.7	.8	3,200 sq ft	.9	1.0
4	Fourplex									
Current allowed FAR (based on setbacks, height, building coverage)		1.1 FAR		1.35 FAR		1.75 FAR				



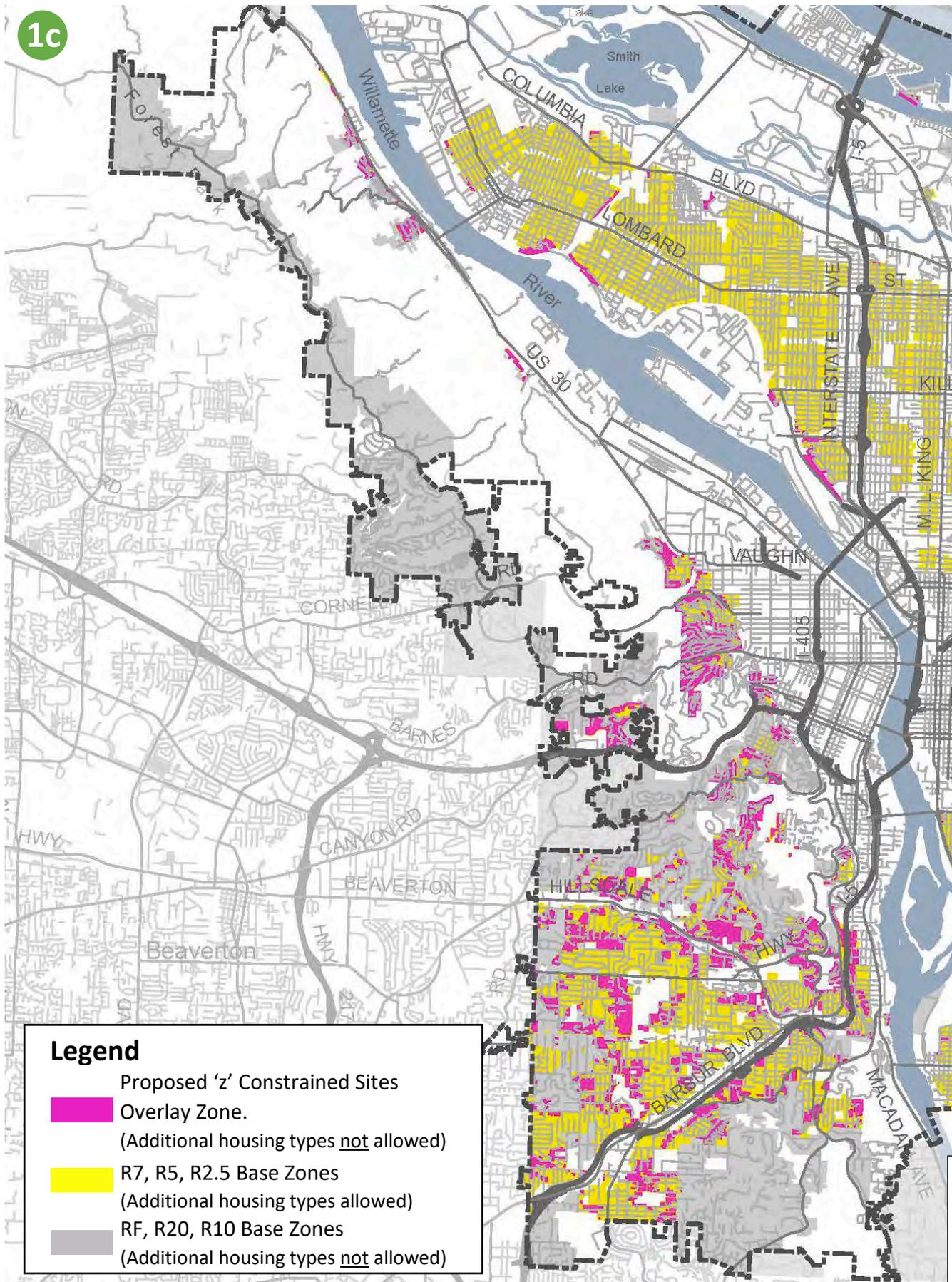
HOUSING OPTIONS AND SCALE

HOUSING OPTIONS AND SCALE

3. For 3 or 4 units, at least 1 unit must be visitable (R7, R5 and R2.5 zones). The visitable unit must have a no step entry, wider doorways, with a bathroom and living area on the ground floor.
4. Require at least 2 dwelling units when developing a vacant double-sized lot (R7, R5 and R2.5 zones).
5. Rezone half of the historically narrow lots from R5 to R2.5. Allow the remainder of the historically narrow lots in the R5 zone to be built with pairs of attached houses.
6. Allow small flag lots through property line adjustments (R5 and R2.5 zones).
 - a. Require that the existing house be retained and exempt from FAR limits at the time of the property line adjustment review.
 - b. In the R5 zone, limit the height of the house on the flag lot to 20 feet, limit its size to 1,000 square feet and require additional exterior design elements.
7. Continue to allow different building forms and site arrangements through a planned development review (R7, R5, and R2.5 zones). Align density allowances and review procedure thresholds between planned developments and land divisions.

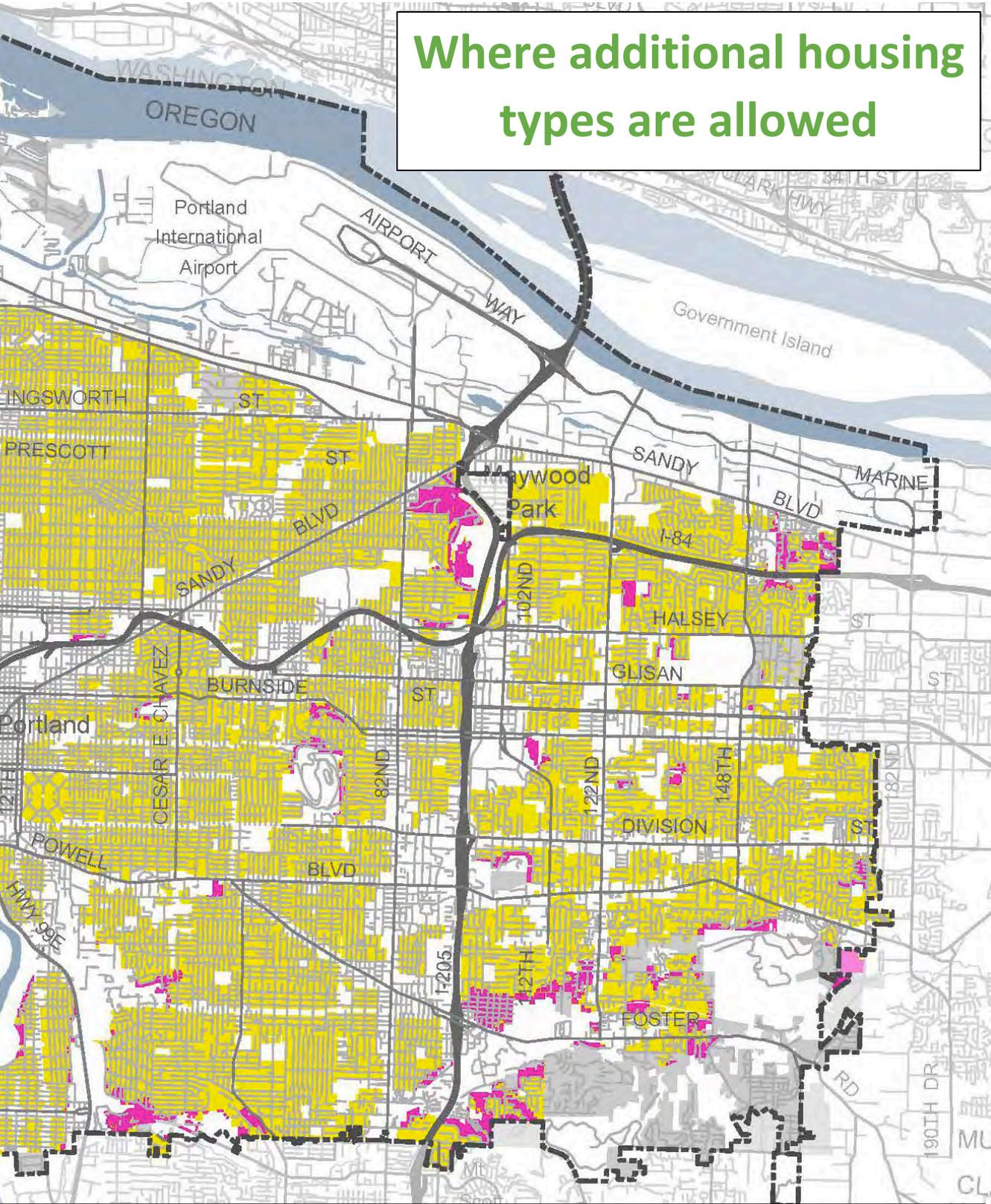


The Residential Infill Project



Proposed New 'z' Overlay Zone

Where additional housing types are allowed



Lots with the proposed 'z' overlay are constrained by natural hazard or natural resources and are not eligible for the additional housing types shown in Proposal #1. The 'z' overlay does not reflect lots that do not meet minimum lot size requirements. Searchable parcel-specific information is available through the interactive Map App. www.portlandoregon.gov/bps/infill/mapapp

BUILDING DESIGN

BUILDING DESIGN

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

- Measure height from the lowest point near the house, not the highest point.
- Exclude small dormers from the height measurement calculation.
- Continue to allow 2-½ story houses (30 feet high) on standard lots.

9. Address building features and articulation.

- Limit how high the front door can be above the ground (exempt lots in floodplains).
- Allow eaves to project up to 2 feet into setbacks.
- Allow the front door of each corner lot duplex unit to face the street.

10. Provide greater flexibility for Accessory Dwelling Unit (ADU) design.

- Maintain current ADU size allowances.
- Allow basement ADU conversions to exceed the 800 square feet/75%-size cap in an existing house.
- Allow the front door of an internal ADU to face the street.

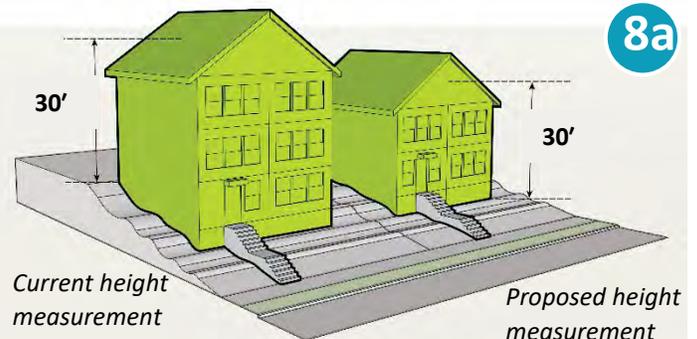
11. Modify parking rules.

- Eliminate minimum parking requirements for residential uses in single-dwelling zones.
- If a lot abuts an alley, require parking access from the alley when parking is provided.
- For narrow lots, duplexes, triplexes and fourplexes, prohibit driveways and parking between the building and the street unless the driveway accesses a garage or parking space behind the front of the building. Limit garages to 50% of the building façade.

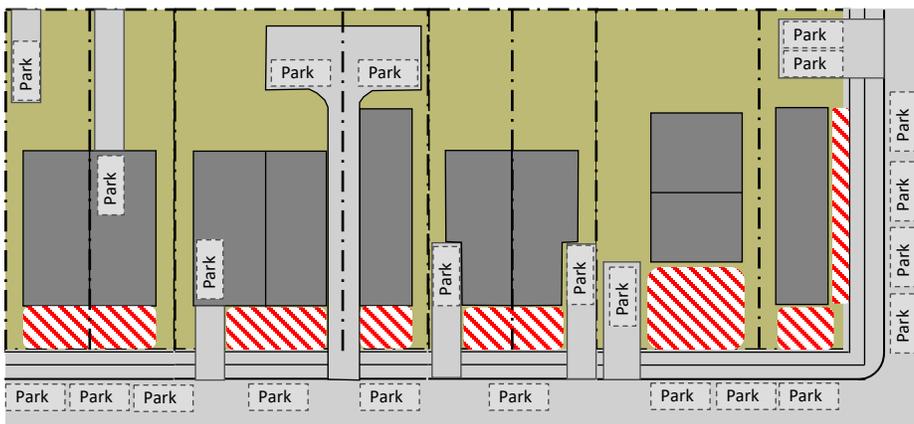
12. Improve building design on lots less than 32 feet wide.

- Limit the height of a detached house to 1-½ times its width.
- Require attached houses on lots 25 feet wide and narrower.

Tall flights of stairs to the front door would no longer be allowed



Alley

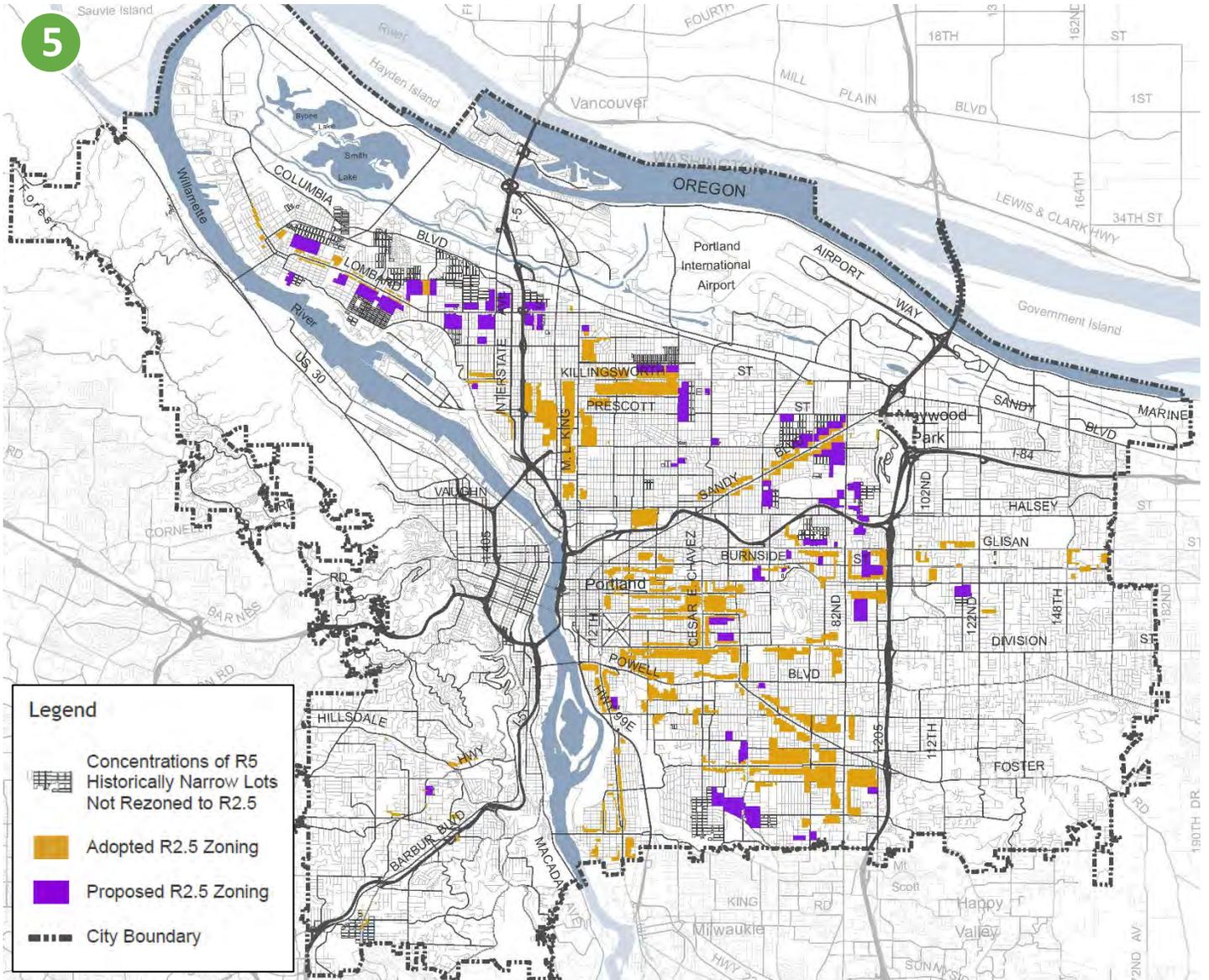


 Area where parking is prohibited



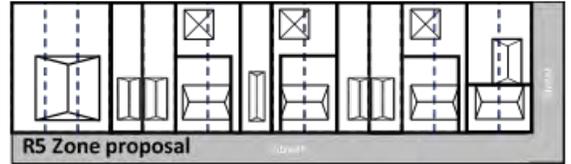
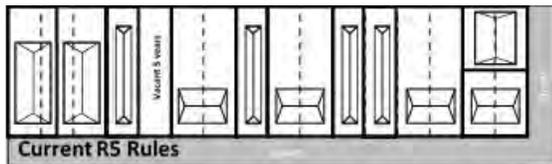
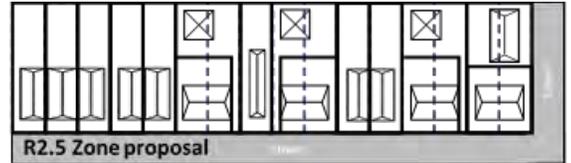
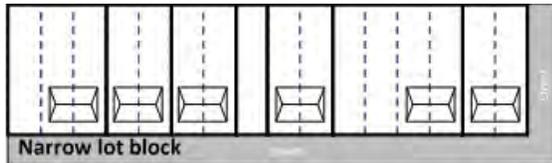
Example of a pair of attached houses on 25-foot-wide lots

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



12a

5



Smaller, shorter detached houses allowed on 26- to 32-foot-wide lots

Residential Infill Project | LEARN MORE

Phase I: Concept Development

The concepts for these proposals were developed in Phase I, which took place in 2015 and 2016. In addition to the engagement of the 26-member Stakeholder Advisory Committee, more than 7,000 people participated in an online questionnaire during Phase I. After hearing public testimony, City Council unanimously accepted the Residential Infill Project Concept Report with amendments in 2016.

Phase II: Code and Map Amendments

Staff received more than 3,700 comments on the *Discussion Draft*, which helped refine the *Proposed Draft*. The *Proposed Draft* includes the Zoning Code and Zoning Map amendments to implement the concepts from Phase I.

A Revised Proposal

During two public hearings in May 2018, the Planning and Sustainability Commission heard from more than 130 people. The PSC also received more than 1,200 written pieces of testimony. In response to this public testimony, the Commission held eight work sessions with staff between June and September, resulting in several key changes from the original *Proposed Draft*. This required substantial changes to the Zoning Code and Zoning Map amendments to implement these proposals, which are summarized in this document and on the project website.

Learn more

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

- 1. Project website: www.portlandoregon.gov/bps/infill**
Get the latest news, view documents and more.
- 2. Map App: www.portlandoregon.gov/bps/infill/mapapp**
Learn how the proposals may affect individual properties across Portland. Type in the property address to see proposed changes that may affect your property.
- 3. Ask staff a question.** Call 503-823-0195 or email us at residential.infill@portlandoregon.gov.

Next steps

Staff will return to the Planning and Sustainability Commission with the complete *Revised Proposed Draft*. The Commission will review the revised draft to ensure the changes are consistent with their direction and then make a final vote. The next draft of the proposal – the *Recommended Draft* – will incorporate any final 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 a vote.

The *Recommended Draft* is tentatively scheduled to be heard by City Council in Summer 2019.

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MEMO

DATE: February 8, 2019

TO: Planning and Sustainability Commission

FROM: Morgan Tracy, Project Manager

CC: Joe Zehnder, Sandra Wood

SUBJECT: Residential Infill Project - Revised Proposed Draft

Deliverables

We look forward to continuing the Residential Infill Project work sessions at the Planning and Sustainability Commission (PSC) meeting on February 12, 2019.

Staff will present the *Revised Proposed Draft* which reflects the initial direction given by the Commission through a series of “straw polls” last year. The direction given reflected general agreement from the PSC on changes to staff’s proposal, not a recommendation.

The *Revised Proposed Draft* includes the following updated deliverables:

- Volume 1: Staff Report and Map Amendments
- Volume 2: Zoning Code and Comprehensive Plan Amendments
- Volume 3: Appendices

The Revised Economic Analysis (Appendix B) was discussed at the Commission meeting in December 2018. The Displacement Risk Analysis and Mitigation (Appendix H) will be presented on February 12th.



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Staff Revisions

While revising the proposal to reflect the PSC’s direction, staff deemed other changes to the proposed code necessary. This memo includes two tables that describe those changes:

Table 1 - The first table is organized by the 12 key proposals. It will serve as our agenda for the work session. It contains the PSC’s direction in one column and changes proposed by staff in the other column.

There are five substantive changes and they are highlighted in gray. The other changes are technical and were necessary to address inconsistencies that arose or to provide greater clarity.

Table 2 - The second table includes technical changes related to other issues. Staff’s original proposal in one column and the change in the Revised Proposed Draft in the next column. Staff does not intend on walking the Commission through these changes, but would be happy to answer any questions about them.

Schedule

The upcoming schedule for the PSC’s review of the deliverables, introduction of amendments, deliberation and recommendation vote is as follows:

- February 12 Staff briefing to PSC
- February 19 Commissioners’ deadline for potential amendments to staff
- February 26 PSC discussion/coordination of potential amendments
- March 12 Review amendments, deliberation, and recommendation

Again, we look forward to our upcoming work sessions.

TABLE 1 – CHANGES TO 12 KEY PROPOSALS

HOUSING OPTIONS AND SCALE

1. Allow for more housing types

#	Topic	PSC Direction	Staff Revision
a.	Increased housing options	Allow for duplexes, triplexes and fourplexes.	
b.	Additional ADUs	Allow a house to have two accessory dwelling units (ADUs). Either one attached and one detached or 2 detached. Allow a duplex to have one detached ADU.	
c.	Constraint mapping	<p>Allow residential infill options in R2.5, R5, R7 areas.</p> <p><i>Exclude the following areas from the map:</i></p> <ul style="list-style-type: none"> i. NRI areas when 50%+ of med/hi value present on parcel ii. Combination of stormwater/steep slope/landslide history iii. 100-year floodplain iv. Sewer service constraints v. Unpaved streets vi. Northwest Hills Plan District <p><i>Exclude the following areas through the code:</i></p> <ul style="list-style-type: none"> vii. Streets not accepted for maintenance by the city, and unpaved private streets. (in Title 33) 	<p>Substantive Change #1</p> <p>Allow residential infill options in R2.5, R5, R7 areas.</p> <p><i>Exclude the following areas from the map:</i></p> <ul style="list-style-type: none"> i. Any natural resource inventory (NRI) area (lo/med/hi) ii. Landslide hazards: <ul style="list-style-type: none"> - Landslide history - Potential rapidly moving landslide - Deep susceptible landslide iii. 100-year floodplain (plus '96 flood) <p>Switch to 'z' overlay (constrained housing type allowances)</p> <p><i>Exclude the following areas through the code:</i></p> <ul style="list-style-type: none"> iv. Sewer service constraints (in Title 17) v. Water service constraints (in Title 21) vi. Streets not accepted for maintenance by the city, and private streets that don't connect to maintained streets. (in Title 33)

d.	Lot size	<p>Set a minimum lot size for lots with 1 or 2 units and a larger lot size for lots with 3 or 4 units.</p> <table border="1" data-bbox="470 228 1171 524"> <thead> <tr> <th>UNIT TYPE</th> <th>R7</th> <th>R5</th> <th>R2.5</th> </tr> </thead> <tbody> <tr> <td>House</td> <td rowspan="3">4,200 sf</td> <td rowspan="3">3,000 sf</td> <td rowspan="3">1,600 sf</td> </tr> <tr> <td>House+ADU</td> </tr> <tr> <td>Duplex</td> </tr> <tr> <td>House+2 ADUs</td> <td rowspan="4">5,000 sf</td> <td rowspan="4">4,500 sf</td> <td rowspan="4">3,200 sf</td> </tr> <tr> <td>Duplex+ADU</td> </tr> <tr> <td>Triplex</td> </tr> <tr> <td>Fourplex</td> </tr> </tbody> </table>	UNIT TYPE	R7	R5	R2.5	House	4,200 sf	3,000 sf	1,600 sf	House+ADU	Duplex	House+2 ADUs	5,000 sf	4,500 sf	3,200 sf	Duplex+ADU	Triplex	Fourplex	
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Duplex+ADU																				
Triplex																				
Fourplex																				

2. Limit the overall size of structures

#	Topic	PSC Direction	Staff Revision																				
a.	Scale of houses	<p>Set a total maximum building size, measured by floor-to-area ratio (FAR), that is less than what is achievable today.</p> <p>Apply a combined FAR for all structures on the site</p>																					
b.	Scale of other housing types	<p>Scale the FAR to increase as the number of units increases on the site.</p> <table border="1" data-bbox="470 898 1171 1193"> <thead> <tr> <th>UNIT TYPE</th> <th>R7</th> <th>R5</th> <th>R2.5</th> </tr> </thead> <tbody> <tr> <td>House</td> <td>0.4</td> <td>0.5</td> <td>0.7</td> </tr> <tr> <td>House+ADU</td> <td rowspan="2">0.5</td> <td rowspan="2">0.6</td> <td rowspan="2">0.8</td> </tr> <tr> <td>Duplex</td> </tr> <tr> <td>House+2 ADUs</td> <td rowspan="4">0.6</td> <td rowspan="4">0.7 sf</td> <td rowspan="4">0.9</td> </tr> <tr> <td>Duplex+ADU</td> </tr> <tr> <td>Triplex</td> </tr> <tr> <td>Fourplex</td> </tr> </tbody> </table>	UNIT TYPE	R7	R5	R2.5	House	0.4	0.5	0.7	House+ADU	0.5	0.6	0.8	Duplex	House+2 ADUs	0.6	0.7 sf	0.9	Duplex+ADU	Triplex	Fourplex	
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--	FAR and subsequent alterations	The PSC did not change the Proposed Draft provision that allowed existing structures to increase by 250 sf every 5 years, without having to show conformance with maximum FAR.	<p>Substantive change #2</p> <p>Delete proposal. The 250 sf allowance undermines the built-in incentives provided by the escalating FAR for duplex/triplex and additional FAR for adding units to existing houses.</p> <p>Adjustments to FAR continue to be prohibited.</p>
c.	Attics and basements	Exclude attics and basements from FAR.	
d.	FAR Bonus (Affordability)	Allow a bonus increase in FAR (.1) on the site if at least one of the units is affordable (80% median family income).	
d.	FAR bonus (Existing house retention)	<p>Allow a bonus increase in FAR (.1) on the site if:</p> <ul style="list-style-type: none"> - units are added to a site with an existing house (<u>10</u> years old); and - the street-facing facade of the house is not altered more than 25%. 	Allow additional FAR when adding units to existing houses that are at least <u>5</u> years old. 5 years is consistent with similar provisions elsewhere in code, like flag lots in the land division chapter are allowed when retaining a house that is at least 5 years old.
--	Historic incentives	<p>The PSC did not specifically change the Proposed Draft historic incentives. However, incentives, previously only available to historic resources, were incorporated into base zone per PSC direction:</p> <ul style="list-style-type: none"> • Two detached ADUs allowed • Triplexes allowed on interior lots • FAR combined for all structures on lot. • Extra 0.1 FAR offered for conversions of existing houses 	<p>Substantive change #3</p> <p>The only remaining provision was a restriction on sites where a historic resource was demolished. In these cases, a duplex, triplex or fourplex would not be allowed.</p> <p>With the incentives removed, the restriction was also removed. These sites will be subject to historic demolition review or delay. Where a demolition is ultimately approved, the site should then be treated the same as other similarly situated lots.</p>

3. For 3 or 4 units, at least 1 unit must be visitable

#	Topic	PSC Direction	Staff Revision
	Visitability standards	No step entry Bathroom on ground floor Living area on ground floor 10% max slope of route Wider doors and hallways (34" min)	No step entry Bathroom on ground floor Living area on ground floor 12.5% max slope of route (to match max allowed by UBC) Wider doorways (removed wider hallway standard because UBC requires wider)
	Visitability exemptions	Exempt: <ul style="list-style-type: none"> - existing structures - steeply sloping lots - lots with >20% slope between street and front door 	Exempt: <ul style="list-style-type: none"> - existing structures - steeply sloping lots - lots with >3' between highest street grade and lowest grade at front setback. This change improves the clarity of the exemption and simplifies measurement.

4. Require at least 2 dwelling units on a vacant double sized lot

	Oversized lots	Require at least 2 units when new development is proposed on double sized R2.5 as well as R5 and R7 lots	
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5. Rezone half of the historically narrow lots

	Historically Narrow Lots	<ul style="list-style-type: none"> • Rezone about half from R5 to R2.5 • Allow remaining R5 historically narrow lots to develop with pairs of attached houses. 	
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6. Allow small flag lots through a property line adjustment

a.	Small flag lots	Allow small flag lots in both R2.5 and R5 when retaining a house. Exempt existing house from FAR limit.	
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b.	Flag lot limitations	<p>R5 zone:</p> <ul style="list-style-type: none"> - Limit height to 20 feet. - Limit size to 1,000 sf. - Require additional exterior design elements. <p>R2.5 zone:</p> <ul style="list-style-type: none"> - Base zone height (i.e., 35 feet) - Limit size to 1,000 sf. - Require additional exterior design elements. 	<p>Substantive Change #4</p> <p>R5 zone:</p> <ul style="list-style-type: none"> - Limit height to 20 feet. - Limit size to 1,000 sf. - Require additional exterior design elements. <p>R2.5 zone:</p> <ul style="list-style-type: none"> - Base zone height (i.e., 35 feet) - Base zone FAR (i.e., .7)
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7. Continue to allow different building forms and site arrangements through a planned development

#	Topic	PSC Direction	Staff Revision
	Cottage Clusters (planned developments)	Align cottage cluster development allowances (planned development) with development allowances allowed for sites being divided into lots.	
	Review procedure	Make Planned Development (PD) and land division (LD) land use review procedures equivalent.	Reduce land use procedure type from Type III to Type IIx for 20 units. (Current threshold is 10 units) The concept that a 10-lot land division can accommodate 10 fourplexes, and thus the threshold for PDs should be 40 units is a false equivalency. Based on many factors (site constraints, ROW needs, services, etc) a land division site may not be able to create the maximum number of lots that are also large enough to accommodate a fourplex. To avoid the need for applicants to prepare a plan demonstrating that the site <i>could</i> be divided into 10 lots, this proposal avoids that complexity.

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	Allowed density	Make PD and LD density allowances equivalent.	<p>Substantive Change #5 Density in R7 & R5 – allow 4x density Density in R2.5 – allow 2x density based on lot size issues.</p> <p>True equivalency for R2.5 would require applicants to present a land division plan that shows that each lot is large enough to allow 4 units on each lot. This proposal avoids that complexity and makes the maximum density clear.</p>
	FAR	Make PD and LD FAR allowances equivalent. FAR determined by zone and proposed number of units.	
	Building coverage	Establish a table of static building coverage allowances by zone, e.g. R2.5=50%, R5=45%	<p>Substantive Change #6 Retain current rules that allow building coverage to be tailored to site size. Setting a static percentage reduces flexibility from the PD review (cannot modify). Also higher coverage may lead to greater stormwater impacts.</p>
	Visitability		Added requirement that one-third of units in a planned development meet visitability standards. This provides equivalency with land division sites.
	ADUs		<p>ADUs – not allowed in multi-dwelling development. Combination of 4-plexes and density equivalency made this impractical (and results in 8x the density).</p> <p>ADUs still allowed in PDs when creating lots with houses or duplexes.</p>

BUILDING DESIGN

8. Revise how height is measured

#	Topic	PSC Direction	Staff Revision
a.	Height measurement	Measure height from the lowest point near the house, not the highest point.	Restructured section and combined base points. Still measure from low point. Provided an exception to not measure the low point along a 5-foot wide pedestrian path.
b.	Dormers	Exclude small dormers from the height measurement calculation.	
c.	Height	Continue to allow 2-1/2 story houses (30 feet high on standard lots.)	
--	Pyramidal roof type height	No change from existing code - measure to peak for pyramidal roof type.	Measure to midpoint as opposed to roof peak, similar to gable and hip roof types. Pyramidal roofs appear the same as gable and hip roofs from the side, and should be treated similarly.

9. Address building features and articulation

a.	Front entries	<ul style="list-style-type: none"> • Limit how high the front door can be above the ground. • Exempt lots in flood plains from front door height limit. • Do not require covered entries. 	Modifications to front door height standard was processed through PD review. Change the review type to an Adjustment review. Adjustments are the typical review used to modify base zone development standards.
b.	Eaves	Allow eaves to project 2 feet into setbacks	
b.	Building coverage	Exclude 2-foot deep eaves from building coverage.	Exclude eaves 2 feet deep or less from building coverage. Clarified that if eave is deeper than 2 feet, count full eave toward building coverage.
c.	Corner duplex entry	Allow the front door of each corner lot duplex unit to face the same street.	

--	Setback matching	In R7-R2.5 zones, allow front setback to match adjacent house (currently front setback can be averaged between both adjacent houses)	Revert to current allowance for setback averaging. With the PSC's rejection of staff's proposal to increase the front setback in R5 from 10' to 15', the ability to reduce setbacks to areas with existing 10' setbacks is less critical.
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10. Provide greater flexibility for ADU design

#	Topic	PSC Direction	Staff Revision
a	ADU size	<ul style="list-style-type: none"> • Maintain current ADU size allowances (i.e. 800 sf/75% the size of the house). • Limit all structures on site by single combined FAR • No change to height limit (i.e. 20 feet) 	
b.	Basement ADU	Allow basement ADU conversions to exceed the 800 square feet/75%-size cap in an existing house.	
c.	ADU entrance	Allow the front door of an internal ADU to face the street.	
--	Number of households		Removed household limit.

11. Modify parking rules

#	Topic	PSC Direction	Staff Revision
a.	Parking requirements	Eliminate minimum parking requirements for residential uses in in single dwelling zones.	
b.	Alley access	If a lot abuts an alley, require parking access from the alley when parking is provided.	
c.	Vehicle area limits	<p><u>PSC original direction:</u> Parking / vehicle area prohibited between the building and the street on lots less than 32 feet wide and for buildings less than 22 feet wide.</p> <p><u>PSC Direction to Better Housing by Design (BHD)</u> Improve consistency between BHD/RIP</p>	<p><u>Substantive Change #7</u> For narrow lots, duplexes, triplexes and fourplexes:</p> <ul style="list-style-type: none"> • Prohibit driveways and parking between the building and the street. • Provide an exception for a driveway to a parking space that is located entirely behind the front of the building (including parking space inside a garage). • Do not apply prohibition to houses on lots wider than 32 feet. • Continue the 40% paving limit.
c.	Garage limits	<p><u>PSC original direction:</u> Garages limited to 50% of façade, measured by unit (i.e. a 60’ wide triplex gets up to 30’ wide garage. Three 20’ wide attached houses get no garage, as each façade is <22 feet)</p> <p><u>PSC Direction to Better Housing by Design (BHD):</u> Improve consistency between BHD/RIP Treat townhouses (units on one lot) and rowhouses (units on their own lots) the same.</p>	<p><u>Substantive Change #8</u></p> <ul style="list-style-type: none"> • For houses, duplexes, triplexes, and up to 3 townhouses - limit garage to 50% of combined building façade. • For rowhouses on lots at least 22 feet wide - limit garage to 50% of each unit. • For four or more units (plexes or attached houses) - limit garage to 50% of combined building facade - at least 50% of the “non-garage façade” must be contiguous.

12. Improve building design on lots less than 32 feet wide

#	Topic	PSC Direction	Staff Revision
a.	Limit height	Limit the height of detached houses on narrow lots to 1.5 times the width.	
b.	Attached houses	Require attached houses on lots 25 feet wide or narrower.	
--	R2.5 narrow lot width	Reduce minimum lot width from 36 feet to: 16 feet for middle/interior attached house lots 21 feet for the end/exterior attached house lots	

TABLE 2 - OTHER TECHNICAL CHANGES

#	Topic	Proposed Draft	Staff Revision (Revised Proposed Draft)
1	Detached accessory structures	“Detached structure” includes structures attached by breezeway (“attached accessory structure that does not share a common wall or ceiling/floor”). This clarifies what standards to apply to these structures.	Created definition for “connected structures” which are connected to a primary structure via a breezeway or deck but otherwise treated like a detached structure (except for setbacks).
2	Fourplex definition	No proposal - Fourplex not defined	Fourplex defined as a distinct building type. Multi-dwelling structure is 5 or more units in a single building.
3	Setback from existing building to right-of-way dedication	No proposed change Currently, in R7-R2.5 zones, during a land division only - setback to existing development can be reduced without the need for an adjustment when right of way dedication is required.	Expanded setback reduction to RF-R2.5 zones with land divisions or Planned Developments. Also expanded allowance to building permits when right-of-way dedication is required to widen an existing road.
4	Outdoor area requirement	No proposed change. Standard was written for houses (minimum 12’x12’ and 250 sq ft)	Clarified one outdoor area required per lot (minimum 12’x12’ and 250 sq ft)
5	West Portland Park lot confirmations	No current special lot size standards for R10 zoned lots - Currently - R10=6,000 sf lot R7=7,000 sf lot; R5=5,000 sf lot, R2.5=2,500 sf lot	Added standards for R10 zone lot confirmations for few parcels in West Portland Park that are currently zoned R10. R10 = 10,000 sf lot
6	Transition sites	No proposed changes - 1 extra unit of density for R20-R2.5 lots located next to some mixed-use zones	Deleting transition site provisions. R2.5, R5, and R7 lots are now allowed to have 4 units. In R10 and R20, there are only 13 potential sites that could have used the transition site provision.
7	Manufactured homes	Deleted: <ul style="list-style-type: none"> • Minimum floor area requirement • Roof material requirements (min slope retained) 	Including following additional changes: <ul style="list-style-type: none"> • Simplified foundation standard • Deleted remaining roof standards • Deleted siding requirement

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8	Comprehensive Plan changes	No changes proposed	<ul style="list-style-type: none"> • Amend land use designations for RF through R2.5 in the comprehensive plan by replacing the term “single-dwelling” with “residential” to reflect the additional housing types allowed (currently and those proposed). • Change language to reflect that density in single-dwelling zones is measured by average lot size not units. • Delete glossary term “accessory dwelling unit.”
9	FAR for House/Duplex/Triplex/Fourplex vs. 1/2/3/4 rowhouses	No proposal to address FARs on rowhouse lots. Wider end lots would allow larger units than middle (narrower) rowhouse lots.	FAR will be applied to entire rowhouse project. This allows all units in project to be same size (even though end lots are slightly larger than interior lots).
10	R2.5 detached house standards	Treat detached houses in R2.5 like R5 zone for height and FAR. This was to prevent really large homes (w/ADUs) on double sized lots, and to promote attached houses in R2.5	Combined attached/detached house standards in R2.5. With the ability to have 1,2,3 or 4 units the distinction between “attached” and “detached” standards became confusing. Attached ADU? Duplex units attached to each other? Would a detached ADU be subject to a lower FAR? The current R2.5 standards only differentiate a smaller outdoor area for attached houses.

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

REVISED PROPOSED DRAFT
FEBRUARY 2019

VOLUME 1: STAFF REPORT AND MAP AMENDMENTS



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.
City of Portland, Oregon



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Executive Summary

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

The Residential Infill Project is just one tool of many needed to address the housing issues in our city. Affordable housing mandates, rent stabilization and community housing partnerships are also important to address the needs of our most vulnerable community members.

A house is made of brick and mortar, but home is made by the people who live there.

—M. K. Soni

Any plan that ignores the exclusionary pattern of single-dwelling zones will further separate our community between those that “have” and those that “need,” making these areas even more exclusive enclaves for only the wealthiest residents. The Residential Infill Project seeks to remove regulatory barriers that exclude people with fewer means from our neighborhoods to ensure Portland is resilient, prosperous and equitable in the face of our challenging future.

Zoning Code Changes

The Residential Infill Project includes 12 key proposals to increase housing choice in single-dwelling zones, while limiting their overall size to reduce housing costs, retain a compatible scale and improve building form. This is achieved through innovative changes to development rules in the base zones.

Proposals relating to **housing options and scale** are described beginning on **page 12**. These include allowances for duplexes, triplexes, fourplexes and additional accessory dwelling units (ADUs), along with limits on building size using a new floor area ratio (FAR) tool.

Building design proposals begin on **page 30**. These new rules include changes to address building height, limit tall flights of stairs to the front door, remove minimum parking requirements and limit front garages and paving, as well as improve the look of houses built on narrow lots.

Map Changes

The Zoning and Comprehensive Plan Map changes fall into the following categories:

Apply a new ‘z’ overlay zone: Describes areas where additional housing types should *not* be allowed based on natural resources or hazards. The new ‘z’ overlay in those areas will maintain current allowances for duplexes on corner lots or a single ADU with a house. See **page 40**.

Rezone historically narrow lots: Some areas with historically narrow lots are proposed to be changed from R5 to R2.5. See **page 46**.

Remove the current ‘a’ overlay zone: The Alternative Design Density (‘a’) overlay zone in single-dwelling zones is being deleted, with increased housing allowances incorporated into the base zones. See **page 50**.

The Revised Proposed Draft adds increased housing options to the base zone and proposes a new Constrained Sites (‘z’) overlay zone for properties that are *not* eligible for these housing options. Consequently, over 90 percent of lots in the R7, R5 and R2.5 zones will be eligible to use these additional housing options.

In addition, approximately 7,000 parcels are proposed to be rezoned from R5 to R2.5 (higher density) to reflect the existing platted lot size pattern and increased FAR allowance based on their proximity to transit, shops and other amenities.

Outcomes

The construction of additional housing types is expected to occur incrementally. As our housing stock ages, rehabilitation and remodeling will help prolong the useful life of many of these structures, but some houses will ultimately need to be replaced. As land costs continue to climb and fewer buyers are able to afford expensive single detached houses, more middle housing types (duplexes, triplexes and fourplexes) will begin to emerge to respond to that need. When that occurs, new development will be more seismically sound, free of lead and asbestos, and more energy-efficient.

This middle housing will be distributed in neighborhoods across the city. Single-dwelling neighborhoods will continue to be mostly traditional detached houses, infused with other types of units over time. The addition of 24,000 units in triplexes or fourplexes over the next 20 years means roughly 300 to 400 new buildings per year. With nearly 150,000 existing houses, single houses will still account for *more than 95 percent* of the total housing stock in these neighborhoods.

Note that ADUs were once opposed by neighborhoods as a one-size-fits-all approach and a detriment to single-dwelling neighborhoods. Today, they are commonplace and have gained far greater acceptance in many neighborhoods for their benefits and flexibility. Increasing allowances for two ADUs or internal conversions to add units will offer homeowners even greater potential to gently increase the housing capacity within their neighborhoods—without the disruption of redevelopment.

Impacts

These new housing types will complement existing neighborhoods. Smaller in size, they provide more choices for first-time homebuyers, downsizing empty-nesters and middle-wage earners. Also, current homeowners that already have an ADU will be able to add another ADU. These smaller units can house young couples, students, grandparents or caregivers, offering an alternative to larger apartment buildings.

Still others will continue to be burdened by higher prices in the housing market. Vulnerable populations of low-income renters, people of color and seniors on fixed incomes will continue to feel the pressures of rent increases and could be displaced through redevelopment. Homeowners are not immune, though they have more control over deciding whether to sell. Strategies to decrease the risk of displacement are needed regardless of the proposals in the Residential Infill Project.

Conversely, without allowing additional housing types to occur in single-dwelling neighborhoods, one conclusion is certain: When homes are demolished or when vacant sites are developed, the resulting redevelopment will result in only *one* house (likely large and expensive), when options for two, three or four households could have been built in its stead. This will continue to increase pressure and demand on the fixed number of homes allowed in these neighborhoods, putting homeownership further out of reach for many.

Together, these revised proposals reduce the cost of housing, limit the size of new houses, mitigate and lessen displacement citywide, and prioritize a wide range of housing types for people of all ages, abilities and incomes.

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Appendix B: *Economic Analysis of Proposed Changes to the Single-Dwelling Zone Development Standards*, Memorandum from Johnson Economics, November 2018

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

Appendix D: Catalogue of 2015 New Single-Family House Permits in the R2.5 zone, BPS Staff, 2017

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

Appendix F: R2.5 Zone Changes by District, BPS Staff, 2018

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

Appendix H: Displacement Risk Analysis, BPS Staff, February 2019

Section 1: Introduction

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

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

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

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

The **composition of our neighborhoods** is also changing. The city is becoming more diverse, the overall population is aging and the number of people per household is getting smaller (from 2.3 persons today to 2.1 in 2035, which is less than half the average size of households just a century before). But despite shrinking households, there are few options for smaller households to live in residential neighborhoods, where increasing land costs and market trends have produced mostly larger houses.

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

Portlanders are also worried about **the construction of very large homes** that are more expensive and can overwhelm surrounding older homes.

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

Over the past three years, the Bureau of Planning and Sustainability has engaged Portlanders in the development of proposed changes to our residential zoning rules through online surveys, open houses, public hearings and e-mail updates, resulting in more than 15,000 comments and responses. Portlanders will also have opportunities to share their feedback through public testimony to the City Council.

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

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

- 1) Expand housing choices in residential neighborhoods to help ensure a more inclusive and diverse community.
- 2) Limit the size of new buildings to bring them more in line with existing homes.

Just as important as the *amount* of housing in the city are the *types* of housing that are available and *where* that housing is located. If adopted by City Council, the proposed rule changes would expand the range of available housing choices across more neighborhoods. The proposal allows more housing units, *but only if they follow the new limits on the size of new buildings*.

Currently, on many lots, builders can build houses up to 6,750 square feet for just a single household. This proposal would allow for more types of housing, including duplexes, triplexes and even fourplexes when lots meet certain minimum size requirements. Additionally, more opportunities are afforded to create accessory dwelling units (ADUs) with houses and duplexes. In all these cases, new limits would cap the structure size to less than what can be built on a lot today. The proposal also includes flexibility and incentives to retain existing houses or encourage building affordable housing units. Finally, the zoning on narrow lots is updated to allow for increased homeownership options in high-amenity neighborhoods.

Why this is important

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

Together, these new rules help increase housing options in the form of ADUs, duplexes, triplexes and fourplexes—smaller and less expensive options that allow for more people to live in our residential neighborhoods while also limiting the construction of very large houses.

Addressing inequity in our community

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

Portland's new Comprehensive Plan includes policies to address equity, prevent displacement and provide for ongoing affordability. The proposal to update zoning rules in residential neighborhoods is consistent with these policies. It is intended to create opportunities for more types of housing development. The proposals were evaluated in terms of whether, how and where land use changes could cause further harm to historically under-served and under-represented communities.

Appendix H: Displacement Risk and Mitigation provides a detailed account of the methodology used to identify vulnerable households and determine relative risk. The analysis shows a significant reduction in potential displacement as a result of the project proposals over the baseline scenario. While this reduced risk is encouraging, these zoning changes do not eliminate displacement risk and much greater effort and resources will still be required to right previous systemic wrongs and ensure community stability and future prosperity. The appendix also includes strategies specifically tailored to vulnerable renters and vulnerable homeowners. These strategies could be employed or further bolstered to address and prevent further harms to under-represented communities.

Direction from the 2035 Comprehensive Plan

Portland's 2035 Comprehensive Plan guides how and where land is developed to prepare for and respond to population and job growth. This proposal offers amendments to some of the Comprehensive Plan's most important implementation tools—the Zoning Code and Zoning Map. In addition, the proposal would amend the Comprehensive Plan map itself.

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

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

Guiding Principles

The 2035 Comprehensive Plan includes five guiding principles, recognizing that implementation of the Plan must be balanced, integrated and multi-disciplinary. The proposed residential zoning changes help advance these guiding principles in the following ways:

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

The proposal furthers this principle by increasing the range of housing types and choices available across the city. Increased opportunity for additional housing options, incentives for affordable housing and reductions in the allowed size of new houses help stabilize and impede rising housing costs. Intentional outreach was conducted to engage with historically under-represented populations and continued in the *Discussion Draft* phase. A Displacement Risk Analysis was also conducted to determine the extent of potential impacts on affected communities. The analysis found that with the increase in allowable units, the net number of impacted vulnerable households

was reduced by about one-third compared to the default Comprehensive Plan scenario, although some areas may experience higher rates of displacement (see *Appendix H*).

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

This principle is furthered by providing for smaller, less energy-intensive, less expensive housing options in more areas throughout the city. This offers more opportunities for people across a wider range of the income spectrum to find housing in and around areas of retail and service-sector job growth. More people in and near these areas help to encourage and sustain neighborhood businesses. Allowing increased and well-located housing options affordable to more families supports household prosperity. This helps people spend less of their income on combined housing, utilities and transportation costs and invest a greater percentage of their income in the local economy.

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

The proposal furthers this principle in several ways. It minimizes personal stress caused by housing instability by allowing for diverse housing types that can better meet changing household preferences, needs, abilities and economic conditions; promotes social interaction through requirements that allow people of all abilities to visit others; and reduces financial stress and increases potential for active living through reduced automobile use by placing housing in areas with greater active transportation and transit options.

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

The proposal furthers this principle by increasing open space and natural features while promoting development that responds to positive qualities of the natural setting and site conditions. By implementing a new floor area ratio (FAR) tool, the proposal reduces the allowable amount of development, which reduces material use and waste, better accommodates sustainable stormwater solutions and provides options for additional space to grow and preserve trees. The proposal avoids impacts to areas with significant habitat resource value through the application of a new constraint overlay zone. Also, more compact housing is the single most effective way of reducing heating and cooling demands, lowering energy use and carbon emissions, thereby improving air and water quality.

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

This principle is furthered by providing additional opportunities for compact housing development. These smaller units are more energy-efficient than most older homes and comparable larger new homes. New housing and houses that are retrofitted for additional units will be built to modern

seismic and fire safety codes, thereby providing additional resiliency. Areas prone to flooding or landslides or with inadequate utility infrastructure were carefully evaluated when determining where additional housing units should be allowed. Moreover, by providing for a broader range of housing types and sizes, people are better able to find a dwelling suited to their needs and circumstances in changing economic climates.

A paradigm shift toward more “middle” housing

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

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

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

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



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

Section 2: Public Involvement

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

We are currently in Phase II. In Fall of 2017 the public reviewed and provided comment on the staff's proposed zoning code and map amendments (the *Discussion Draft*). The proposals in this draft—the *Revised Proposed Draft*—reflect testimony received and deliberation by the Planning and Sustainability Commission (PSC) between May and September 2018.

Phase I: Concept Development

Public involvement from July 2015 to December 2016

Stakeholder Advisory Committee

In September 2015, former Mayor Charlie Hales appointed an advisory committee to assist the Bureau of Planning and Sustainability with the Residential Infill Project. The Stakeholder Advisory Committee (SAC) was composed of nominees from each of the District Coalition Offices, the Planning and Sustainability Commission, East Portland Action Plan, Home Builders Association of Metropolitan Portland, United Neighborhoods for Reform and the Immigrant and Refugee Community Organization. In addition, 13 members-at-large were chosen to ensure the committee was well-balanced among individuals representing neighborhood interests, the development community and those who bring a different perspective related to single-dwelling housing issues, such as anti-displacement, aging and disability, and historic preservation advocates. A balance in terms of gender composition, geographic distribution and community networks was also considered while forming the SAC. (*See Stakeholder Advisory Committee Member Biographies.*¹)

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

The SAC was an advisory group and was not expected to come to a consensus. (*See the SAC Charter and the June 2016 SAC Summary Report.*^{2,3})

¹ "Member Biographies," Bureau of Planning and Sustainability, <https://www.portlandoregon.gov/bps/article/544829>.

² *Stakeholder Advisory Committee Charter*, Bureau of Planning and Sustainability (November 2015), <https://www.portlandoregon.gov/bps/article/564206>.

³ *Stakeholder Advisory Committee Summary Report*, Bureau of Planning and Sustainability (June 17, 2016), <https://www.portlandoregon.gov/bps/article/581153>.

Public Outreach and Feedback

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

Project Updates

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

Transparency in SAC Meetings

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

Online Questionnaire

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

Public Review of Concept Report

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

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the proposals;
- A series of open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Meetings in collaboration with community members including Oregon Opportunity Network's public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and

- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

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

The *Summary Report of Public Comments on the Draft Proposal* includes six appendices that provide the entire text of the comments received, the notes from the open house question and answer sessions and demographic cross-tab tables for the questionnaire responses.^{4,5}

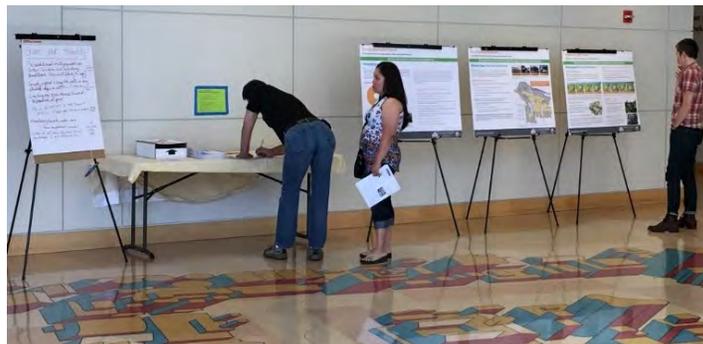
Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

Media Coverage

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

City Council Public Hearing

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



⁴ *Public Comments on the Draft Proposal: Summary Report*, EnviroIssues (September 2016), <https://www.portlandoregon.gov/bps/article/590169>.

⁵ "Appendices: Public comments received on the Draft Concept Proposals," Bureau of Planning and Sustainability (September 2016), <https://www.portlandoregon.gov/bps/71629>.

Phase II: Code and Map Amendments

Public involvement from October 2017 through project completion

As the code and map amendments are developed, the public will have had a chance to review and provide comments on the proposals in the *Discussion Draft*, the *Proposed Draft* to the Planning and Sustainability Commission (PSC), and PSC's *Recommended Draft* to City Council.

Discussion Draft

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

Comments were submitted via mail, email or online using a comment form on the project website. A [What We Heard Summary Report](#) is included on the project website which describes the range of feedback that staff received, along with an [appendix](#) that includes all comments received.^{6,7}

By the numbers

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

How we got the word out

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

⁶ *What We Heard Summary Report*, Bureau of Planning and Sustainability (January 2018), <https://www.portlandoregon.gov/bps/article/670156>.

⁷ "Documents and Resources," Bureau of Planning and Sustainability, <https://www.portlandoregon.gov/bps/67730>.

Proposed Draft to Planning and Sustainability Commission

Comments received during the *Discussion Draft* public review period informed the *Proposed Draft*, which is staff's proposal to the Planning and Sustainability Commission (PSC). The *Proposed Draft* was posted on the project website on April 2, 2018—5 weeks before the PSC's first public hearing on May 8, 2018. As part of the *Proposed Draft* publication and legislative process requirements, the following legal notices were sent:

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

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

The PSC received over 1,200 pieces of testimony on the *Proposed Draft* through mail, email, the Map App and verbally. Over 100 people testified in person during hearings held on May 8 and 15 and more than 40 letters from various organizations and neighborhood associations were received.

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. On September 11, the Commission gave staff direction to develop revised code and map proposals to reflect those changes. This *Revised Proposed Draft* incorporates those changes and will be reviewed by the PSC to ensure that the direction they provided staff through their deliberations and prior 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.

Recommended Draft to City Council

City Council is tentatively scheduled to hold public hearings on the PSC's *Recommended Draft* in the Summer of 2019. The public will be invited to testify on the PSC's proposals at that time.

Section 3: Summary of Amendments

On September 11th, 2018, following a series of work sessions over three months, the Planning and Sustainability Commission (PSC) directed staff to revise the Residential Infill Project proposals from the April 2018 Proposed Draft. The PSCs directed changes do the following:

- Increase the variety of available **housing options**, in more locations, while ensuring greater compatibility of **scale** of these buildings.
- Address and improve **building design** in Portland’s single-dwelling neighborhoods.

In response, the Bureau of Planning and Sustainability prepared the following revised proposals that build on existing base zone allowances. The amendments address the scale of infill development and how and where to increase the range of new infill housing options, including development on historically narrow lots. Additional detail and analysis of the 12 proposals is included in Section 4: Analysis of Amendments, noted by page number references below.

Housing Options and Scale

1. Allow for more housing types. *Page 12*
2. Limit the overall size of buildings. *Page 15*
3. For three or four units, at least one unit must be visitable. *Page 19*
4. Require at least two dwelling units when developing a vacant double-sized lot. *Page 21*
5. Rezone half of the historically narrow lots from R5 to R2.5. Allow the remainder of the historically narrow lots in the R5 zone to be confirmed for attached houses. *Page 23*
6. Allow small flag lots through property line adjustments. *Page 26*
7. Continue to allow added different building forms and site arrangements through a planned development review. *Page 27*

Building Design

8. Revise how height is measured. *Page 30*
9. Address building features and articulation. *Page 32*
10. Provide greater flexibility for ADU design. *Page 34*
11. Modify parking rules. *Page 35*
12. Improve building design on lots less than 32 feet wide. *Page 37*

Section 4: Analysis of Amendments

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

- Portland is expected to grow by more than 100,000 households by 2035. About 20 percent of those units will be in single-dwelling neighborhoods. Still, two-thirds of our housing in 20 years will be the housing that exists today.
- The average age of city residents is increasing, yet most of our housing supply will not be able to meet the mobility needs of these older adults and will be a barrier to aging-in-community.
- The average number of people per household will continue to decrease, while the average new house size continues to increase.

The proposals in this report reflect key changes to the Zoning Code, Zoning Map and Comprehensive Plan Map in residential areas to address these trends by allowing for a wider range of housing types that can serve our growing and changing community. These proposals are intended to allow for a gradual transition to a more prosperous, healthy, equitable and resilient city.

Housing Options and Scale

The proposals create more opportunity for additional housing types on most of the single-dwelling lots in Portland, except those with natural resource or hazard constraints or those that do not have the infrastructure to support additional households.

The proposals result in:

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

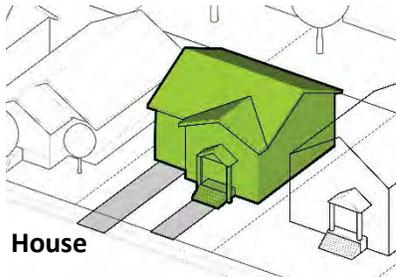
1. Allow for more housing types.

Affects R7, R5 and R2.5 zoned properties; ADUs in all zones.

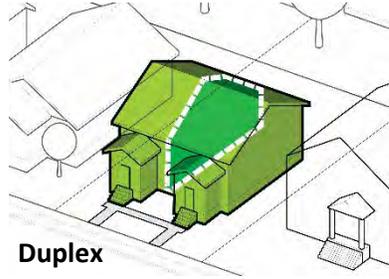
The proposal

- Allow for houses, duplexes, triplexes and fourplexes
- Allow a house to have two accessory dwelling units (ADUs) or a duplex to have one ADU
- Limit lots with the following constraints to a house plus one ADU, or a corner lot duplex:
 - 100-year floodplain
 - Areas identified in the natural resource inventory (NRI)
 - Landslide hazards
 - Unpaved streets
- Set a minimum lot size for lots with 1-2 units and a larger lot size for lots with 3-4 units.

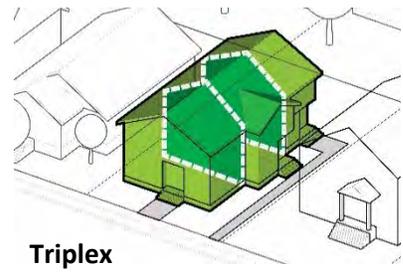
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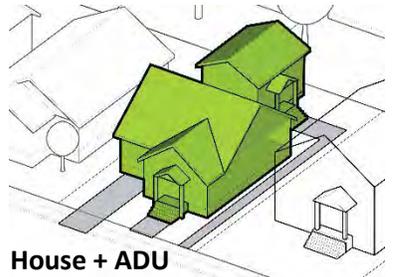
House



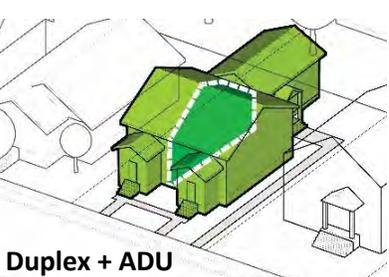
Duplex



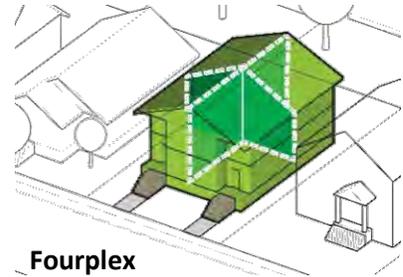
Triplex



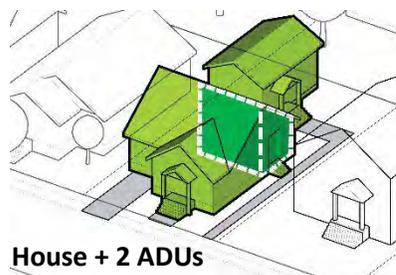
House + ADU



Duplex + ADU



Fourplex



House + 2 ADUs

Variations of different residential infill options. In each case, there is a single primary structure on the lot at a scale that is compatible with existing single houses.

What is the intended benefit?

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

As the price of land for housing continues to climb, the ability for many households to gain entry into single-dwelling areas grows increasingly out of reach. Current zoning in nearly half of the city's land area limits development to a single house. To recoup the cost paid for the land, larger and therefore more expensive houses are built, or smaller houses are remodeled into larger houses. By providing alternatives that allow two, three or four units on a lot instead, suddenly a wider variety of housing options becomes possible. These units can be sold as condominium units at roughly **half the average cost of a single new house**. This opens opportunities for more middle-wage earners to find a foothold in the housing market and **avoid being priced out of neighborhoods** entirely. The proposed new housing options can help **increase the supply of housing and smaller units** in a way that fills a gap between single houses and apartment buildings.

The proposed housing options **use land and resources more efficiently**. Our current development trends are not keeping pace with our housing demands. While average household sizes have

declined in Portland from nearly 4.2 persons a century ago to about 2.3 persons today, the size of homes has increased from just over 1,000 square feet to 2,700 square feet today. Some neighborhoods are seeing additional new houses built, while simultaneously they are losing population. Smaller unit sizes are also more **energy-efficient** than a single unit twice the size.

What else about the proposal should I know?

Lots that only have frontage on **unpaved streets** would not be eligible to construct additional housing types. These streets are less accessible to bikes and pedestrians, and they require more frequent maintenance than paved streets. Additionally, unpaved streets are less likely to handle stormwater effectively. Lots on paved private streets would be eligible for additional housing types.

Landslide hazards are defined as areas that are subject to deep landslide susceptibility (slow moving, large soil volume), in the path of potentially rapid moving landslides (quick moving mudflow), or on historic landslide deposits and scarps. **Floodplains** include both the FEMA 100-year floodplain and the 1996 flood inundation area. Restricting housing options in these areas reduces the level of asset risk by reducing the number of households that are exposed to these risks.



Example of an unpaved street



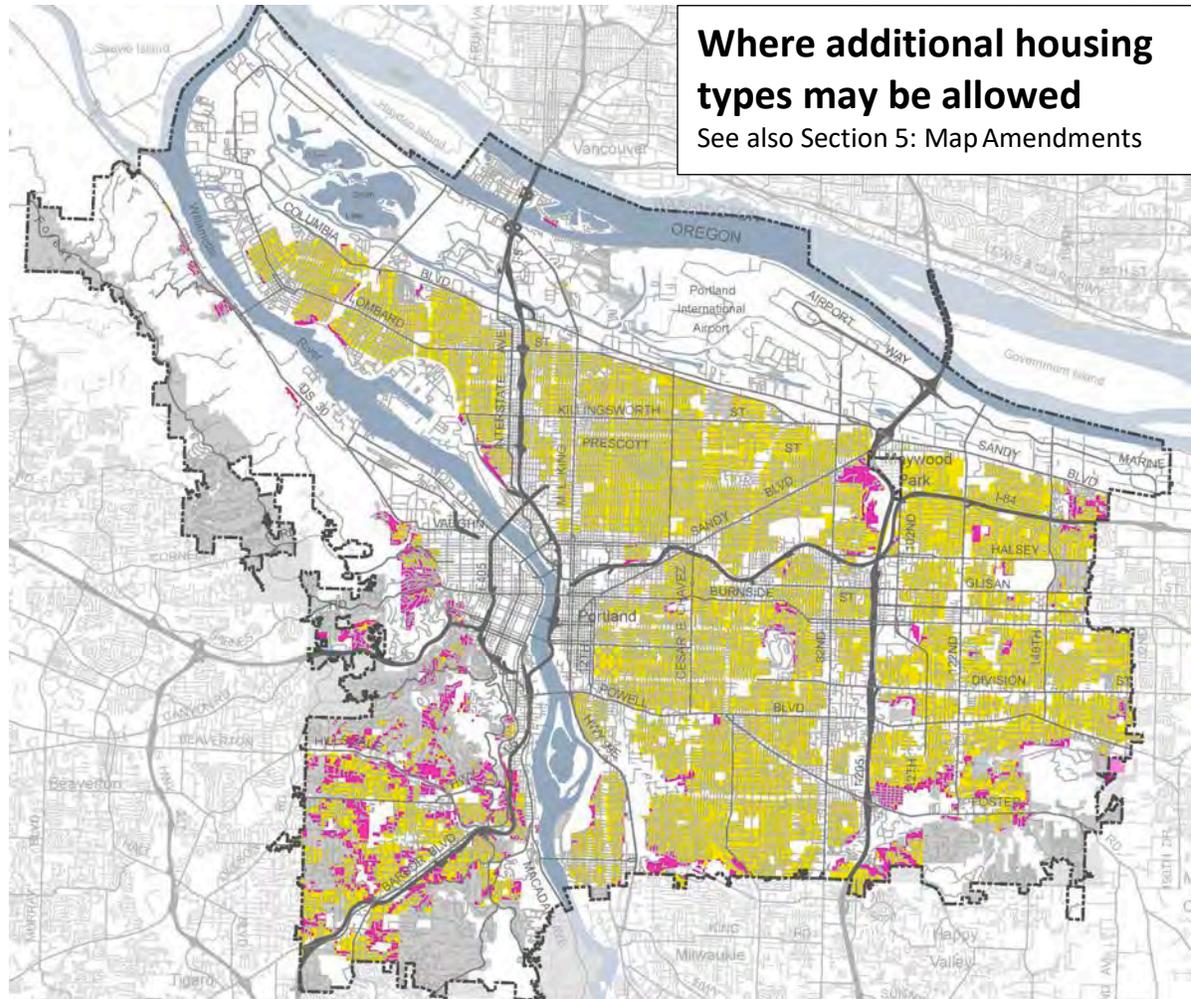
Example of an active deep landslide

The additional housing types proposed would only be allowed on lots that meet the following **minimum lot sizes**. Larger lot sizes ensure that sites are big enough in conjunction with their associated FAR limits to accommodate reasonably sized units, plus provide suitable area for yards and any proposed parking.

Comparison of proposed FAR by zone on minimum sized lots with resulting average unit sizes*										
# of Units	Housing Type	R7			R5			R2.5		
		Min lot size	Base FAR	Average unit sizes	Min lot size	Base FAR	Average unit sizes	Min lot size	Base FAR	Average unit sizes
1	House	4,200	0.4	1,680	3,000	0.5	1,500	1,600	0.7	1,120
2	House + ADU, or Duplex		0.5	1,050		0.6	900		0.8	640
3	House + 2 ADUs Duplex + ADU, or Triplex	5,000	0.6	1,000	4,500	0.7	1,050	3,200	0.9	960
4	Fourplex			750						788

*Average unit sizes derived from: (lot size*FAR)/# of units. They do not reflect ADU unit size limits.

Houses may have up to two accessory dwelling units (ADUs). Both ADUs may be detached from the house or one may be attached to or internal to the house. A duplex may only have a detached ADU. In any case, three units in a single building is considered a triplex, including three attached townhouses.



Areas in yellow indicate the R2.5, R5 and R7 zones that are proposed to allow the additional housing types. The magenta areas indicate natural hazard or resource constraints, and the gray areas indicate low-density RF, R20 and R10 zones. See Section 5: Map Amendments for more information.

2. Limit the overall size of buildings.

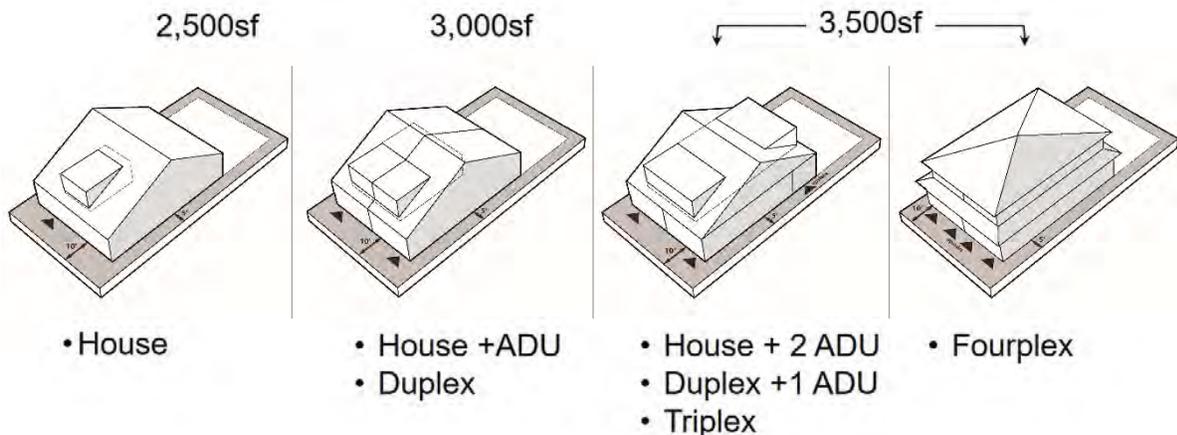
Affects R7, R5 and R2.5 zoned properties.

The proposal

- Set a total maximum building size, measured by floor-to-area ratio (FAR), that is less than what is achievable today.
- Scale the FAR to increase as the number of units increases on the site.
- Exclude attics and basements from FAR.
- Allow a bonus increase in FAR on the site if:
 - At least one of the units is affordable (80% median family income), or
 - Units are added to a site with an existing house and the street-facing facade of the house remains substantially unaltered.

For example:

On a 5,000 square foot lot in the R5 zone, the following building sizes would be possible.



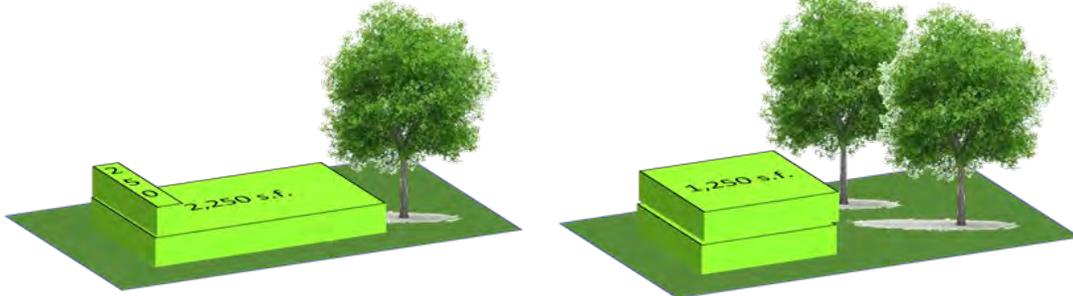
What is the intended benefit?

Using FAR is intended to **prevent disproportionately large buildings, while retaining flexibility** that does not create a barrier to new development or remodels.

Other approaches like reducing building coverage, lowering heights and increasing setbacks could be applied; however, they can excessively limit development of smaller lots, while still allowing overly large buildings on larger lots. FAR provides for a proportionate amount of square footage that is linked to lot size. How that square footage is allocated (either spread out or stacked up) remains flexible. Reducing building coverage alone encourages taller buildings. Combining height limits with building coverage limits creates a complicated set of rules that are less flexible for subsequent additions.

The proposed FARs have been set to **encourage, but not mandate, two-story buildings**. This can result in much lower building coverage than the maximum that is currently allowed.

For example:



Proposed FAR creates a choice: spread out (45% coverage) or stack up (25% coverage).

	R7 – 7,000 square foot lot	R5 – 5,000 square foot lot	R2.5 – 2,500 square foot lot
Current Code maximum size* Based on building coverage and height limits	7,650 square feet <i>This is roughly 1.1 FAR.</i>	6,750 square feet <i>This is roughly 1.35 FAR.</i>	4,375 square feet <i>This is roughly 1.75 FAR.</i>
Proposed maximum size Base (one unit)	2,800 square feet <i>Maximum 0.4 FAR</i>	2,500 square feet <i>Maximum 0.5 FAR</i>	1,750 square feet <i>Maximum 0.7 FAR</i>
Maximum (three or four units with bonus FAR)	4,900 square feet <i>Maximum 0.7 FAR</i>	4,000 square feet <i>Maximum 0.8 FAR</i>	2,500 square feet <i>Maximum 1.0 FAR</i>
	R7 House Fourplex	R5 House Fourplex	R2.5 (5,000 sq. ft. lot) Duplex** Fourplex

* The current code maximum size is determined by calculating the building coverage and multiplying by the number of stories that can be built under the height limit. For example, for the R5, 5,000 square foot lot, the building coverage is 2,250 square feet, and the height is 30' (3 stories). Multiplying 2,250 times 3 yields 6,750 square feet of total allowable building area.

** In the R2.5 zone on a 5,000 sq. ft. lot, a minimum of 2 units is required (see proposal 4)

What else about the proposal should I know?

Detached accessory structures are included with primary structures in the total calculation of floor area allowed on the site. One FAR standard will apply to the entire site. This provides greater flexibility to have a larger or smaller accessory structure, depending on how much square footage is being used for the primary structure. To encourage ADU creation, additional FAR is provided when there is a second or third unit on the site.

The calculation of total floor area does not include basements (floors where at least 50 percent of the combined wall area is below grade) or portions of attics where the ceiling height is less than 80 inches (the minimum height required by the building code to be considered “habitable space”).

FAR is not an adjustable standard. Due to the inclusion of scaled FARs for two and three units as well as the incentives for affordable housing or converting existing home sites described below, an adjustment process would undermine and negate the benefits those provisions aim to achieve. To achieve additional base FAR, more units must be provided.

Bonus FAR may be obtained in one of two ways:

The first is by adding units to a site while **retaining an existing house or converting the house** to a duplex, triplex or fourplex. The front façade of the house must remain substantially unaltered to achieve this bonus FAR.

The other way to gain FAR is by meeting **affordability requirements**. When one unit is priced for those making up to 80 percent of the median income, then an additional 0.1 FAR can be achieved. This is designed to help make small, affordable infill-housing development projects more feasible by making more FAR available than what is allowed for market-rate housing projects and/or to better accommodate larger families in affordable housing.

The proposed FAR limits take into consideration the typical sizes of new and existing homes in neighborhoods. The first table below summarizes the average size of new houses built in 2015 by zone based on permit data. The second table shows the average size of existing houses by zone based on tax assessor data, which is the best citywide data available. This comparison shows that while many of the new houses being built today surpass the proposed FAR limits, most of the housing stock—older, existing houses—would fall within the proposed limits. The expected outcome of this proposal is new houses will be smaller than what is being built today and more comparable to existing houses.

2015 Houses	R2.5	R5	R7
Number of permits	99	275	51
Largest house size (square feet)	4,574	4,627	4,809
Largest FAR	1.32 to 1	1.27 to 1	.96 to 1
Average house size (square feet)	2,381	2,669	3,252
Average FAR	.75 to 1	.64 to 1	.47 to 1
Permits above the proposed FAR	51%	76%	59%
<i>Includes habitable area only, excluding low attics, garages and unfinished basements.</i>			
Existing Houses	R2.5	R5	R7
Number of houses	13,279	76,027	27,669
Average FAR	0.31 to 1	0.30 to 1	0.21 to 1
Number and percentage of houses that are nonconforming with proposed FAR	476 (3.5%)	9159 (12%)	1412 (5.1%)

Analyzing the risk of displacement

The 2035 Comprehensive Plan defines displacement as when households are involuntarily forced to move from a neighborhood because of increasing values, rents, or changes in the neighborhood's ability to meet their basic needs. **Policy 5.15, Gentrification/displacement risk**, requires new plans to evaluate the potential to cause displacement or increase housing costs in vulnerable communities. *Appendix H* presents the detailed displacement risk analysis summarized here.

Who is vulnerable to displacement?

Economic vulnerability is measured across four variables: households that rent, people who identify with a community of color, people without four-year degrees and low-income households. These socioeconomic factors indicate a reduced ability to withstand housing market price increases.

Displacement Risk Areas are census tracts that have a vulnerable population, have experienced demographic change and have housing market conditions with increasing prices. In addition to those geographic areas, **the analysis also focused specifically on the impact to the 14,000 low-income households who rent single-family homes**. These households are most vulnerable because they have the least control over their housing (they are subject to eviction) and limited choice in housing (based on affordability).

Where is redevelopment most likely?

Redevelopment occurs because a new building might be of higher value than an existing single-family house. In this situation, redevelopment could occur when a developer chooses to demolish an existing house to build a new structure with multiple units. The analysis evaluates two 2035 development scenarios: one for current zoning as the baseline scenario and one for the Residential Infill Project.

Overall, the project proposals are likely to **reduce displacement of low-income renters in single-family homes across Portland**. This reduction is the result of allowing more units to be built on one lot, which means there will be fewer lots redeveloped overall across Portland. Other key findings from the comparison between the baseline current zoning scenario and the proposal include:

- **Inner Portland neighborhoods** like Buckman, Richmond, Eliot, and Humboldt **see minimal change in redevelopment** rates and **moderate increases in housing** units.
- **Middle ring neighborhoods**, including St. Johns, Portsmouth, Concordia, Cully, Montavilla, Brentwood-Darlington and Lents, **see significant increases in new units**, but **lower rates of redevelopment**.
- **West Portland** neighborhoods see minimal change in redevelopment.
- **Most East Portland neighborhoods** see **moderate increases in new housing units** including Centennial, Powellhurst-Gilbert, Mill Park and eastern portions of Lents.
- Conversely, **some areas of Portland see decreases in redevelopment and new units**. These areas include neighborhoods such as Eastmoreland, Southwest Hills, Sylvan-Highlands, Hayhurst, Maplewood and Wilkes. In many cases **the cost to purchase existing houses exceeds the land price threshold necessary to support new development**.
- **Brentwood-Darlington, Lents**, and parts of the **Montavilla** neighborhood that are east of 82nd Avenue are likely to see significant increases in redevelopment that could also lead to the displacement of vulnerable households.

These findings suggest the Residential Infill Project will **reduce displacement of vulnerable households citywide (with some increases in certain areas), increase housing supply and choice and create less-expensive housing options** in Portland's single-dwelling zones.

3. For three or four units, at least one unit must be visitable.

Affects R7, R5 and R2.5 zoned properties.

The proposal

- For lots with three or four units, at least one unit on the site must meet the following visitability requirements:
 - No-step entry
 - Wider doorways
 - Living space and bathroom on the ground floor

There are exceptions for units that are added in an existing building (which can be difficult to remodel to meet visitability requirements), for very steeply sloping lots, or when the slope of the lot from the street to the front door makes this standard impractical.

What is the intended benefit?

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

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

As our population continues to live longer, the demographics of the city are also changing and will reflect a higher average age. According to the 2017 American Community Survey, over 36 percent of adults 75 years and older in Portland have an ambulatory disability. About 13 percent of adults between the ages of 65 and 75 and another 10.5 percent of persons under the age of 65 experience mobility issues. As we think about the future housing stock, it is important to think about ways this housing can be readily adapted to suit our changing needs.

Some of those adaptations are fairly straightforward and do not require structural changes, but other costlier and potentially infeasible barriers to overcome include removing steps leading into a home, providing adequate-width doorways, and ensuring there is a bathroom on the accessible floor.



Retrofitting existing development can require extensive and costly modifications.

To be “visitable,” a dwelling must have a zero-step entry, wider doors (34 inches minimum), a bathroom with adequate maneuvering area and an area to socialize (minimum 70-square-foot room) on the same floor as the bathroom and visitable entrance. The proposal to include minimum living space area on the accessible floor ensures that units do not simply include an entry with an interior landing, a half-bath and a stairway to the dwelling area of the house. This is intended as a

relatively low-cost but high-impact way to increase accessibility. It does not accomplish or cost the same as providing for full accessible living, but it does provide a platform for future home modifications that can be tailored to meet the specific needs of the occupant.

What else about the proposal should I know?

Certain situations are exempt from the visitability requirements due to the impracticalities of meeting the standards. For example, existing houses or accessory buildings are exempt because of their fixed set of conditions like the level of the entrance or interior room layouts. Grading to achieve a zero-step entry could negatively impact the building. Reconfiguring interior walls or adding bathrooms where there is no plumbing would likewise be challenging.

Additionally, lots that are very steep (20 percent average slope) or have a steep slope from the street to the front door would require extensive grading, which could add significant cost and potentially remove topographic characteristics that help define the street.

4. Require at least two dwelling units when new development is proposed on a double-sized lot.

Affects R7, R5 and R2.5 zoned properties.

The proposal

- When new development is proposed on lots that are twice the standard size lot for the zone, at least two units will be required.

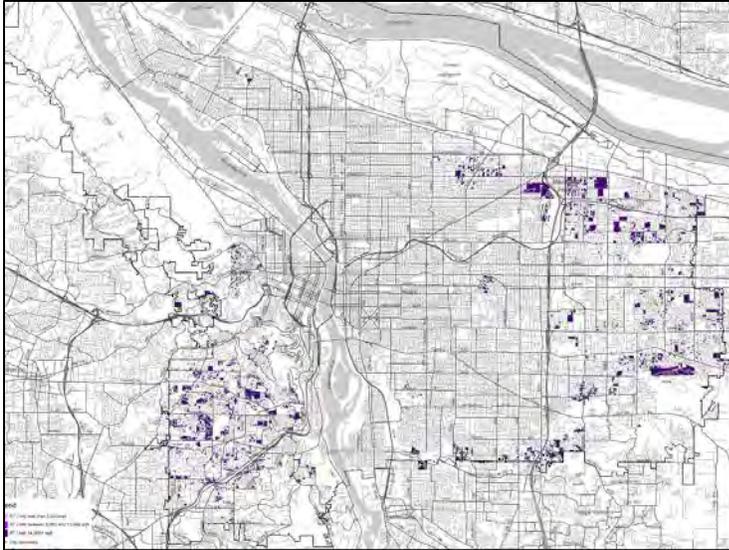
What is the intended benefit?

Single-dwelling zones only require one dwelling unit on a site, regardless of the site size. Conversely, multi-dwelling zones require that minimum densities be met at the time of development. For example, on a 10,000-square-foot R1 multi-dwelling site, the maximum density is 1 unit per 1,000 square feet (or 10 units), while the minimum density is 1 unit per 1,450 square feet (or 7 units). This ensures that land allocated for certain levels of housing densities are achieving those levels.

In the R7, R5 and R2.5 zones, minimum densities are only ensured when lots are being divided. When new development is proposed, or when a house is demolished on a double-sized or larger lot, current rules allow just a single house to be built. This is an issue in the R2.5 zone where almost 40 percent of the lots are at least double the required average lot size. While this situation applies to fewer than 10 percent of the lots in the R7 and R5 zones, without this provision, a single large house (5,000-square-foot house on a 10,000-square-foot lot in the R5) could be built and would be a lost opportunity for adding housing.

What else about the proposal should I know?

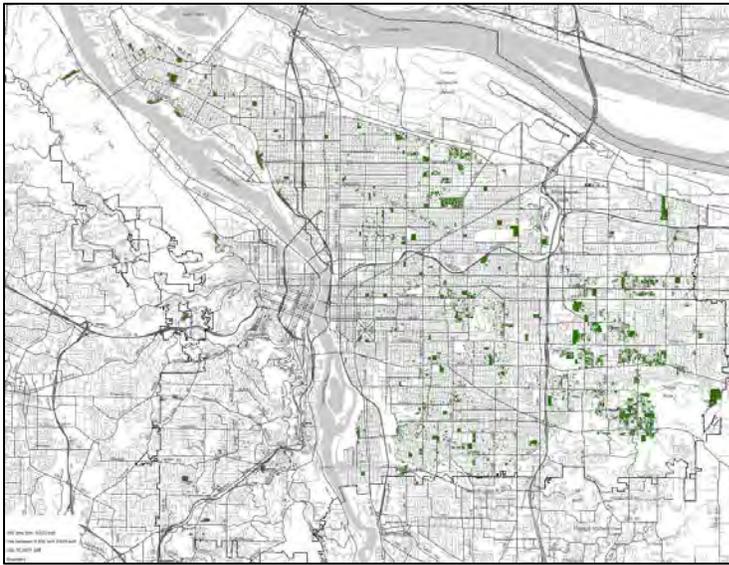
The two dwelling-unit requirement only applies to new development sites and does not apply to lots that have an existing house when additions are proposed. The requirement does not require that large lots be divided. It can be met with a house plus and accessory dwelling unit (ADU), or a duplex on sites where duplexes are allowed. Most lots in these zones will also allow for duplexes, and all corner lots currently permit duplexes.



R7

All lots:
32,953

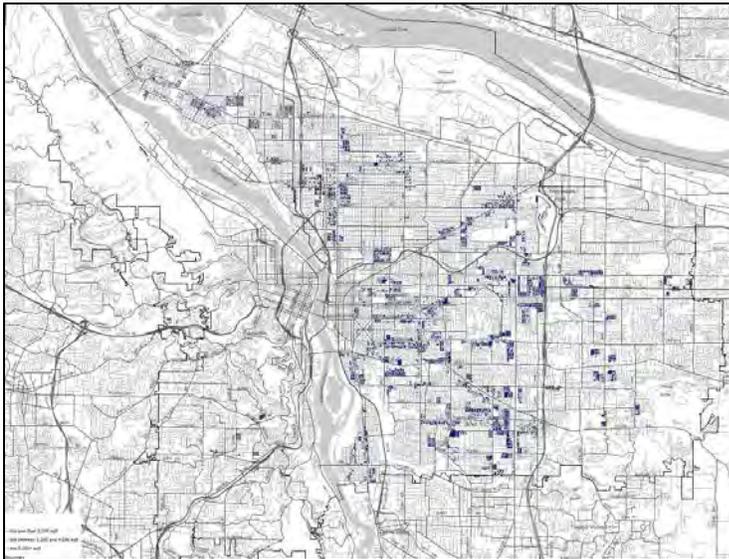
Lots 14,000 sq. ft. and larger:
2,812 (8.5%)



R5

All lots:
73,557

Lots 10,000 sq. ft. and larger:
4,629 (6.3%)



R2.5

All lots:
26,675

5,000 sq. ft. and larger:
10,614 (39.8%)

5. Rezone half of the historically narrow lots from R5 to R2.5. Allow the remainder of the historically narrow lots in the R5 zone to be built with pairs of attached houses.

Affects Historically narrow lots in the R5 zone.

The proposal

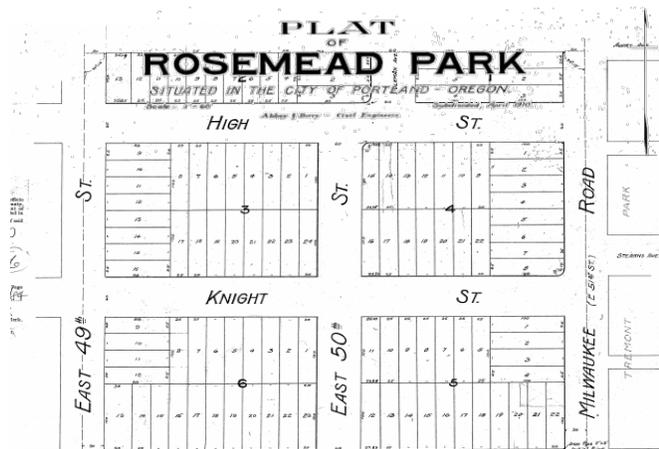
- Rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, allow these lots to be developed with attached houses that can be owned separately.

Summary of Lots and Area Proposed for Rezoning		
Citywide Statistics	Lots	Acres
R5 historically narrow lots	14,435	1,804
R5 to R2.5 Rezoning		
R5 Historically narrow lots	6,384	742
Other R5 rezones (not historically narrow lots)	324	40
Total properties rezoned to R2.5	6,708	782

What is the intended benefit?

Some areas of the city have original, **underlying platting that created lots smaller than typical for the current zoning**. These are referred to as “historically narrow lots.” Most of these areas are in R5 zones. A typical R5-zoned property is 50 feet wide by 100 feet deep (5,000 square feet). A typical R5 “historically narrow lot” is 25 feet wide by 100 feet deep (2,500 square feet). The platting pattern and the concentration of historically narrow lots in certain areas of the city predates modern zoning and their location is an artifact of history.

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



Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying lot depths.

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

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

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

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

The rezoning **increases the potential supply of housing in amenity-rich areas**, as called for in the Comprehensive Plan. The rezoning is based on their proximity to centers, parks, schools and other community amenities as well as consistent zoning designations and patterns of development.

The proposal provides the opportunity for a different housing type in the R5 zone—**fee-simple attached houses**. Fee-simple ownership is the most common ownership type in single-dwelling neighborhoods. It differs from condominium ownership in that the land under the house is owned by one owner, instead of being owned in common. Also, since these lots already exist, more costly land divisions would not be required to provide these fee-simple lots.

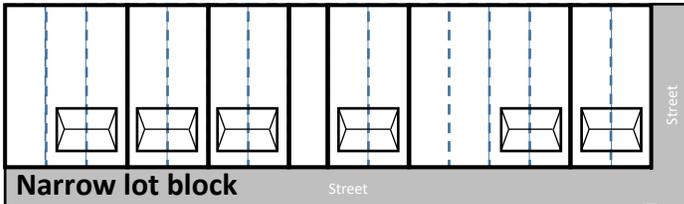
What else about the proposal should I know?

On the historically narrow lots that will remain zoned R5, the “five-year moratorium” will no longer apply and the underlying lots can be developed when attached houses are proposed. A key distinction between R2.5 and R5 lots is the allowable scale of houses. In the R2.5 zone at 0.7 FAR, each attached house would be up to 1,750 square feet, whereas the lower FAR of 0.5 in the R5 zone limits the maximum size of each attached house to 1,250 square feet. Another distinction is that the R5 zone only allows pairs of attached houses, as opposed to structures with multiple attached rowhouses (up to eight) in the R2.5 zone.

Exceptions would still allow developing detached houses on individual substandard R5 lots. For example, lots wider than 25 feet will permit a detached house. Also, if a detached house is already

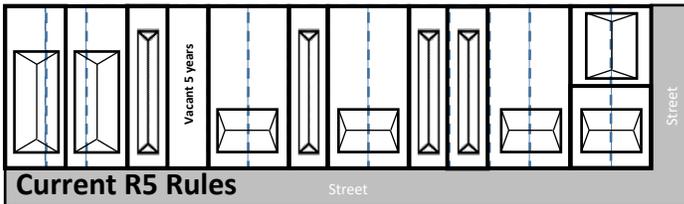
built on a 25-foot-wide lot, the house may be rebuilt if accidentally damaged or destroyed. Lastly, if there is existing development on both lots adjacent to a historically narrow lot, that stand-alone lot would be allowed to be built with a detached house, since attaching to existing development on the other lot would be impractical.

Individual historically narrow lots are too small to qualify for the additional housing types described in Proposal 1, so it is not possible to put a triplex or fourplex on these lots. Where two or more substandard lots are combined to meet the minimum lot dimension requirements, this combination of lots could qualify for the additional housing types.



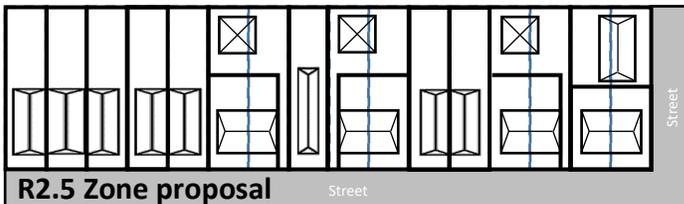
Existing historically narrow lots

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



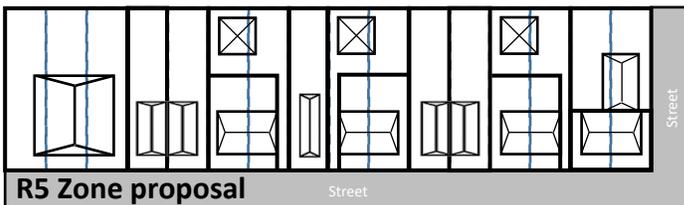
R5 - Current infill potential

Under current rules: • Property lines can be adjusted from three lots to create two 36'+ wide lots. • A house can be built on one lot, leaving the other lot vacant for five years. • The stand-alone lot can be built. • Skinny detached houses can be built on vacant lots. The corner lot can rotate the property line for detached houses.



R2.5/R5 - Proposed infill potential

Historically narrow lots will have more infill opportunities: • Houses in R2.5 will have a max 0.7 FAR, while houses in R5 will have a max 0.5 FAR. • Attached houses will be required on narrow lots. In R5, only pairs of attached houses will be allowed. • Flag lots will be allowed through property line adjustments when an existing house is kept. • Stand-alone lots can be built. • Corner lots can rotate property lines for detached houses (R2.5) or attached houses (R5).



Some small pockets of R5-zoned areas that did not include historically narrow lots have been included in the R2.5 rezone proposal (324 lots, 40 acres) to provide for a transition between existing higher-intensity zones and the proposed rezone areas.

For more information about the criteria used and the location of proposed zone changes, see Section 5: Map Amendments and Appendix F: R2.5 Zone Changes by District.

6. Allow small flag lots through property line adjustments.

Affects R2.5 zones and historically narrow lots in the R5 zone.

The proposal

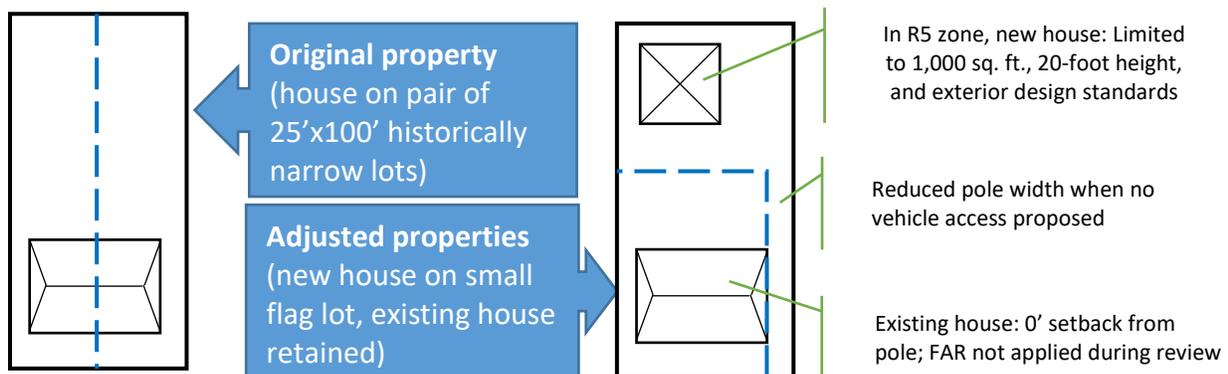
- Require that the existing house be retained and exempt from FAR limits at the time of the property line adjustment review.
- In the R5 zone, limit the height of the house on the flag lot to 20 feet, limit its size to 1,000 square feet and require additional exterior design elements.

What is the intended benefit?

The proposal allows for a small flag lot to be created either through a property line adjustment (R5 historically narrow lots and other R2.5 lots) or with a land division (R2.5 zones only). In general, flag lots are a less desirable form of development because the lots are disconnected from the public street. Because they are behind an existing house, they are also located next to the back yards of adjacent houses. On the other hand, flag lots afford infill opportunities while retaining existing houses⁸.

A property line adjustment process is quicker and less costly than a land division. This streamlined review process supports the creation of more fee-simple homeownership opportunities with smaller, less expensive units and provides homeowners the opportunity to capitalize on their investment. The provision encourages the preservation of a house by allowing this process and lot configuration only if a house is retained.

For example:



⁸ Staff estimates that in proposed rezone areas, less than 10 percent of historically narrow lots are vacant, while the proportion of lots with flag lot potential is closer to 20 percent.

What else about the proposal should I know?

To provide additional incentives to retain the existing house, the FAR for the existing house will not be reviewed during the flag lot property line adjustment request. Normally, when evaluating property line adjustment requests, the applicable development standards are evaluated to ensure that development remains in compliance. For example, if minimum setbacks or building coverage cannot be met as a result of changing the lot configuration, a land use adjustment is required. Exempting the FAR during a flag lot property line adjustment removes another potential barrier to keeping the existing house.



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

In the R5 zone, additional limitations are proposed on the flag lot to maintain a more conventional pattern of primary structures along the street with smaller detached structures in the back yard. To achieve this, the flag lot house will be limited in size (1,000 square feet) and height (20 feet), and exterior design requirements (similar to what is required for accessory structures taller than 15 feet) will apply.

7. Continue to allow different building forms and site arrangements through a planned development review.

Affects R7, R5 and R2.5 zoned properties.

The proposal

- Align the review procedure, allowable density, and development standards for similarly sized planned developments and land division sites.

What is the intended benefit?

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

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

The PD review enables the flexibility needed by cottage clusters to respond to site characteristics, constraints and opportunities. Because a cottage cluster is a break from the standard lot pattern, these proposals are reviewed for their site layout and architecture to ensure compatibility with the surrounding neighborhood.

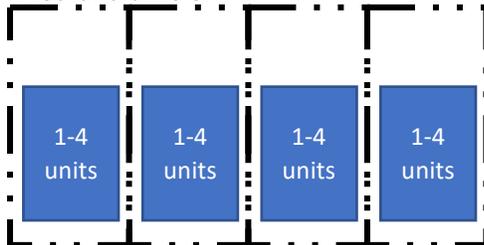


For example: Smaller homes clustered around a common open space in Northwest Heights.

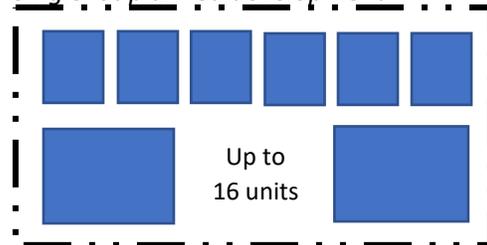
The proposal accomplishes **four key objectives**:

1. It allows for similar densities that would be allowed through a standard subdivision.
2. It more closely aligns the type of review procedure with subdivisions proposing the same number of units.
3. It retains flexibility that allows more types of housing, site layout and building design while ensuring compatibility with the neighborhood through a discretionary review process and providing certainty in the subsequent phases of development through a land use approval.
4. It provides the opportunity for community members to receive public notice and comment on the PD proposal.

4-lot land division



Single lot planned development



In a standard land division of a 20,000 square foot R5 zoned property into four lots, each could include between 1 and 4 units (house through fourplex). A planned development would allow the same number of units but with greater flexibility in how they are arranged on the site and would be reviewed for context and compatibility during the review. Both would be reviewed through the same review procedure type (Type IIx).

<i>Comparison of Planned Development and Land Division reviews on a 20,000-square-foot R5 site</i>			
	Land Division	Current PD (no LD)	Proposed PD (no LD)
Review Type	IIx	III	IIx
Number of lots	4	1	1
Total number of units	Up to 16 (4 plex x 4 lots)	4 (20,000 ÷ 5,000 sq. ft.)	Up to 16
FAR	4 Houses=0.5 4 Duplexes=0.6 4 Triplex/fourplex=0.7	N/A	0.7
Building coverage	45% per lot (average)	22.5%	22.5% but modifiable
Visitability	1 per triplex/fourplex	N/A	33% of units

What else about the proposal should I know?

Planned developments allow for cottage cluster-style developments, but they also provide the flexibility for other types of housing arrangements, too. This might include garden apartments, courtyard housing, or other combinations of houses, duplexes and triplexes. The proposal is not specific to cottage clusters but rather allows for greater alignment with land division sites in terms of numbers of units, building sizes and review procedures on sites where the land is not being divided into multiple lots.

In the R5 and R7 zones, the allowable units for a planned development site is four times the potential number of lots. However, in the R2.5 zone, the allowable density is just two times the number of potential lots, in part due to the difference between larger lot size required for three or four units (3,200 square feet) as opposed to the underlying lot density (one lot per 2,500 square feet).

Land use review procedures, in order from least to greatest level of process, include Type I and Ix, Type II and IIx, Type III and Type IV. Most PDs currently go through a Type III procedure, which is decided by a Hearings Officer and, if appealed, by City Council. By comparison, a Type IIx land use review, which applies to smaller land divisions, is less expensive, requires less time to process and is a staff decision that can be appealed to the Hearings Officer. Both procedure types utilize the same approval criteria and provide opportunities for appeals at both the City and State level.

The proposal changes the threshold for PDs so that proposals up to 20 units are processed as a Type IIx case, the same maximum number of units that can be reviewed through a Type IIx standard R2.5 subdivision (10 lots with two units each). Any proposal in a single-dwelling zone that includes commercial or multi-dwelling structures (structures containing five or more units), regardless of the number of units being proposed, remains a Type III review procedure.

Building Design

The proposals seek to improve building design, resulting in:

- Building heights that better relate to the site
- Improved roof articulation and front setback alignment
- Reduced impacts from onsite driveways and garages
- Houses on narrow lots that are more consistent with homes on wider lots

8. Revise how height is measured.

Affects All zones, including non-residential zones.

The proposal

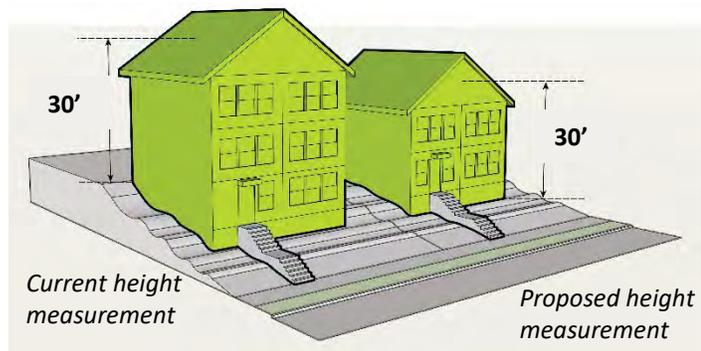
- Measure height from the *lowest* point near the house, not the *highest* point.
- Clarify that small dormers are excluded from the height measurement.
- Continue to allow 2½ story houses (30 feet high) on standard lots.

What is the intended benefit?

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

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

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



Dormers (which are often not measured under current code and frequently have a higher roof) would be measured for height unless they maintain a minimum 3:1 pitch, are set back from exterior

walls by 1 foot, do not project above the roof ridgeline and are less than 75 percent of the width of the roof they are on.

For example:

Currently, dormers are not included in height measurements.

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



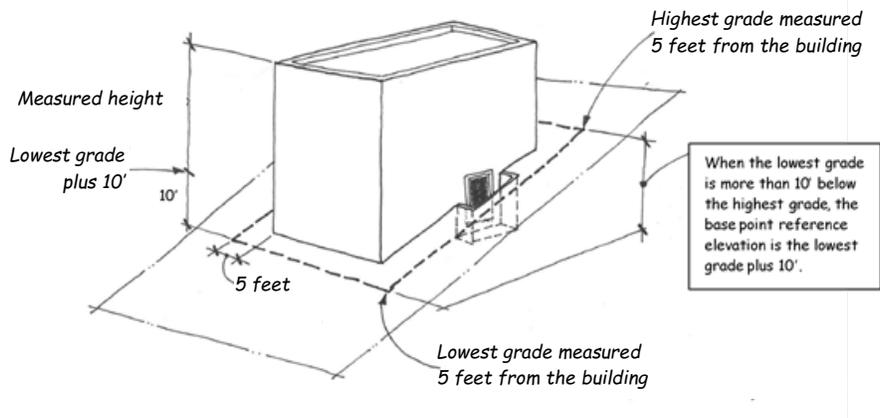
pro.homeadvisor.com



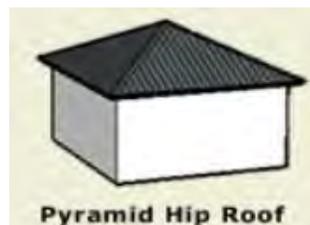
finehomebuilding.com

What else about the proposal should I know?

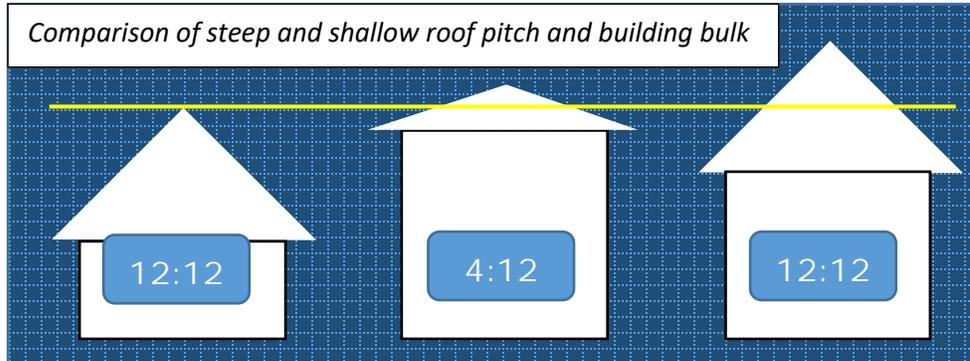
Since the height measurement is taken along a perimeter that sits 5 feet away from the edge of the building, window wells and exterior stairs to basements would not affect the new height measurement, provided they fall inside the 5-foot perimeter distance. In addition, a 5-foot-wide pedestrian access would be allowed through the perimeter without affecting the measured height. This provides for access to basement units, for example, on raised lots.



The current code differentiates measurement methods between gable roofs with less than 12:12 pitch (measure to the midpoint) from those with 12:12 and greater roof pitch (measure to the peak). The code also measures to the peak of pyramidal shaped roofs, even though the distinction between these and gable/hipped roofs is nearly imperceptible from the ground.



The proposed changes would treat these roof types the same by measuring to the midpoint in both cases, consistent with building code methodology. This allows for steeper pitched roofs that may be taller, but the building profile is typically less bulky than buildings with lower-pitched roofs. This will work together with FAR limits that count tall attic spaces to reduce the overall building bulk.



9. Address building features and articulation.

Affects R20, R10, R7, R5 and R2.5 zoned properties.

The proposal

- Limit how high the front door can be above the ground (R10 – R2.5 zones).
- Allow eaves to project up to 2 feet into setbacks (R20 – R2.5 zones).
- Allow the front door of each corner lot duplex unit to face the same street (R20 – R2.5 zones).

What is the intended benefit?

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

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

For example:



Front doors are positioned closer to the ground and both oriented to the same street. Larger eaves better complement the roof.



Tall flights of stairs to raised front doors will no longer be allowed. Increased allowances for eave projections will enable wider eaves to be built.

Current rules require that corner lot duplexes have their front doors and addressing oriented to opposing streets. Removing this limitation provides **greater flexibility for duplex design** and can increase neighbor interaction and strengthen street identity.

What else about the proposal should I know?

The limitation on the height of front stairs does not apply to sites in the 100-year floodplain, where building code requirements mandate that the finished floor level be a certain distance above the 100-year flood elevation. In some cases, the limitation on how far above grade the front door can be could create conflicts with floodplain regulations.

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

10. Provide greater flexibility for ADU design

Affects Accessory dwelling units (ADUs) in all zones.

The proposal

- Maintain current ADU allowances (living area).
- Allow basement ADU conversions to exceed the 800 sq. ft./75% size cap in an existing house.
- Allow the front door of an internal ADU to face the street.

What is the intended benefit?

Accessory dwelling units have gained popularity in Portland in recent years. They represent an excellent way to provide smaller housing choices and alternatives to apartments while also offering homeowners a way to supplement their income. They provide flexible options for extended family or others while maintaining a greater degree of autonomy than more traditional roommate situations. The current ADU allowances have been in effect for several years and have not placed undue barriers to ADU development. The proposed refinements are intended to further facilitate their creation.

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



Example: Basement ADU

Removing the limitation that restricts having the front door of an accessory dwelling unit on the same façade as the main house will also provide more design options for internal ADUs or greater flexibility to convert space in an existing house to an ADU, such as a garage conversion.

What else about the proposal should I know?

Additional clarification is being added to the code to better differentiate “attached accessory structures” (built inside or alongside a primary structure), “connected accessory structures” (built separate from a primary structure but attached via a breezeway or deck), and “detached accessory structures” (built apart from and not connected to the primary structure). This is intended to more clearly specify that height, building coverage, and design standards for ADUs that are connected by a breezeway are the same as detached ADUs. Connected structures will need to meet base zone setbacks. The connection (e.g., breezeway) is subject to base zone height, building coverage and setback standards.

11. Modify parking rules

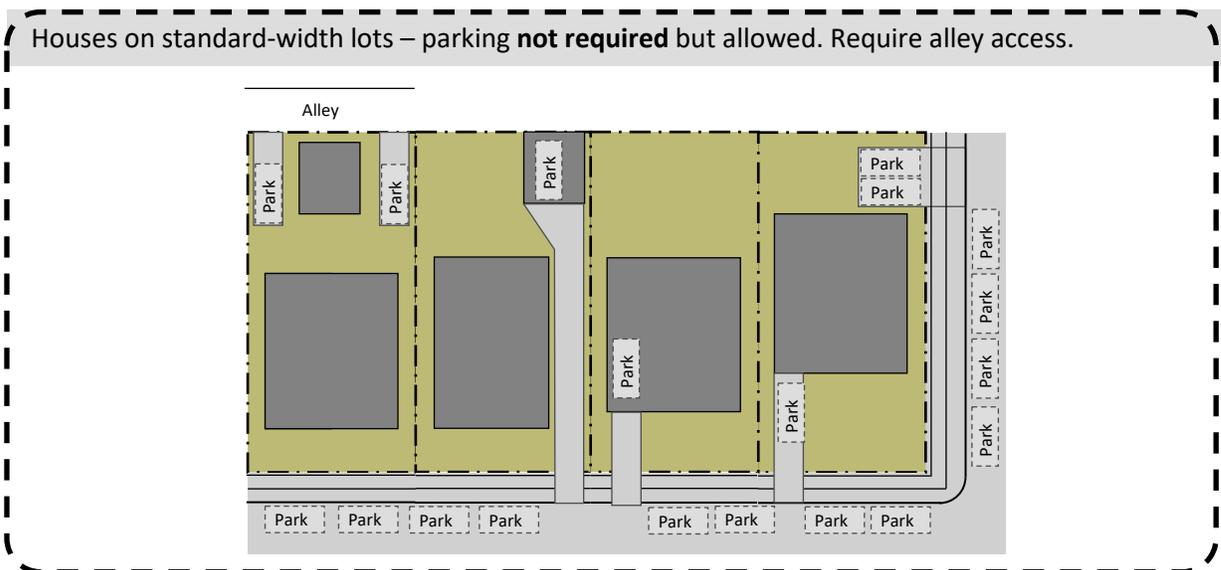
Affects Parking for houses, duplexes, triplexes and fourplexes in all zones.

The proposal

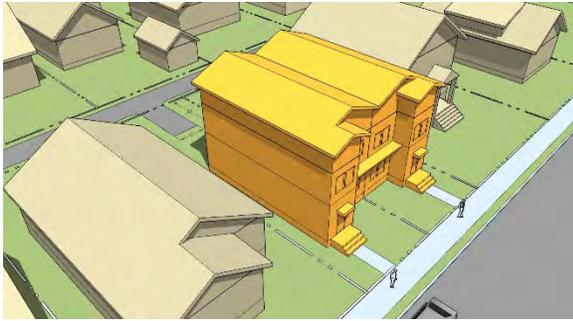
- Delete minimum parking requirements for residential uses (RF-R2.5 zones only).
- If a lot abuts an alley, require parking access to be from the alley when parking is provided. (Houses, duplexes, triplexes in all zones, and fourplexes on sites less than 7,500 sq. ft. in single dwelling and multi dwelling zones)
- Prohibit driveways and parking between the building and the street unless the driveway accesses a garage or parking space behind the front of the building. Limit garages to 50% of the building façade. Do not allow garages on facades less than 22' wide. (Attached houses, duplexes, triplexes and fourplexes in RF-R2.5 zones)

What is the intended benefit?

Removing parking requirements for residential uses provides the opportunity to reduce the amount of lot area used for pavement and provides more space for yards and trees. It also offers greater flexibility to site housing and reduces costs when on-site parking is not provided. Further, it promotes preserving on-street parking spaces that could be lost to driveways and curb cuts.



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



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



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

Narrow lots present unique challenges for accommodating parking. First, their narrow width means that there is already limited curb space for on-street parking, and each driveway curb cut removes 15 feet of curb (9-foot-wide driveway with 3-foot aprons on each side). This essentially removes one on-street parking space for an off-street space. A series of narrow lots with driveways can effectively eliminate on-street parking opportunities on that side of the street entirely.

Secondly, the narrow width of the front façade of a detached house means that nearly 80 percent of the first floor facing the street is a garage. Attached houses fare slightly better at 60 percent. Current rules limit garages on most lots to 50 percent of the width of the house to **lessen the garage prominence** and **maintain a stronger connection between the living area of the house and the public realm**. When a building is at least 22 feet wide (e.g., a detached house on a 32-foot-wide lot), a garage may be built.

Currently, parking is not required for historically narrow lots, yet a 12-foot-wide garage is allowed. Narrow lots created more recently through a land division are required to have parking, but garages are not allowed, and alley access is required where alleys are present. The proposal combines these requirements so that parking is not required, and vehicle areas and parking are prohibited between the front building line and the street. Garages are limited based on the combined width of the building facades. On lots that abut an alley, parking access from the alley will continue to be required. For other lots, parking located behind the front building line will be allowed.

Narrow lots with attached houses, duplexes, triplexes, fourplexes – parking not required, and prohibited between the building and the street.



12. Improve building design for all narrow lots.

Affects Any lot less than 32 feet wide (R2.5 zone and historically narrow lots in R5 zone)

The proposal

For development on lots less than 32 feet wide:

- Apply a single set of rules to narrow lots.
- Limit height of a detached house to 1½ times its width.
- Require attached houses on lots 25 feet wide or narrower.
- Require landscaped front yards.
- Allow narrower lots for attached houses in the R2.5 zone.

For example:



Tall, detached narrow houses are discouraged, and front-loaded garages are prohibited on narrow facades.



The proposal requires attached houses with landscaping and other design elements to ensure façade reads as a single building.

What is the intended benefit?

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

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

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

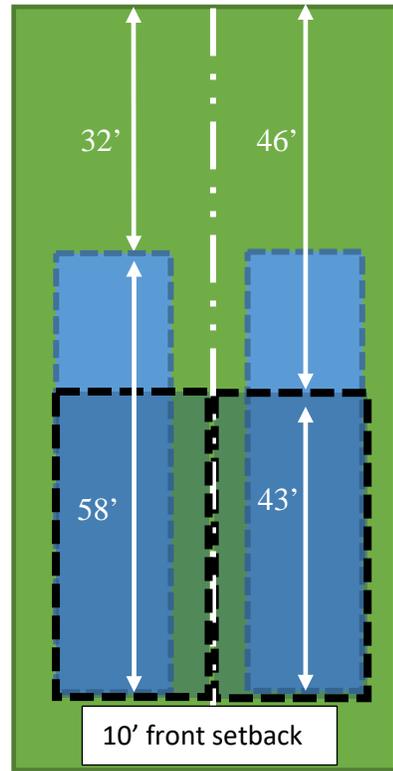
Front landscaping. These standards help soften the appearance of houses on narrow lots and make them look more established by ensuring that new development provides landscaping along the front foundation wall and front yard.

Attached houses. A significant proposed change is the requirement for attached houses when the lots are 25 feet wide and narrower. Attached houses provide wider floorplates (typically 20 feet each versus 15 feet) and their combined width better mirrors the width of more common wider house facades. They are also more energy-efficient and require less material than detached houses. By attaching the houses instead of leaving small side yard setbacks, coupled with the FAR limits on house size, the resulting houses will tend to be less deep than detached houses (e.g., 43 feet versus 58 feet), leaving more useable backyard space (e.g., 46 feet versus 32 feet).

What else about the proposal should I know?

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

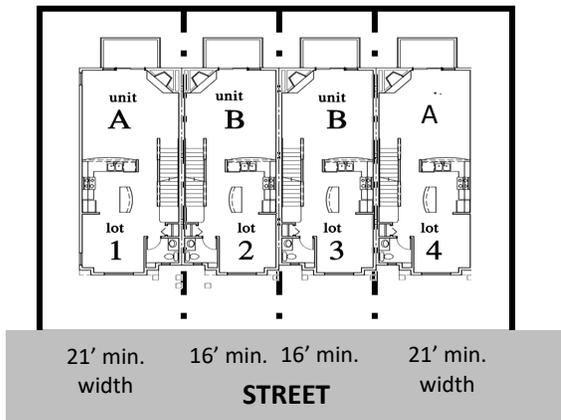
The current rules for narrow lots allow exceptions through either Design review, Planned Development review or Adjustment review. The proposed change consolidates these into one land use review type: Adjustment review. The Adjustment review evaluates how a proposal will equally or better meet the purpose of the requirement being adjusted, ensures that the proposal will not significantly detract from the livability or appearance of the residential area, and requires that any impacts are mitigated.



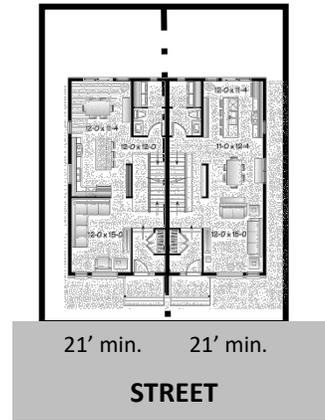
Comparison of back yard space between attached houses and detached houses on pairs of narrow lots

Lot width in the R2.5 zone. Current rules require new lots in the R2.5 zone to be at least 36 feet wide, unless an exception can be justified. This can be difficult for dividing lots that are 50 feet wide and makes it more difficult to retain an existing house on a site. Reducing the minimum width to 21

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



Four-lot attached house land division



Two-lot "semi-detached" house land division

feet for attached houses allows a 50-foot wide lot to be divided and provides greater flexibility for lots that may be slightly narrower.

When there are three or more attached units in a row (only two are allowed in R5 through R20, but up eight may be attached in the R2.5 zone), lots for the middle units may be 16 feet wide. FAR and building coverage will be applied to the whole rowhouse site, as opposed to each individual lot. This is intended to provide consistent unit widths and sizes (as units on the end are required to have larger lots to accommodate 5-foot-wide exterior side setbacks). See the previous examples above.

Section 5: Map Amendments

This section addresses map changes proposed as part of the Residential Infill Project and is divided into the following subsections:

- A. Defining the Areas in the ‘z’ Overlay Zone:** Explains where and why the proposed Constrained Sites overlay zone (‘z’ overlay) will be applied to select areas;
- B. Rezoning Historically Narrow Lots:** Explains how and where the Comprehensive Plan Map and Zoning Map are proposed to be amended from R5 to R2.5 for some historically narrow lots; and
- C. Removing the Current ‘a’ Overlay Zone:** Explains the reasons and impacts for deleting portions of the current ‘a’ overlay, the Alternative Design Density overlay zone.

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

A. Defining the Areas in the ‘z’ Overlay Zone

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

The *Revised Proposed Draft* allows additional housing options through base zone regulations in all R2.5, R5 and R7 zones. The proposed **Constrained Sites** overlay zone (‘z’ overlay) will limit areas within these zones that are less suitable for locating additional households. These areas either have natural hazards present (like floodplains or landslide hazards) or include inventoried natural resources. The overlay is intended to work in conjunction with the “Residential Infill Options” section of the R2.5 through R7 base zones to clearly define the lots that do not qualify for increased density based on these constraints.

The Planning and Sustainability Commission (PSC) discussed what constraints would be appropriate if the additional housing options were allowed in all R2.5, R5 and R7 zones. Staff received direction to look at the following constraints: FEMA 100-year floodplain, significant natural resources, landslide hazards, unpaved streets, sewer conveyance limitations and water system deficiencies. Coordinating with applicable service bureaus, staff reevaluated these constraints and developed the following approach to implement PSC’s direction.

Going from ‘a’ to ‘z’
<i>In this revised proposal, the previous application of an ‘a’ overlay that allowed additional housing types on roughly 66 percent of the R2.5 through R7 lots is replaced with the ‘z’ overlay, which restricts additional housing types on approximately 7 percent of the R2.5 through R7 lots. The remaining 93 percent of the lots in these base zones may utilize the additional housing types, subject to meeting other lot size and infrastructure requirements.</i>

Identifying constraints

- **Natural hazards and resource constraints**

Properties with the following natural hazards and/or natural resources should not be able to take advantage of new proposed base zone regulations that allow additional housing options.

- Flood risk (Map A1)
 - 100-year floodplain: areas that are within the FEMA 100-year floodplain including the FEMA-defined floodway
 - 1996 flood inundation area
- Landslide prone areas (Map A2). This map combines three types of landslide risk:
 - Deep landslide susceptibility: Deep landslides involve movement of a relatively thick layer of material.
 - Potentially rapid moving landslides: These areas are subject to debris flow hazards. Debris flows are mixtures of water, soil, rock and/or debris that have become a slurry and commonly move rapidly downslope.
 - Landslide scarps and deposits: These show areas where previous landslides have occurred and are indicative of areas more susceptible to future landslides.
- Significant natural resources: Areas ranked as having low, medium, or high value resources on the Natural Resource Inventory. (Map A3)

- **Infrastructure constraints**

The following infrastructure constraints are applicable to development of additional households, but due to their changing status, or ability to be rectified through utility improvements, they were not appropriate to map in the overlay. Assessment of specific infrastructure constraints will occur during the development application review.

- Sewer conveyance limitations: areas that may not be able to connect to a public sewer system due to topographic or other constraints. These constraints are codified in Title 17.
- Stormwater conveyance limitations: areas that may be unable to connect to an approvable off-site stormwater system or use on-site disposal methods. These are codified in Title 17 and the Stormwater Management Manual.
- Water system deficient areas: areas with substandard fire flow or water mains that are too small to accommodate sufficiently sized water meters. These constraints are codified in Title 21 and do not need further site limitations.
- Unpaved streets: These include public streets that lack a paved surface connection to another street. While street standards are also contained in Title 17, the Bureau of Transportation will allow a development to pay a Local Transportation Improvement Charge (LTIC) in lieu of constructing the street improvement. Additionally, a partial improvement in front of one parcel that does not connect to other paved streets does not accomplish the objectives envisioned by the residential Infill options. Private streets that do not connect to maintained public streets will also be ineligible for triplex and fourplexes.

- **Inapplicable constraints**

The following constraints that were used when identifying the *Proposed Draft 'a'* overlay are not factors in determining appropriate locations for the additional housing options.

- Physical barriers to centers and transit corridors: Staff's initial proposal limited additional housing types to within a quarter-mile distance from centers, corridors with frequent transit, and light rail stations. Areas where significant physical barriers that limited convenient connections to centers and transit corridors were also considered constrained, including areas with poor street connectivity, steep topography, natural features and other barriers such as freeways and railroads.

The PSC directed staff to remove proximity to transit and centers as a constraint, preferring to allow the additional housing types across a wider spectrum of the city.

- Johnson Creek Plan District: The PSC agreed that the FEMA 100-year floodplain area of the plan district should be considered "constrained," but not the entire district. The transfer of development rights from sites in this area will continue to be allowed to other residential sites in the district.
- Portland International Airport Noise Impact Zone: The PSC found that the few R7 through R2.5 zoned areas in the Airport Noise Impact Zone are in the lowest noise contour band (55 DNL) which requires that residents be given notice of airport noise but does not limit residential densities as is the case in higher decibel (68 DNL) contours.
- Glendoveer Plan District: The PSC found that the regulations of the Glendoveer Plan District maintain certain larger lot sizes and setbacks for R7 parcels, but not specific densities.

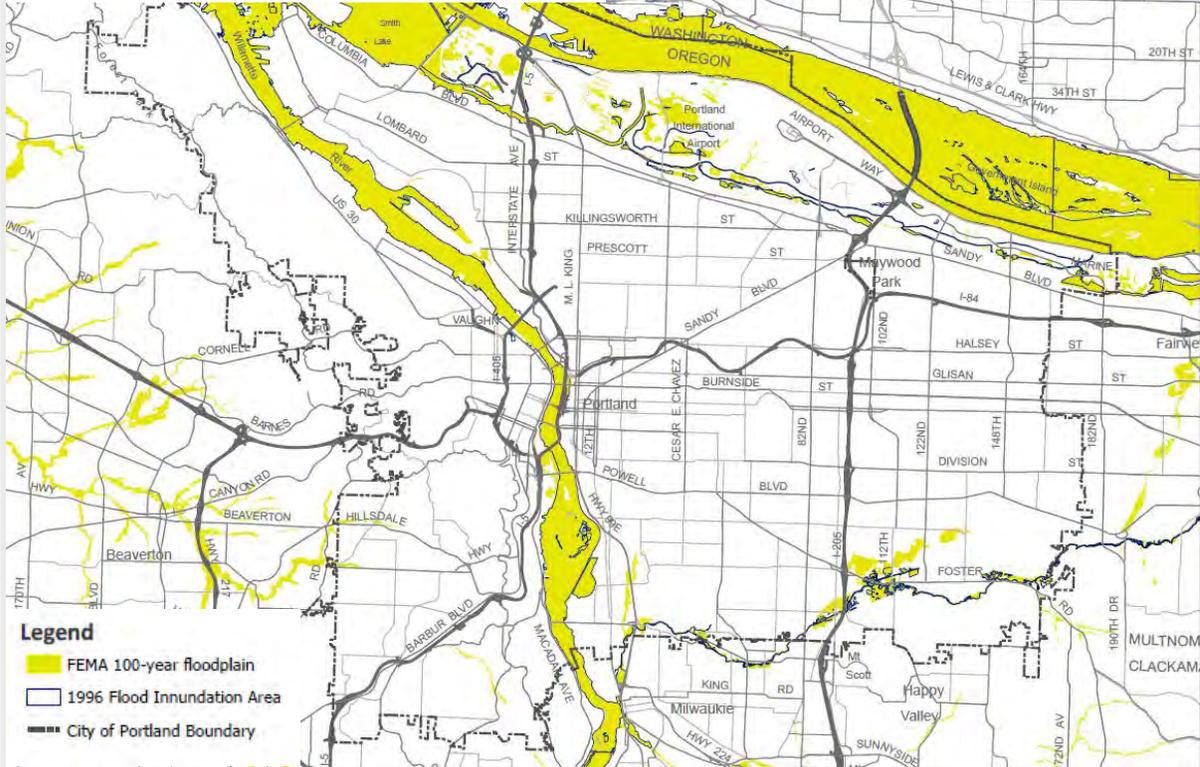
Proposal. Establish the 'z' Constrained Sites Overlay Zone

Based on the direction from the Planning and Sustainability Commission, the result of the overlay mapping is that nearly 93 percent of the lots in R2.5 through R7 zones could qualify for the additional housing types. Consequently, staff determined that it would be more appropriate to embed the additional housing type allowances in the base zone regulations (as opposed to in an overlay) and apply an overlay to the sites that are constrained instead. This is referred to as the 'z' overlay. Properties within the 'z' overlay will retain current allowances for duplexes on corner lots or a single accessory dwelling unit with a house.

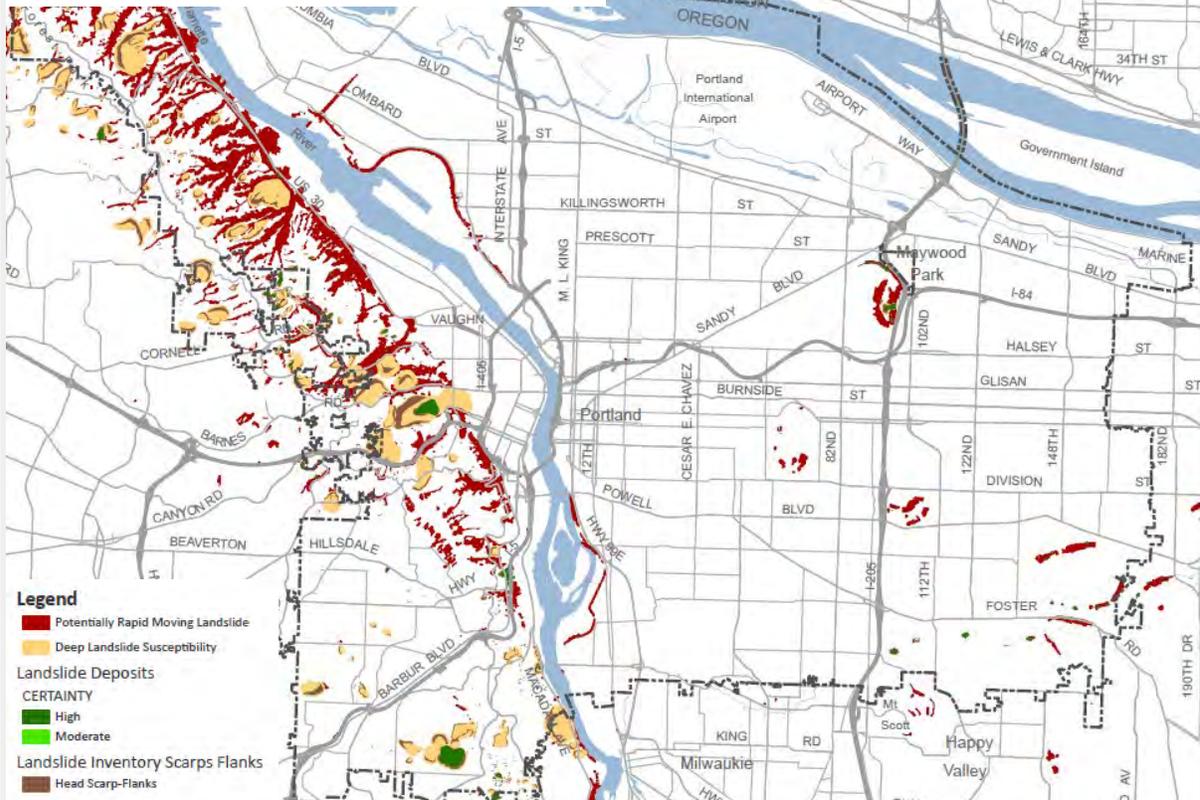
Property owners can request to be removed from the constrained sites overlay through a discretionary map change request by demonstrating that the applicable constraints are not present or that the specific location of a mapped constraint (such as the floodplain) is incorrect. Sites may only be added to the overlay through a legislative project, which could occur as a result of new information (like flood elevations, new mandates, etc.).

The proposed 'z' overlay is shown on *Map A4: Proposed 'z' Overlay Zone (Constrained Sites Overlay)*. *Map A5: Proposed 'z' Overlay Zone with R2.5, R5 and R7 Zones* illustrates both the 'z' overlay and the R2.5, R5 and R7 parcels that are not mapped as constrained. The individual constraint layers that were used to map the proposed 'z' overlay are provided in Map A1: FEMA 100-Year Floodplain, Map A2: Landslide Risk, and Map A3: Significant Natural Resources.

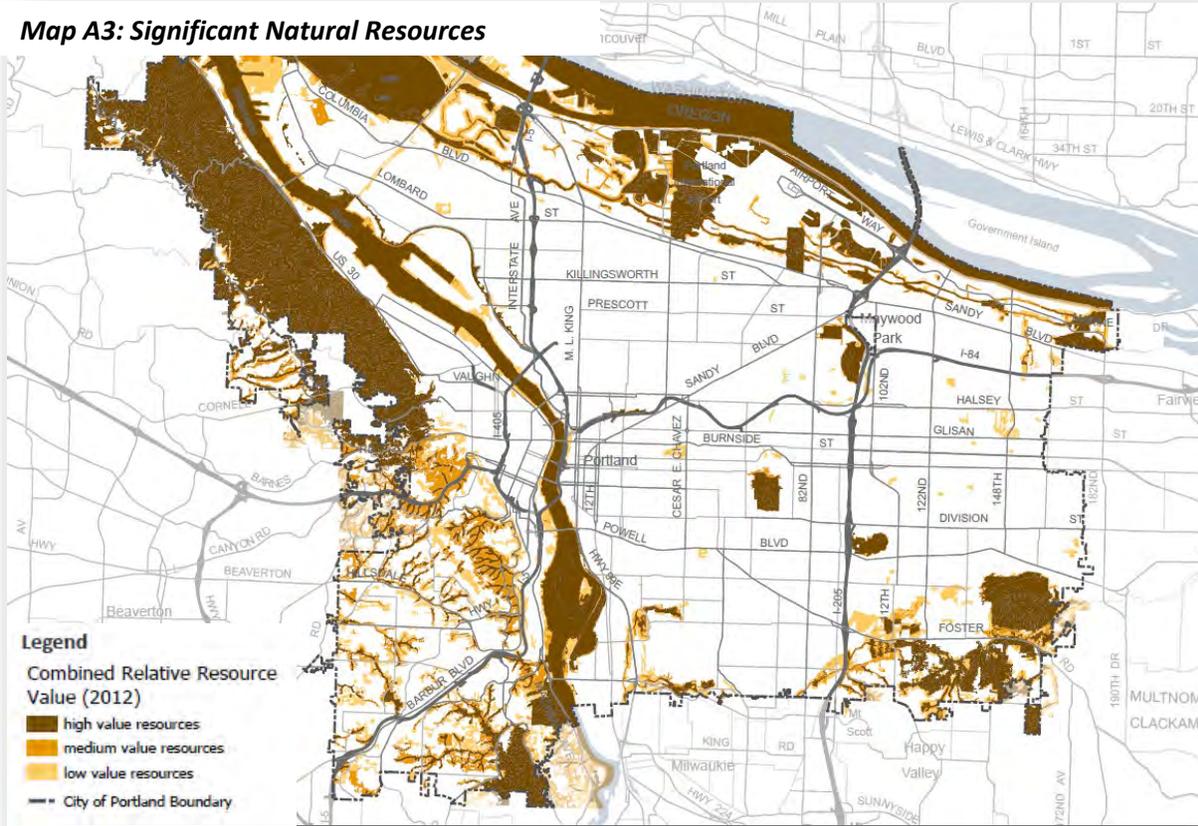
Map A1: 100-year floodplain and floodway



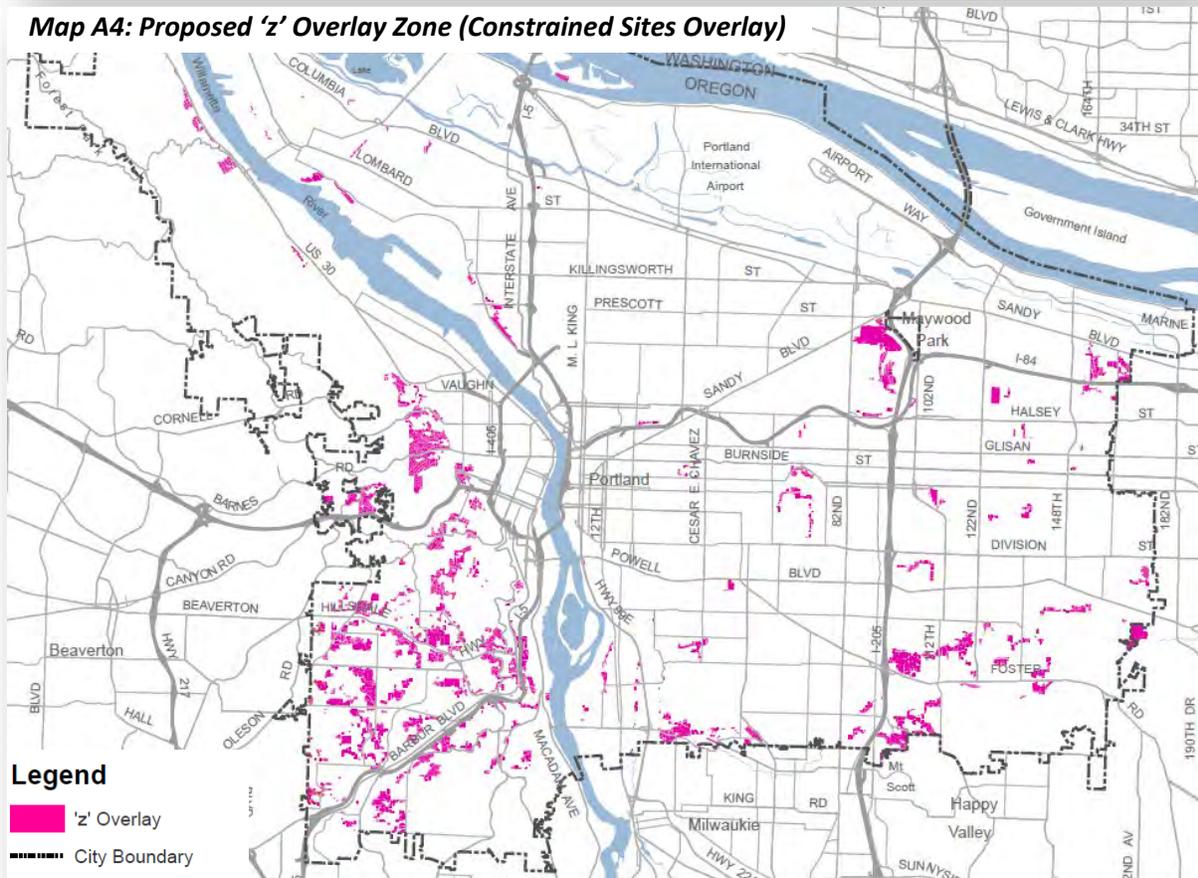
Map A2: Landslide Risk



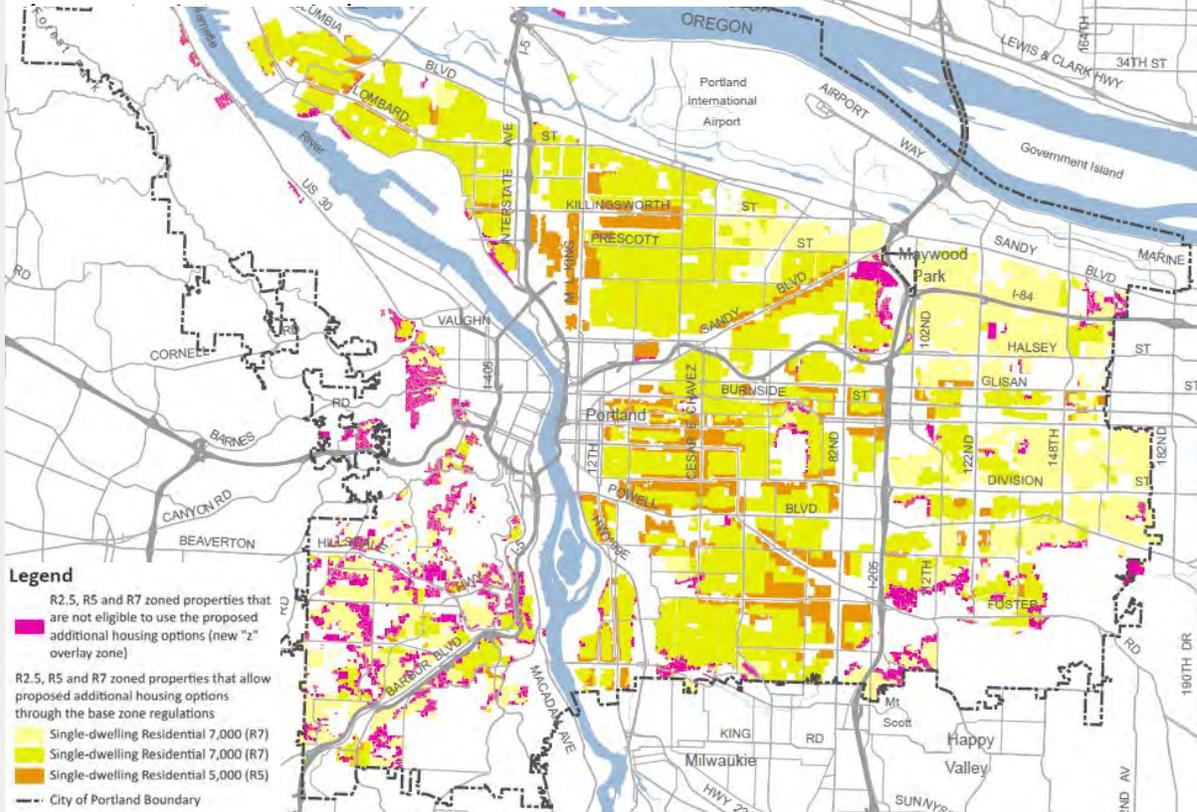
Map A3: Significant Natural Resources



Map A4: Proposed 'z' Overlay Zone (Constrained Sites Overlay)



Map A5: Proposed 'z' Overlay Zone with R2.5, R5 and R7 Zones



Summary of Areas Encumbered by 'z' Overlay Zone				
	Lots and Acreage in City		Lots and Acreage in proposed 'z' overlay	
	Lots	Acres	Lots	Acres
R7	32,839	7,501	5,674	1,712
R5	79,911	11,553	3,245	745
R2.5	19,804	2,392	156	29
TOTAL	132,554	21,446	9,075	2,486
Percentage of R2.5-R7	100%	100%	7%	12%
Percentage of SD zones	89%	69%	6%	8%
Percentage of city		30%		3%

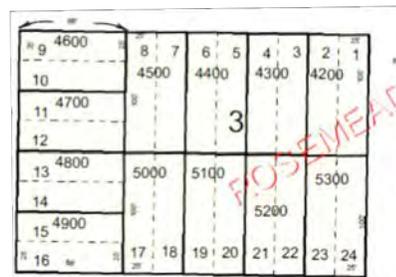
B. Rezoning Historically Narrow Lots

Some areas with concentrations of historically narrow lots are proposed to be rezoned from R5 to R2.5 in order to ascribe a zoning designation that is consistent with the underlying established lot pattern. This change requires amendments to both the Zoning Map and the Comprehensive Plan Map. The following methodology was used to develop the proposed Comprehensive Plan and Zoning Map amendments for historically narrow lots.

Historically Narrow Lots

Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current zoning. Most of these lots are in R5 zones and typically are 25 feet wide by 100 feet deep (2,500 square feet). The general development pattern consists of two or more combined historically narrow lots with a single house—reflective of a time when vacant land was more plentiful and less costly. This, in combination with subsequent R5 zoning and lot size standards, resulted in areas with R2.5 sized-lots but development patterns more consistent with 50-foot-wide lots. In 1985 the State of Oregon changed rules and required that cities recognize these substandard lots as discrete parcels. For more information on the background of historically narrow lots, refer to *Appendix G*.

There is an opportunity for these properties to be easily separated for two attached houses that can be sold “fee-simple” (i.e., house and land are sold together independent of the other attached unit, as opposed to rental units or condominium ownership units, where the land is owned in common). Alternatively, these lots can be “confirmed” as individual building lots and with a property line adjustment, the existing house can be retained while providing opportunities for a new fee-simple house to be built on the flag lot.



Tax map showing individual tax lots (e.g. 4600) comprised of two historically narrow platted lots (e.g. 9 & 10)

Staff reviewed plats citywide to identify areas with historically narrow lots. A higher concentration of these historically narrow lot plats exists in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city.⁹ These concentrations of lots created the inventory of lots to further analyze. Single historically narrow lots or very small areas of historically narrow lots may not have been captured. See *Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning*.

Proximity to Centers, Corridors and Neighborhood Amenities

The proposed rezones build on the existing pattern of R2.5 zoning to create a transition from higher-density zoning (mixed-use and multi-dwelling) to surrounding single-dwelling zoning. Rezoning from R5 to R2.5 will also increase the allowable building size (Floor Area Ratio) from 0.5 FAR to 0.7 FAR, meaning these areas will provide a transition in scale from higher-intensity zones to lower-intensity zones. For these reasons, the proposed rezoning is limited to a two- to three-block proximity to:

- Gateway Regional Center, Town Centers and Neighborhood Centers

⁹ There are small pockets of historically narrow lots in the West Portland Park area and in Linnton. However, since 2003, these areas have had larger lot size requirements, based on infrastructure and natural hazard constraints.

- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Smaller nodes of commercial zoning or neighborhood-serving retail uses

Physical Factors

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

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.
- **Existing development patterns.** Areas where historically narrow lots have already been developed with narrow houses were weighed favorably.

The following factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use were avoided.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were avoided.

Equity Lens

These proposed zone changes will allow development of more historically narrow lots with fee-simple housing options. Where development occurs, this could potentially displace existing renters but also benefits current and future homeowners in these areas, especially given that homes developed on narrow lots are likely to be smaller and therefore less expensive than homes developed on larger lots. An equity lens was applied to the rezoning proposal, but the results did not affect the outcome because historically under-served and under-represented groups were not found to be disproportionately impacted.

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

Comparison of Citywide Race/Ethnicity Composition to Proposed Rezone Areas								
	White	Black/African American	American Indian/Alaskan Native	Asian-American	Pacific Islander	Other race	Two or more races	Latino/Hispanic
Citywide	71.80%	5.52%	0.49%	7.42%	0.62%	0.28%	4.34%	9.54%
Rezones	74.65%	4.91%	0.64%	6.97%	0.91%	0.31%	4.00%	7.61%

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

The table below shows the geographic distribution of R5 zoned historically narrow lots citywide and how many are proposed to be rezoned. Unsurprisingly, East and West areas have the fewest historically narrow lots, while North has the most, which corresponds to the concentration of historically narrow lots in these areas.

Allocation of Narrow Lots and Proposed Rezones			
	Total narrow lots	Narrow lots proposed to be rezoned	Percent of narrow lots proposed to be rezoned
North	5,878	2,138	36%
Northeast	4,567	2,220	49%
Southeast	3,281	1,984	60%
West	447	27	6%
East	262	170	65%
Total	14,435	6,539	45%

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

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

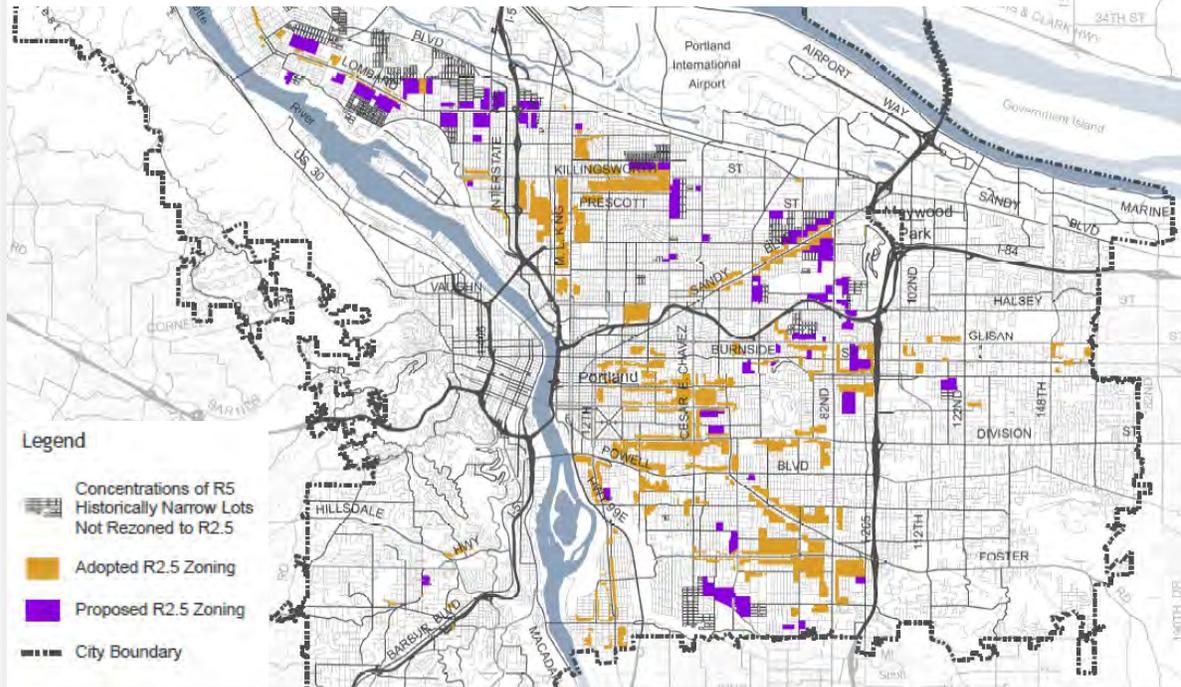
Proposal: Rezone half the historically narrow lots from R5 to R2.5

The proposal amends the Comprehensive Plan and rezones almost half—6,539 out of 14,435—of the historically narrow lots in the city from R5 to R2.5. The rezones are proposed in areas with the most convenient access to services and where physical barriers and site constraints are not present. The proposal does not disproportionately affect one racial or ethnic group more than another. Finally, about one-half to two-thirds of the historically narrow lots are proposed to be rezoned to R2.5 in each quadrant of the city, except West, largely due to existing restrictions in West Portland Park, and North, where many narrow lots were farther from transit and commercial services.

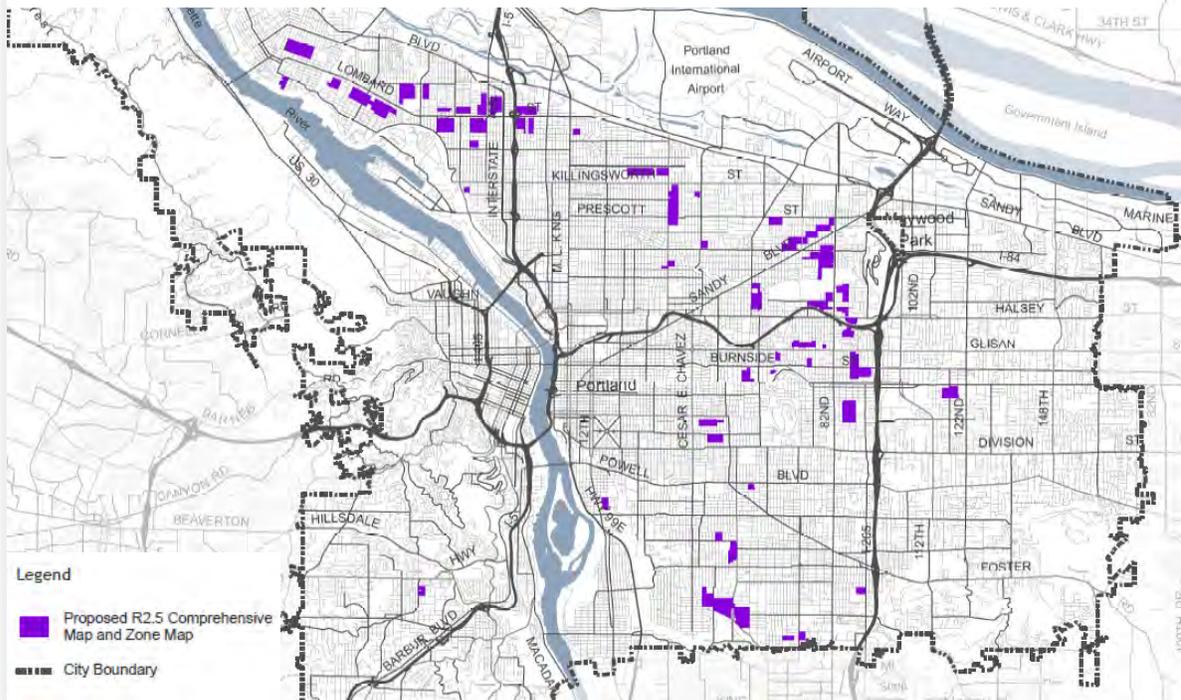
While the proposed additional housing types in the base zone would allow a duplex, triplex or fourplex on combinations of two or more of these narrow lots (because one narrow lot would not meet minimum lot size requirements), rezoning them provides for more floor area, which provides for larger family-sized units (1,750 square feet each versus 1,250 square feet allowed in R5).

The proposed rezones are shown on *Map B2: Proposed Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)*. *Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning* provides the context for the proposed rezones with other current R2.5 zoning along with the distribution of historically narrow lot plats throughout the city.

Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning



Map B2: Proposed Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)



C. Removing the Current ‘a’ Overlay Zone

The ‘a’ Alternative Design Density overlay zone was adopted with the Albina Community Plan in 1993 as a way to allow additional housing options that met certain design requirements. It was applied to R1, R2 and R3 (multi-dwelling zones) and R2.5, R5, R7 and R10 (single-dwelling zones). The ‘a’ overlay first applied in the Albina community (North/Northeast Portland) and was later expanded to areas in Lents, Powellhurst-Gilbert and Sellwood.

In single-dwelling zones, the original ‘a’ overlay offered an additional dwelling unit in the form of an internal ADU, attached houses on vacant lots, and triplexes on 4,800-square-foot lots in the R2.5 zone. Design review, with the option of using Community Design Standards, was required for these additional units.

In more recent years, many of the original ‘a’ overlay provisions have been incorporated into the base zone regulations. The regulations that remain in the ‘a’ overlay have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have used the ‘a’ overlay provisions.¹⁰ This was in large part due to the requirements for Design review and later due to the incorporation of similar allowances in the base zones, where Design review was not required.

Proposal: Remove the ‘a’ overlay zone from single dwelling zones

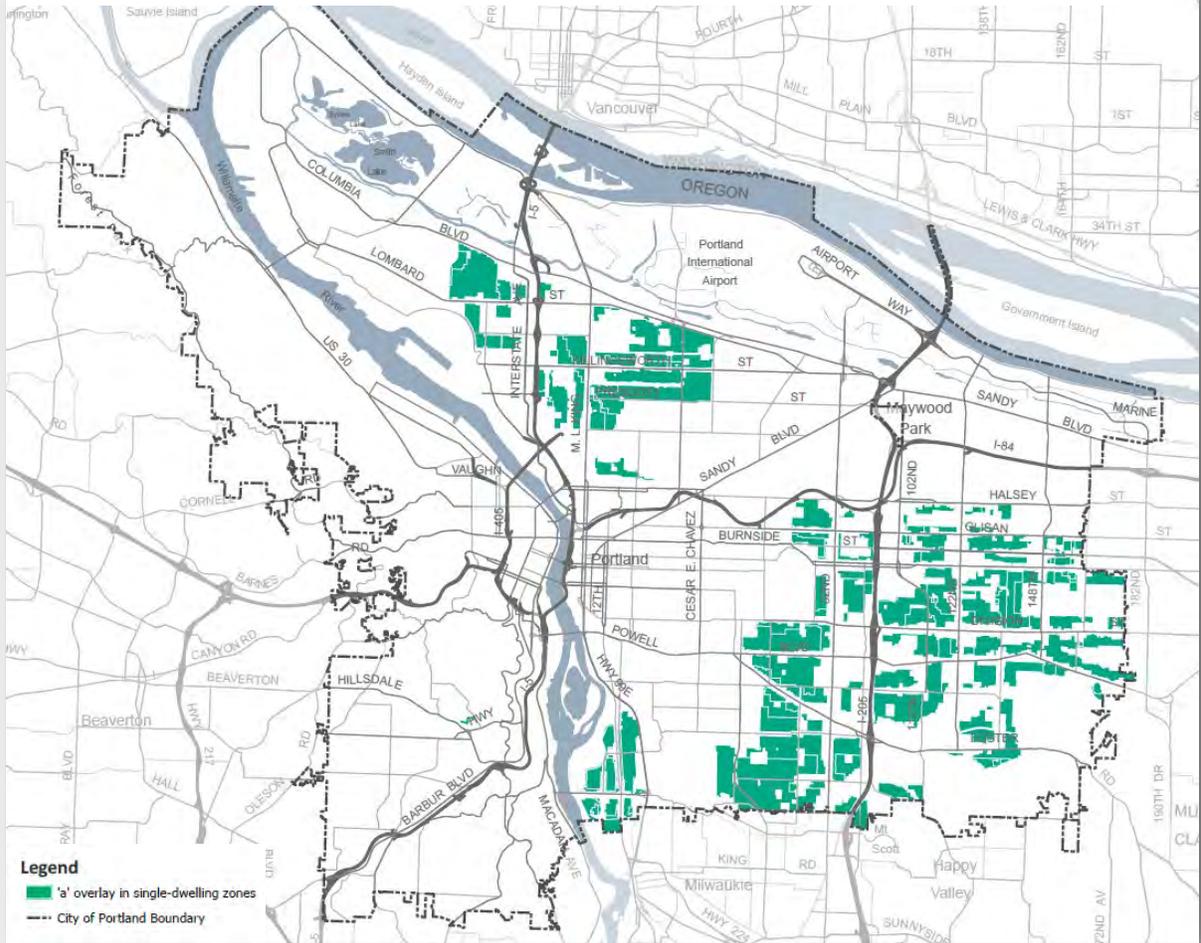
The proposal removes the ‘a’ overlay for all single-dwelling zones sites as shown on *Map C1: Alternative Design Density Overlay Zone to be Removed (RF-R2.5 Zones)*. Concurrently, the Zoning Code is being amended to delete the associated single-dwelling ‘a’ overlay zone provisions (see Section 6: Zoning Code Amendments in *Volume 2*).

Removing the ‘a’ will have little impact in the single-dwelling zones. The new base zone’s additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new ‘z’ overlay applied. There are 25 lots with R2.5a zoning that are large enough for a triplex today that with the application of the ‘z’ will be restricted from building three or four units.

The Better Housing by Design project, which is addressing the regulations in multi-dwelling zones, is proposing to remove the remaining ‘a’ Alternative Design Density overlay zone from those zones, as the provisions are incorporated or superseded by changes in the base zone.

¹⁰ Staff analyzed building permit records for properties in the current ‘a’ and flagged those that either went through a design review or used the Community Design Standards (prerequisites for use of the ‘a’). Of the 45,420 properties, there were 5,889 permits for new construction or exterior alterations between 1995 and 2016. Of those, 68 properties applied for design review, and 144 properties used Community Design Standards. In addition, according to the 2003 Accessory Dwelling Unit Monitoring Project Inventory, there were 13 ADUs created in the ‘a’ before they were allowed more broadly.

Map C1: Alternative Design Density Overlay Zone to Be Removed (RF-R2.5 zones)



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

For more information:

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

Email the project team Residential.Infill@portlandoregon.gov



What is the “Revised Proposed Draft”?

The Portland Planning and Sustainability Commission (PSC) held public hearings on May 8 and 15, 2018. Over 130 people testified in person, and more than 1,200 written comments were received. The PSC, through several work sessions, revised staff’s proposal in response to the testimony. This necessitated a new draft Code and Commentary in order to ensure that the changes did not create inconsistencies with other regulations. The PSC will review this **Revised Proposed Draft** and may decide to further amend the proposal before finalizing their recommendation to Portland City Council. The public will have an opportunity to provide formal testimony to City Council on the **Recommended Draft**.

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

REVISED PROPOSED DRAFT
FEBRUARY 2019

VOLUME 2: ZONING CODE AND COMPREHENSIVE PLAN AMENDMENTS



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.
City of Portland, Oregon



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About Volume 2

Volume 2 presents Zoning Code and Comprehensive Plan amendments to reflect the direction the Planning and Sustainability Commission provided staff following a series of work sessions between May and September 2018. These proposals include revisions to the previous Proposed Draft dated April 2018.

Section 6: Zoning Code Amendments

This document is formatted to facilitate readability by showing proposed amendments on the right-hand pages and explanatory commentary on the facing left-hand pages. Underlined formatting indicates added text, while ~~strikethrough~~ formatting shows what text is deleted. The table of contents provides page numbers for each affected chapter of the zoning code and the comprehensive plan amendments. The “crosswalk table” below is not an exhaustive list of all code changes, but rather it provides a cross reference between the core proposals in the Residential Infill Project and where those code changes appear in this document.

Major Proposals – where to find them in the Zoning Code amendments

Proposal	Summary of change	Code reference
HOUSING OPTIONS AND SCALE		
Allow more housing types	Allow duplex, triplex, or fourplex Allow a house with two ADUs, or a duplex with one ADU	33.110.265.D.& E. 33.205.020
Restrict housing types in certain situations	Unpaved streets Constrained sites	33.110.265.E 33.418
Limit the overall size of structures	New floor to area (FAR) standard Basements and floor area defined	33.110.210 33.910
Visitability	Require one unit to be visitable, when 3 or more units are on the site	33.110.265.E 33.205.040.C 33.270.200
Double-size lots	Require at least two units on oversized lots	33.110.205
Historically narrow lots	Allow historically narrow R5 lots to be confirmed	33.110.202
Small flag lots	Allow small flag lots to be created through property line adjustments	33.677.300.C
Planned developments	Equivalency with land divisions	33.270.020.B 33.854.200
BUILDING DESIGN		
Revise height measurement	Measure from lowest point Dormer projection	33.930.050 33.110.215.C
Building features and articulation	Limit height of main entrance 2’ eave projections	33.110.235.D 33.110.220.C.
More flexible ADU design	Basement ADU conversions Remove front door limitation	33.205.040.C.2 33.205.040.C.1
Modify parking requirements	Delete minimum parking requirements Alley access requirement Driveways and parking	33.266.110.B.2 33.266.120.C.3 33.266.120.C.1& 2
Limit garages	Garages on narrow facades/50% garage limit	33.110.250.C
Building design for lots less than 32 feet wide	Limit detached house height Require attached houses	33.110.260.C.2 33.110.260.C.1

Commentary

33.110 Single-Dwelling Zones

The chapter is being reorganized and renumbered.

The changes:

- Reorganize the order of sections so that general development standards are located toward the front of the chapter followed by additional standards, residential infill options, institutions, and fences and retaining walls
- Update table and figure references to reflect the order of appearance in the chapter
- Move the relevant parking and loading standards from the base zone into the Parking and Loading Chapter (33.266)
- Add a section for minimum dwelling unit density to address new development on double sized lots in the R7 through R2.5 zones (33.11.210)
- Add a new section for floor area ratios (33.110.210)
- Move flag lot provisions from Alternative Development Options into a new section titled Additional Development Standards for Flag Lots, (33.110.255)
- Reorganize and amend Alternative Development Options in a new section titled Residential Infill Options (33.110.265)
- Revise rules that previously applied to historically narrow lots and substandard lots created before July 26, 1979 to a new section titled Additional Development Standards for Narrow Lots" (33.110.260)

33.110 Single-Dwelling Zones

110

Sections:

General

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

Use Regulations

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

Development Standards

- 33.110.200 Housing Types Allowed
- 33.110.~~202~~212 Development on Lots and Lots of Record ~~When Primary Structures are Allowed~~
- 33.110.205 Minimum Dwelling Unit Density
- 33.110.210 Floor Area Ratio
- 33.110.215 Height
- 33.110.220 Setbacks
- 33.110.225 Building Coverage
- 33.110.227 Trees
- 33.110.230 Main Entrances ~~in R10 through R2.5 Zones~~
- 33.110.~~235~~232 Street-Facing Facades ~~in R10 through R2.5 Zones~~
- 33.110.~~240~~235 Required Outdoor Areas
- ~~33.110.240 Alternative Development Options~~
- 33.110.~~245~~250 Detached and Connected Accessory Structures
- 33.110.~~250~~253 Additional Development Standards for Garages
- 33.110.255 Additional Development Standards for Flag Lots
- 33.110.~~260~~213 Additional Development Standards for Narrow Lots and Lots of Record
Created Before July 26, 1979
- 33.110.265 Residential Infill Options
- 33.110.~~270~~245 Institutional Development Standards
- 33.110.~~275~~255 Fences
- 33.110.~~280~~257 Retaining Walls
- 33.110.~~285~~260 Demolitions
- 33.110.~~290~~270 Nonconforming Situations Development
- 33.110.~~292~~275 Parking and Loading
- 33.110.~~295~~280 Signs

General

33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood.

Commentary

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

33.110.020 List of the Single-Dwelling Zones

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

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

33.110.030 Other Zoning Regulations

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

Use Regulations

33.110.100 Primary Uses

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

Commentary

33.110.100.B Limited uses

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

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

~~140.~~ 140. Retail Sales ~~and~~ Service. This regulation applies to all parts of Table 110-1 that have note ~~[140]~~. Retail plant nurseries are a conditional use. All other Retail Sales And Service uses are prohibited.

~~26.~~ 26. Manufacturing And Production. This regulation applies to all parts of Table 110-1 that have note ~~[26]~~. Utility Scale Energy Production from large wind turbines is a conditional use in the RF zone. All other Manufacturing And Production uses are prohibited.

~~35.~~ 35. Basic Utilities. This regulation applies to all parts of Table 110-1 that have note ~~[35]~~.

- a. Basic Utilities that service a development site are accessory uses to the primary use being served.
- b. Small Scale Energy Production that provides energy for on-site or off-site use are considered accessory to the primary use on the site. Installations that sell power they generate—at retail (net, metered) or wholesale—are included. However, they are only considered accessory if they generate energy from biological materials or byproducts from the site itself, or conditions on the site itself; materials from other sites may not be used to generate energy. The requirements of Chapter 33.262, Off Site Impacts must be met.
- c. All other Basic Utilities are conditional uses.

~~41.~~ 41. Community Service Uses. This regulation applies to all parts of Table 110-1 that have note ~~[41]~~. Most Community Service uses are regulated by Chapter 33.815, Conditional Uses. Short term housing and mass shelters have additional regulations-in Chapter 33.285, Short Term Housing and Mass Shelters.

~~52.~~ 52. Parks And Open Areas. This regulation applies to all parts of Table 110-1 that have note ~~[52]~~. Parks And Open Areas uses are allowed by right. However, certain accessory uses and facilities ~~which that~~ are part of a Parks And Open Areas use require a conditional use review. These accessory uses and facilities are listed below.

- a. Swimming pools.
- b. Cemeteries, including mausoleums, chapels, and similar accessory structures associated with funerals or burial.
- c. Golf courses, including club houses, restaurants and driving ranges.
- d. Boat ramps.
- e. Parking areas.
- f. Recreational fields for organized sports. Recreational fields used for organized sports are subject to the regulations of Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

33.110.100.B.8 Agriculture in R10 and R7 zones. This sentence is being added to make it consistent with other paragraphs.

33.110.100.B.9 Agriculture in R5 and R2.5 zones. The word "it" is being clarified because it could be referring to the use or the site.

33.110.100.C Conditional Uses

The reference for accessory short-term rentals that require a conditional use is being removed, as it is captured in the general language in 33.110.110 Accessory Uses. There are no proposed changes to the accessory short-term rental regulations.

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

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

~~2.~~—~~Accessory short term rentals. Accessory short term rentals are accessory uses that may require a conditional use review. See Chapter 33.207.~~

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

33.110.110 Accessory Uses

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

Commentary

33.110.120 Nuisance-Related Impacts

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

Table 110-1

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

33.110.120 Nuisance-Related Impacts

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

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

Commentary

Table 110-1

Footnote numbers are being updated to be in numerical order

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

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

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

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

Commentary

Table 110-2

The reference to duplexes and attached houses on transitional lots is being deleted from the table because the transitional lot alternative development option is being deleted (see page 67 for further discussion).

References to triplexes and fourplexes are being added because those housing types will be allowed as described in 33.110.265, Residential Infill Options (see page 113)

A reference to multi-dwelling development is being added to the table because the housing type is currently allowed in single dwelling zones through a planned development but the table has not included the reference.

The term group structure is being corrected to match the actual name of the residential structure type—group living facility.

Development Standards

33.110.200 Housing Types Allowed

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

Table 110-2						
Housing Types Allowed In The Single-Dwelling Zones						
Housing Type	RF	R20	R10	R7	R5	R2.5
House	Yes	Yes	Yes	Yes	Yes	Yes
Attached house (See <u>33.110.260.C</u> and <u>33.110.240270.C, E & H</u>)	No	Yes	Yes	Yes	Yes	Yes
Accessory dwelling unit (See 33.205)	Yes	Yes	Yes	Yes	Yes	Yes
Duplexes: On corners (See <u>33.110.240270.D-E</u>)	No	Yes	Yes	Yes	Yes	Yes
On transitional lots (See <u>33.110.240.H</u>)	No	Yes	Yes	Yes	Yes	Yes
Other situations (See <u>33.110.240270.D</u>)	No	No	No	No <u>Yes</u>	No <u>Yes</u>	Yes
Triplexes (See <u>33.110.265.E</u>)	No	No	No	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Fourplexes (See <u>33.110.265.E</u>)	No	No	No	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Manufactured home (See Chapter 33.251)	Yes	Yes	Yes	Yes	Yes	Yes
Manufactured Dwelling park	No	No	No	No	No	No
Houseboat (See Chapter 33.236)	Yes	Yes	Yes	Yes	Yes	Yes
Single Room Occupancy (SRO) units	No	No	No	No	No	No
Attached Duplexes	Only in Planned Developments, See Chapter 33.270.					
Group <u>Living Facility structure</u>	Only when in conjunction with an approved conditional use.					
Multi-dwelling structure	Only in Planned Developments, See Chapter 33.270					
<u>Multi-dwelling development</u>	<u>Only in Planned Developments, See Chapter 33.270</u>					

Yes = allowed; No = prohibited.

Commentary

33.110.202 Development on Lots and Lots of Record

Paragraph 4 is being reorganized to consolidate a number of similar provisions and to incorporate information that had been in footnotes to the table.

The information in 4.d. is being moved from the table footnotes to the text of the subparagraph, and will continue to allow lots (including lot remnants, adjusted lots, and lots of record) that were lawfully established prior to July 26, 1979, and under separate ownership on April 24, 2010, to be buildable. This subparagraph also recognized as buildable, lots that would otherwise be too small for development but complete a lot confirmation under the existing regulations within 6 months of the effective date of these code amendments.

33.110.202212 Development on Lots and Lots of Record ~~When Primary Structures are Allowed~~

- A. Purpose.** The regulations of this section allow for development of primary structures on lots and lots of record that are an adequate size, but do not legitimize plots that were divided after subdivision and partitioning regulations were established. The regulations ensure that development on a site will in most cases be able to comply with all site development standards. The regulations also allow development of primary structures on lots that were large enough in the past, but were reduced by condemnation or required dedications for right-of-way.
- B. Adjustments.** Adjustments to this section are prohibited.
- C. ~~Development on lots and lots of record~~ Primary structures allowed.** In all areas outside the West Portland Park Subdivision, development of primary structures are is allowed on a lot or lot of record as follows:
1. On a lots created on or after July 26, 1979;
 2. On a lots created through the Planned Development or Planned Unit Development process;
 3. On a lots, lots of record, lot remnants, or combinations thereof that did not abut~~have not abutted~~ a lot, lot of record, or lot remnant under the same ownership on July 26, 1979, and has not abutted a lot, lot of record, or lot remnant under the same ownership since July 26, 1979; or any time since that date.
 4. On a lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979 that: ~~meet the requirements of Table 110-6.~~
 - a. Meets the requirements of Table 110-3;
 - b. Did meet the requirements of Table 110-3 but was reduced below the requirements solely because of condemnation or required dedication by a public agency for right-of-way;
 - c. Is zoned R20 and met the requirements of Table 110-3 in the past but no longer meets the requirements solely due to a zone change effective on May 24, 2018; or
 - d. Does not meet the requirements of Table 110-3 but:
 - (1) Is zoned R5 and was under separate ownership from abutting lots on April 24, 2010; or
 - (2) Was separated from abutting lots through a lot confirmation that was finalized before [INSERT EFFECTIVE DATE + 6 MONTHS]

Commentary

33.110.202.E.3.c.

This amendment adds R10 to the lot regulations for the West Portland Park subdivision. There are two small areas of R10 zoning in West Portland Park, and currently a lot in R10 only needs to be 6,000 square feet in area to be buildable, but a lot in R7 must be 7,000 square feet in size to be buildable. This change corrects that inconsistency.

33.110.202.F. Nonconforming situations.

This subsection is being deleted because it does not provide any regulations and there is another section in this chapter directs people to the nonconforming situations chapter (33.110.290).

- ~~5. Primary structures are allowed on lots, lots of record, lot remnants, and combinations thereof that did meet the requirements of Table 110-6 in the past but were reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way; or.~~
- ~~6. On lots, lots of record, lot remnants, and combinations thereof zoned R20 that met the requirements of Table 110-6 in the past but no longer meet the requirements solely due to a zone change effective on January 1, 2018.~~

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

1. On a ~~lots~~ created on or after July 26, 1979;
2. On a ~~lots, lots of record, lot remnants, or combinations thereof that did not abut~~ ~~have not abutted~~ a lot, lot of record, or lot remnant under the same ownership on July 26, 1979, and has not abutted a lot, lot of record, or lot remnant under the same ownership since July 26, 1979; or any time since that date;
3. On a ~~lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979, that meet the requirements of this paragraph. The requirements are:~~
 - a. R10 zone. In the R10 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 10,000 square feet in area;
 - ba. R7 zone. In the R7 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 7,000 square feet in area;
 - cb. R5 zone. In the R5 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 5,000 square feet in area; or
 - de. R2.5 zone. In the R2.5 zone, the lot, lot of record, lot remnant or combinations thereof must meet the requirements of Table 110-36.;
4. Development of P ~~primary structures are~~ is allowed on a ~~lots, lots of record, lot remnants and/or combinations thereof that did meet the requirements of D.2, above, in the past but were~~ ~~was~~ reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

~~FE.~~ Plots. Primary structures are prohibited on plots that are not lots, lots of record, lot remnants, or tracts.

~~F.~~ Nonconforming situations. Existing development and residential densities that do not conform to the requirements of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations. Chapter 33.258 also includes regulations regarding damage to or destruction of nonconforming situations.

Commentary

Table 110-3

In the R5 zone, the previous standard that required a lot be vacant for 5 years if it was less than 36 feet wide or 3,000 square feet is being deleted. Since pairs of these lots will now allow duplexes to be built, allowing lots to be independently built with attached houses achieves a similar form with fee simple ownership potential.

The property line adjustment regulations are also being changed so that combination Lot Confirmation/Property Line Adjustments cannot occur concurrently to make a buildable lot from a lot that is not independently already "buildable" (33.677). These regulations also restrict lots that are narrower than required in the land division chapters (33.610 and 33.611) from having their width further reduced. Lots that were adjusted prior to these changes will continue to be allowed to be built when they are at least 25' feet wide and 2,400 square feet.

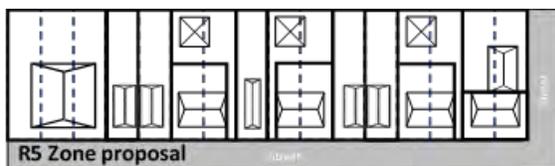
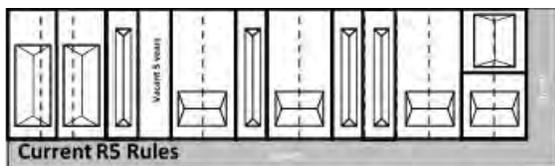
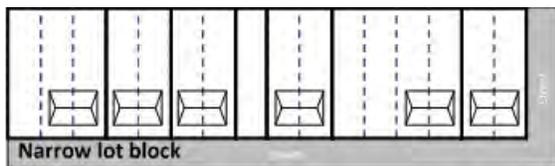
Footnote [2] is being added to recognize that the property line adjustment chapter includes provisions to allow the lot line between 2 long narrow lots on a corner to be "swiveled" to create 2 square shaped lots. In addition, the PLA chapter will allow creation of a small flag lot when retaining an existing house on the site.

Note [1] is being deleted because the standards for lots and adjusted lots are now the same.

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

Note [3] is being deleted because the updated standards are now embedded in 33.110.202.C

Note [4] is renumbered.



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

Table 110-36		
Minimum Lot Dimension Standards for Lots, Adjusted Lots, Lots of Record, and Lot Remnants Created Prior to July 26, 1979		
RF through R7 Zones		
Lots, including Adjusted Lots {1}	36 feet wide and meets the minimum lot area requirement of Table 610-2. <u>[14]</u>	
Lot Remnants		
Lots of Record		
R5 Zone		
Lots, including Adjusted Lots {1, 3}	If the lot has had a dwelling unit on it in the last five years or is in an environmental zone {2}	3000 sq. ft. and 36 ft. wide <u>[14]</u>
	If the lot has not had a dwelling unit on it within the last five years and is not in an environmental zone	2400 sq. ft. and 25 ft. wide <u>[1, 24]</u>
	If the lot was approved through a property line adjustment under 33.667.300.A.1.d.	1600 sq. ft. and 36 ft. wide {4}
Lot Remnants {3}	3000 sq. ft. and 36 ft. wide <u>[14]</u>	
Lots of Record {1, 3}		
R2.5 Zone		
Lots, including Adjusted Lots {1}	1600 sq. ft.	
Lot Remnants		
Lots of Record		

Notes:

- ~~[1] If the property is both an adjusted lot and a lot of record, the site may meet the standards for adjusted lots.~~
- ~~[2] Primary structures are allowed if the site has had a dwelling unit on it within the last five years that has been demolished as a public nuisance under the provisions of Chapter 29.40.030 or 29.60.080. The site is exempt from minimum lot dimension standards.~~
- ~~[3] Primary structures are allowed on a site if it has been under a separate tax account number from abutting lots or lots of record on April 24, 2010 or an application was filed with the City before April 24, 2010 authorizing a separate tax account and the site has been under separate tax account from abutting lots or lots of record by April 24, 2011. The site is exempt from minimum lot dimension standards.~~
- [14] Lot width for a flag lot is measured at the midpoint of the flag portion of the lot.
- [2] If the lot was approved through a property line adjustment under 33.677.300.A.4. or 33.677.300.C. then the minimum lot dimensions are 1600 sq. ft. and 36 ft wide.

Commentary

33.110.205 Minimum Dwelling Unit Density

In order to ensure that lots are not underutilized in close-in, well-served neighborhoods, sites in the R7, R5, and R2.5 zones that are at least twice the base zone average lot size will require two dwelling units. The dwelling units can be configured as a duplex or a house with accessory dwelling unit. Existing houses on these larger lots will become nonconforming in residential density, but if an existing house is damaged or destroyed by fire or other natural cause, it can be rebuilt at the original density within 5 years. New primary structures on sites that are vacant, or where a house is intentionally demolished, will be required to provide two dwelling units.

33.110.205 Minimum Dwelling Unit Density

A. Purpose. This standard promotes additional housing opportunities in areas of the city where services are available and restricts larger sites from being utilized for a single house.

B. Minimum dwelling unit density.

1. R7. In the R7 zone, a minimum of two dwelling units are required on sites that are 14,000 square feet or larger in total site area.
2. R5. In the R5 zone, a minimum of two dwelling units are required on sites that are 10,000 square feet or larger in total site area.
3. R2.5. In the R2.5 zone, a minimum of two dwelling units are required on sites that are 5,000 square feet or larger in total site area.

Commentary

Table 110-4

This table is being amended to include the floor area ratio (FAR) limits that are being added to the R7, R5, and R2.5 zones. FAR will be as the principle tool for reducing the maximum size of buildings in these zones. FAR will be allotted based on the zone, the size of the lot and the number of dwelling units. The table below shows housing types and the maximum FAR allowed across the three zones. Bonus FAR (0.1 :1) will be allowed when certain amenities are provided on site (see page 29)

R7 Zone	# of units	Allowed housing type	FAR	Min lot size (sf)	New max bldg size	average unit size*	Current code max bldg. size**
	1	House	0.4	4,200	1,680	1680	5,850
2	Duplex <i>or</i> house + ADU	0.5		2100	1050		
3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.6	5,000	3,000	1000	6,750	
4	Fourplex				750		
R5 Zone	# of units	Allowed housing type	FAR	Min lot size (sf)	New max bldg size	average unit size*	Current code max bldg. size**
	1	House	0.5	3,000	1,500	1500	4,500
2	Duplex <i>or</i> house + ADU	0.6		1800	900		
3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.7	4,500	3,150	1050	6,187	
4	Fourplex				787.5		
R2.5 Zone	# of units	Allowed housing type	FAR	Min lot size (sf)	New max bldg size	average unit size*	Current code max bldg. size**
	1	House	0.7		1,120	1120	2,800
2	Duplex <i>or</i> house + ADU	0.8	1,600	1280	640		
3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.9	3,200	2,880	960	5,512	
4	Fourplex				720		

* average unit sizes are derived from the total building size divided by number of units

** Current code max building sizes are derived from lot size, building coverage and height limits

The table is also being amended to consolidate the R2.5 attached and detached standards because the only remaining distinction between the two housing types within the zone is a slightly smaller outdoor area. This change will decrease the outdoor area requirement for detached houses.

And, a reference to the building coverage table is being incorporated into the summary table so that the table is more comprehensive.

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

Table 110-43							
Summary of Development Standards In Single-Dwelling Zones							
Standard	RF	R20	R10	R7	R5	R2.5 detached attached See 33.110.240.C	
<u>Maximum FAR</u> - <u>1 total dwelling unit</u> - <u>2 total dwelling units [1]</u> - <u>3 or more total dwelling units [1]</u> (See <u>33.110.210</u> and <u>33.110.265</u>)	no limit	no limit	no limit	<u>0.4 to 1</u> <u>0.5 to 1</u> <u>0.6 to 1</u>	<u>0.5 to 1</u> <u>0.6 to 1</u> <u>0.7 to 1</u>		<u>0.7 to 1</u> <u>0.8 to 1</u> <u>0.9 to 1</u>
<u>Maximum FAR with Bonus</u> - <u>1 total dwelling unit</u> - <u>2 total dwelling units [1]</u> - <u>3 or more total dwelling units [1]</u> (See <u>33.110.210</u> and <u>33.110.265</u>)	NA	NA	NA	<u>0.4 to 1</u> <u>0.6 to 1</u> <u>0.7 to 1</u>	<u>0.5 to 1</u> <u>0.7 to 1</u> <u>0.8 to 1</u>		<u>0.7 to 1</u> <u>0.9 to 1</u> <u>1 to 1</u>
Maximum Height (See 33.110.215)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.	35 ft.
Minimum Setbacks							
- Front building setback	20 ft.	20 ft.	20 ft.	15 ft.	10 ft.	10 ft.	10 ft.
- Side building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	0/5 ft.
- Rear building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	5 ft.
- Garage entrance setback (See 33.110.220)	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.
<u>Maximum Building Coverage</u> (See <u>33.110.225</u>)	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>		<u>See Table 110-6</u>
Required Outdoor Area							
- Minimum area	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.
- Minimum dimension (See <u>33.110.240</u> 235)	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	10 ft. x 10 ft.			

Commentary

33.110.210 Floor Area Ratios

FAR limits are being added to the R7, R5 and R2.5 zones. Over the last few years, new houses in these zones have grown in size to the point where new development sometimes overwhelms existing houses on the block. With the potential for additional ADUs and dwelling units (up to four units per lot in some cases), there could be pressure to continue to increase the size of buildings.

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

FAR limits are not proposed for the lowest density zones (RF, R20, R10), because these areas are characterized by larger and more variable lot sizes. Consequently, new development in these areas has not generally overwhelmed adjacent lots. In addition, the additional housing types allowed in R7-R2.5 will not be allowed in RF-R10, which lessens pressure for building larger structures.

Floor area in basements and attics where the ceiling height is less than 80 inches will not count toward FAR because these spaces do not contribute significantly to visible building bulk (see the amended definition of Floor Area and Basement on pages 221 and 223).

Adjustments to FAR will be prohibited. Additional FAR will be allowed by retaining and converting an existing house, and by providing an affordable unit. Allowing adjustment to maximum FAR would undermine this system of incentives.

33.110.210.C

Bonus FAR (up to 0.1 total) may be gained when either:

- one unit is made available to those earning up to 80% of the area median income; or
- additional units (up to a maximum of four) are added to a site with an existing residential structure. The existing residential structure can be converted to add units or ADUs can be added to the site.

This additional FAR is not additive, meaning these two provisions cannot be combined for even more FAR.

33.110.210 Floor Area Ratios

- A. Purpose.** Floor area ratios (FAR) in the R7, R5 and R2.5 zones work with height, setback, and building coverage requirements to control the overall bulk and placement of buildings. The maximum FAR allowances have been calibrated by zone to:
- Define the character of each zone by establishing greater FAR allowances in the higher intensity zones;
 - Encourage the provision of additional dwelling units within existing neighborhoods by relating the allowed amount of FAR to the total number of units on a site; and
 - Ensure that the bulk of buildings on one lot does not overwhelm development on adjacent lots.
- B. Maximum FAR.** Maximum floor area ratios are stated in Table 110-5. The maximum FAR allowed is based on the total number of dwelling units on the site and whether a bonus option is chosen. The maximum FAR for institutional uses is stated in 33.110.270. Adjustments to the maximum FAR ratios, including bonus ratios, are prohibited.
- C. Maximum FAR with bonus.**
1. Affordable housing bonus option. In the R7, R5 and R2.5 zones, the maximum FAR for sites that provide at least one dwelling unit to those earning no more than 80 percent of the area median family income is stated in Table 110-5. To qualify for this maximum FAR with bonus:
 - a. The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability standard stated above. The letter is required to be submitted before a building permit can be issued but is not required in order to apply for a land use review; and
 - b. The property owner must execute a covenant with the City that complies with the requirements of 33.700.060. The covenant must ensure that the affordable dwelling unit will remain affordable to households meeting the income restriction and any administrative requirements of the Portland Housing Bureau.
 2. Preserving existing dwelling units bonus option. In the R7, R5 and R2.5 zones, the maximum FAR for sites that contain a primary residential structure that received final inspection at least 5 years ago is stated in Table 110-5. To qualify for this maximum FAR with bonus, no more than 25 percent of the existing street-facing façade of the primary residential structure may be altered to add additional floor area.

Commentary

33.110.215.B.2. Exceptions

The height for narrow lots have been consolidated and amended in a section—33.110.260, Additional Development Standards for Narrow Lots

33.110.215 Height

A. Purpose. The height standards serve several purposes:

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

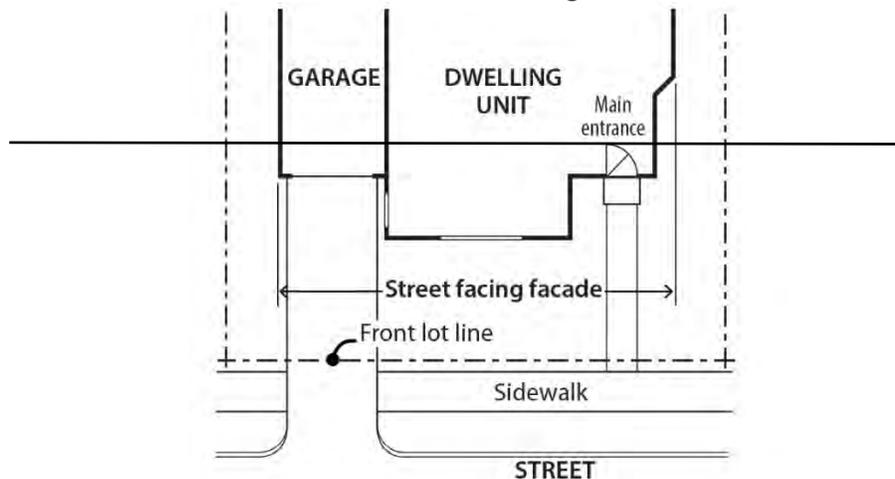
B. Maximum height. ~~1.—Generally. The maximum height allowed for all structures is stated in Table 110-4-3. The maximum height standard for institutional uses is stated in 33.110.245, Institutional Development Standards. The maximum height standards for detached and~~ and connected accessory structures are stated in 33.110.245~~250~~, Detached and Connected Accessory Structures. The maximum height standard for narrow lots is stated in 33.110.260, Additional Development Standards for Narrow Lots. The maximum height standard for small flag lots is stated in 33.110.255, Additional Standards for Flag Lots. The maximum height standard for Institutional uses is stated in 33.110.270, Institutional Development Standards.

~~2.—Exceptions.~~

- a.—~~R10-R5 zones. The maximum height for all primary structures on new narrow lots in the R10 to R5 zones is 1.2 times the width of the structure, up to the maximum height limit listed in Table 110-3; and~~
- b.—~~R2.5 zone. The maximum height for all primary structures on new narrow lots in the R2.5 zone is 1.5 times the width of the new structure, up to the maximum height limit listed in Table 110-3.~~

~~For the purposes of this Paragraph, width is the length of the street-facing facade of the dwelling unit. See Figure 110-1. Modifications are allowed through Planned Development Review, see Chapter 33.638, Planned Development. Adjustments to this paragraph are prohibited.~~

Figure 110-1
Width of Street Facing Facade



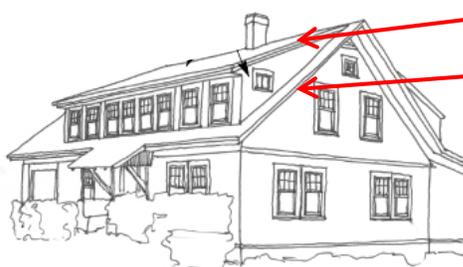
Commentary

33.110.215.C. Exceptions to Maximum Height.

Currently, the midpoint of the highest gable on a gable roof is used to measure height. Dormers have been used to extend a full floor above the height limit, as long as the ridge of the dormer is below the top of the gable, making it not the "highest gable" (see drawing below). Amendments to the method of measuring height (see Chapter 33.930 Measurements) identifies the "top" of a building as the roof that yields the highest reference point. On a house with a dormer, the shed roof of the dormer would be measured to the highest point (the apex of the dormer shed roof).

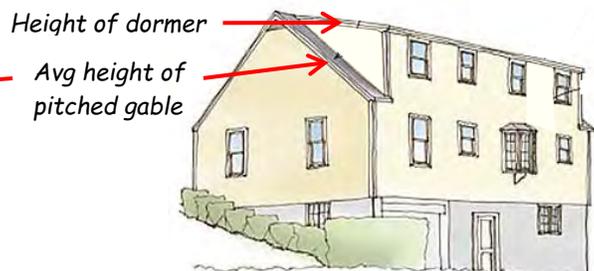
This exception is intended to allow dormer projections but constrain them so that they remain a secondary roof mass, and not an extension of the entire floor as a way of circumventing the height limit (see comparison below). Dormers can provide additional useable space and help add interest and variety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

Dormer meets exception to height standard



Credit: finehomebuilding.com

Dormer would be calculated for height



Credit: pro.homeadvisor.com

C. Exceptions to the maximum height.

1. Chimneys, vents, flag poles, satellite receiving dishes and other similar items ~~attached to a building,~~ with a width, depth, or diameter of 3 feet or less may extend above the height limit, as long as they are attached to a building and do not exceed 5 feet above the top of the highest point of the roof. If they are greater than 3 feet in width, depth, or diameter, they are subject to the height limit.
2. Dormers are not included in the height calculation when:
 - a. The roof of the dormer has a pitch of at least 3 in 12 and no part of the dormer extends above the ridgeline of the roof;
 - b. The walls of the dormer are set back at least 12 inches from the plane of any exterior wall of the floor below; and
 - c. The width of the dormer is not more than 75 percent of the width of the roof from which it projects. See Figure 110-1
- ~~3~~2. Farm buildings associated with an agricultural use, such as silos and barns are exempt from the height limit as long as they are set back from all lot lines, at least one foot for every foot in height.
- ~~4~~3. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
- ~~5~~4. Small wind turbines are subject to the standards of Chapter 33.299, Wind Turbines.
- ~~6~~5. Roof mounted solar panels are not included in height calculations, ~~and may exceed the maximum height limit~~ as follows: ~~if the following are met;~~
 - a. For flat roofs or the horizontal portion of mansard roofs, ~~they~~ the roof mounted solar panel may extend up to 5 feet above the top of the highest point of the roof.
 - b. For pitched, hipped or gambrel roofs, ~~they~~ the roof mounted solar panel must be mounted no more than 12 inches from the surface of the roof at any point, and may not extend above the ridgeline of the roof. The 12 inches is measured from the upper side of the solar panel.

Commentary

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

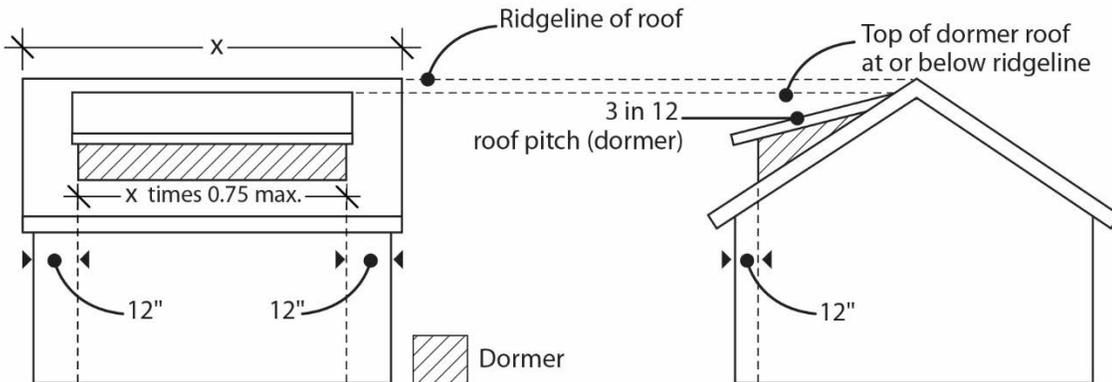
Additional clarity is being added regarding where to measure the average street grade. For the purpose of this regulation, the average street grade will be measured at the street lot line property corners as opposed to somewhere within the sidewalk, the street centerline, or other location within the ROW.

Paragraph 3 is being added because it is currently not clear what to do when a lot both slopes up and down from a street (e.g. through lot or corner lot). The amendment clarifies that in this situation, the applicant can choose to meet the alternative height measurement in D.1.

33.110.220.A Setbacks

The purpose is being amended to clarify that the setback regulations reflect the scale and placement of buildings in the single-dwelling zones as opposed to buildings in other zones across the city.

Figure 110-1
Dormers



D. Alternative height limits for steeply sloping lots.

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

33.110.220 Setbacks

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

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

Commentary

33.110.220.C.1.d(4) The limitation on doors in a bay is being deleted to allow for "Juliet" balconies.



33.110.220.C.2. This amendment provides for a consistent 2-foot eave allowance in a setback rather than a percentage of setback to account for the different size setbacks in the single dwelling zones. The change will improve the relationship of eave proportion to building height and width. Requiring at least 3 feet between the eave and the lot line is consistent with the minimum distance required before additional building code regulations for fire protecting eaves are triggered



33.110.220.C.3. This minor amendment is being made to avoid confusion between detached, attached and connected accessory structures and because it is irrelevant whether the stair, deck or ramp is attached, connected or detached.

- B. Required setbacks.** The required setbacks for buildings and garage entrances are stated in Table 110-4-3. The walls of the garage structure are subject to the front, side, and rear building setbacks stated in Table 110-4-3. The minimum setbacks for institutional uses are stated in 33.110.270245, Institutional Development Standards. Other setbacks may apply to specific types of development or situations.
- C. Extensions into required building setbacks.**
1. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback. However, the feature must be at least three feet from a lot line:
 - a. ~~Eaves, e~~Chimneys, fireplace inserts and vents, mechanical equipment, and fire escapes;
 - b. Water collection cisterns and stormwater planters that do not meet the standard of Paragraph C.32;
 - c. Decks, stairways, wheelchair ramps and uncovered balconies that do not meet the standards of Paragraph C.32; and
 - d. Bays and bay windows that meet the following requirements:
 - (1) Each bay and bay window may be up to 12 feet long, but the total area of all bays and bay windows on a building facade cannot be more than 30 percent of the area of the facade;
 - (2) At least 30 percent of the area of each bay which faces the property line requiring the setback must be glazing or glass block; and
 - (3) Bays and bay windows must cantilever beyond the foundation of the building; and
 - (4) ~~The bay may not include any doors.~~
 2. Building eaves may extend up to two feet into a required building setback provided the eave is at least three feet from a lot line.
 - ~~32.~~ The following minor features of a building may extend into the entire required building setbacks:
 - a. Utility connections attached to the building that are required to provide services such as water, electricity, and other similar utility services;
 - b. Gutters and downspouts that drain stormwater off a roof of the structure;
 - c. Stormwater planters that are no more than 2-1/2 feet above the ground;
 - d. Water collection cisterns that are 6 feet or less in height;
 - e. ~~Attached d~~Decks, stairs and ramps that are no more than 2-1/2 feet above the ground. However, stairways and wheelchair ramps that lead to one entrance on the street-facing façade of a building are allowed to extend into the required setback from a street lot line regardless of height above ground; and
 - f. On lots that slope down from the street, vehicular or pedestrian entry bridges that are no more than 2-1/2 feet above the average sidewalk elevation.

Commentary

33.110.220.D.2. Exception for flag lots

The setback exception for the side lot line along a flag lot pole is being reduced from 3 to zero. This will reduce the need for an adjustment when a flag lot is being created and the existing house is too close to the new side lot line. The reduced setback is appropriate because the flag pole area will not be developed with anything other than a driveway and there will continue to be at least 10 feet between the existing house and the side lot line of the lot next door.

33.110.220.D.6. Established building lines

This amendment is a minor clarification. The use of the term "new development" is incorrect in the context of this exception. The provision applies to existing nonconforming development which, by definition, is not new development.

- ~~43.~~ Detached accessory structures. The setback standards for detached-accessory structures, including detached mechanical equipment, are stated in 33.110.~~245~~250. Fences are addressed in 33.110.~~275~~255. Detached accessory dwelling units are addressed in Chapter 33.205.

D. Exceptions to the required setbacks.

1. Setback averaging. The front building setback, ~~garage entrance setback~~, and the setback of decks, balconies, and porches may be reduced to the average of the respective setbacks on the abutting lots. See Chapter 33.930, Measurements, for more information.
2. Flag lots. The lot in front of a flag lot may reduce its side building setback along the flag pole lot line to zero~~3 feet~~. ~~Eaves may be within 2 feet of the flag pole lot line.~~ All other setback requirements remain the same.
3. Environmental zone. The front building and garage entrance setback may be reduced to zero where any portion of the site is in an environmental overlay zone. Where a side lot line is also a street lot line the side building and garage entrance setback may be reduced to zero. All other provisions of this Title apply to the building and garage entrance.
4. Steeply sloping lots. This provision applies to lots ~~which~~that slope up or down from the street with an average slope of 20 percent or greater. See Chapter 33.930, Measurements, for more information on how to measure average slope.
 - a. In the RF, R20, R10, and R7 zones, the front building setback for the dwelling may be reduced to 10 feet. However, the height limitations of subparagraph c. ~~below~~ apply. See Figures 110-2 and 110-3.
 - b. In all single-dwelling residential zones, the front building setback for the garage wall and/or the garage entrance setback may be reduced to five feet. However, the height limitations of Paragraph D.4.c. ~~below~~ apply. See Figures 110-2 and 110-3.
 - c. Height limitation. The height limit in the area of the reduced setback is lowered one foot for every foot of reduced setback. See Figures 110-2 and 110-3.
5. Established building lines. The front, side, or rear building setback for the primary structure may be reduced for sites with existing nonconforming development in a required setback. The reduction is allowed if the width of the portion of the existing wall of the primary structure within the required setback is at least 60 percent of the width of the respective facade of the existing primary structure. The building line created by the nonconforming wall serves as the reduced setback line. Eaves associated with the nonconforming wall may extend the same distance into the reduced setback as the existing eave. However, side or rear setbacks may not be reduced to less than 3 feet in depth and eaves may not project closer than 2 feet to the side or rear property line. See Figure 110-4. This reduced setback applies to new development alterations that are ~~that is~~ no higher than the existing nonconforming wall. For example, a second story could not be placed up to the reduced setback line if the existing nonconforming wall is only one story high.

Commentary

33.110.220.D.7. Land Divisions and Planned Developments with existing development

This amendment extends the setback exception for existing development close to a proposed ROW to the RF, R20 and R10 zones and to Planned Developments. Occasionally, ROW is proposed as part of a Planned Development that is not also going through a Land Division and there is no reason to limit the exception to only Land Divisions. Similarly, existing development could be located close to a ROW dedication in the RF, R20 or R10 zones.

33.110.220.D.8. Required dedication

With more opportunities to convert existing houses to add more units, right of way dedications to widen existing rights-of-way may be required. Adding this exception reduces barriers to retaining existing houses and avoids the need for a costly setback adjustment.

6. Split zoning. No setbacks are required from an internal lot line that is also a zoning line on sites with split zoning.
7. Land divisions and Planned Developments with existing development. ~~In the R7, R5, and R2.5 zones, t~~The following setback reductions are allowed when proposed as part of a land division or Planned Development:
 - a. The minimum setback between an existing building and a side lot line along a proposed right-of-way dedication or street tract may be reduced to three feet;
 - b. When a dedication of public right-of-way along the frontage of an existing street is required as part of a land division or Planned Development, the minimum front or side setback between an existing building and a lot line that abuts the right-of-way may be reduced to zero. Future additions or development must meet required minimum setbacks.
 - c. Eaves on an existing building may extend one foot into the reduced setback allowed by D. 7.a. or b. ~~above~~, except they may not extend into the right-of-way.
8. Required dedication. When a dedication of public right-of-way along the frontage of an existing street is required by a public agency, the minimum front or side setback between an existing building and a lot line that abuts the right-of-way may be reduced to zero. Future additions or development must meet required minimum setbacks. Eaves on an existing building may extend one foot into the reduced setback except they may not extend into the right-of-way.
98. Alley. No side, rear, or garage entrance setback is required from a lot line abutting an alley.

Commentary

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

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

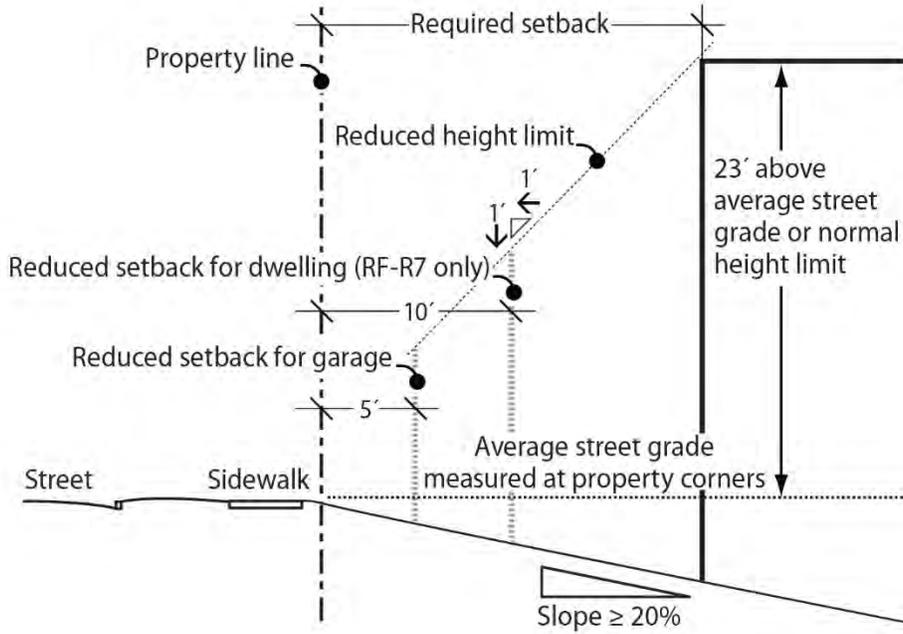
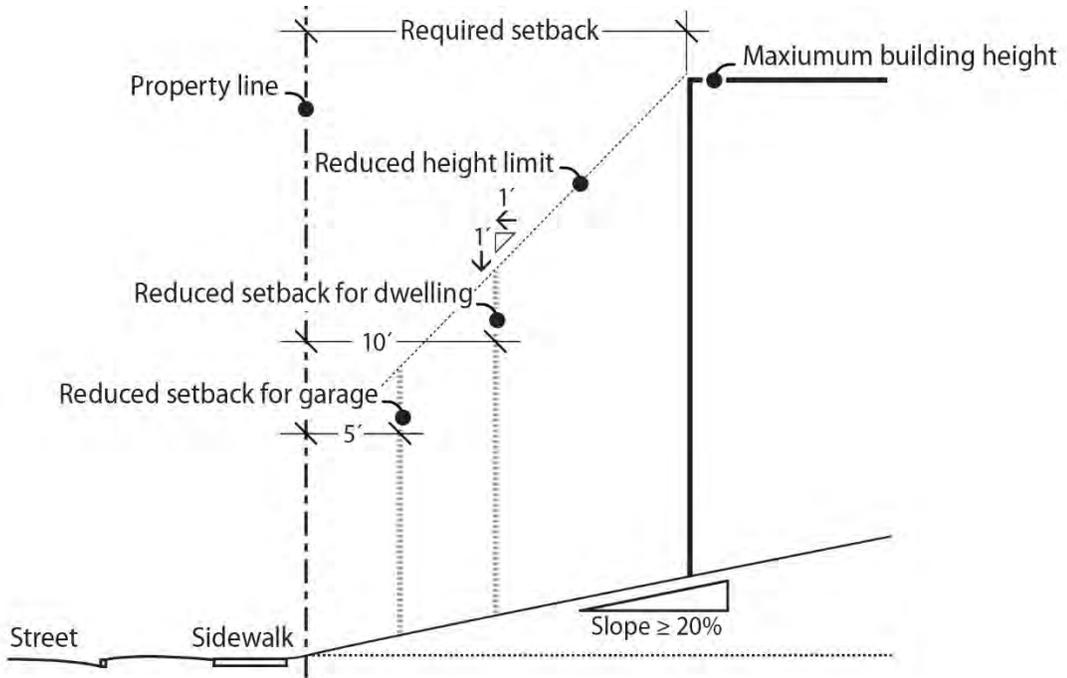


Figure 110-3
Exceptions To Front Building Setback And Garage Entrance Setback—Uphill



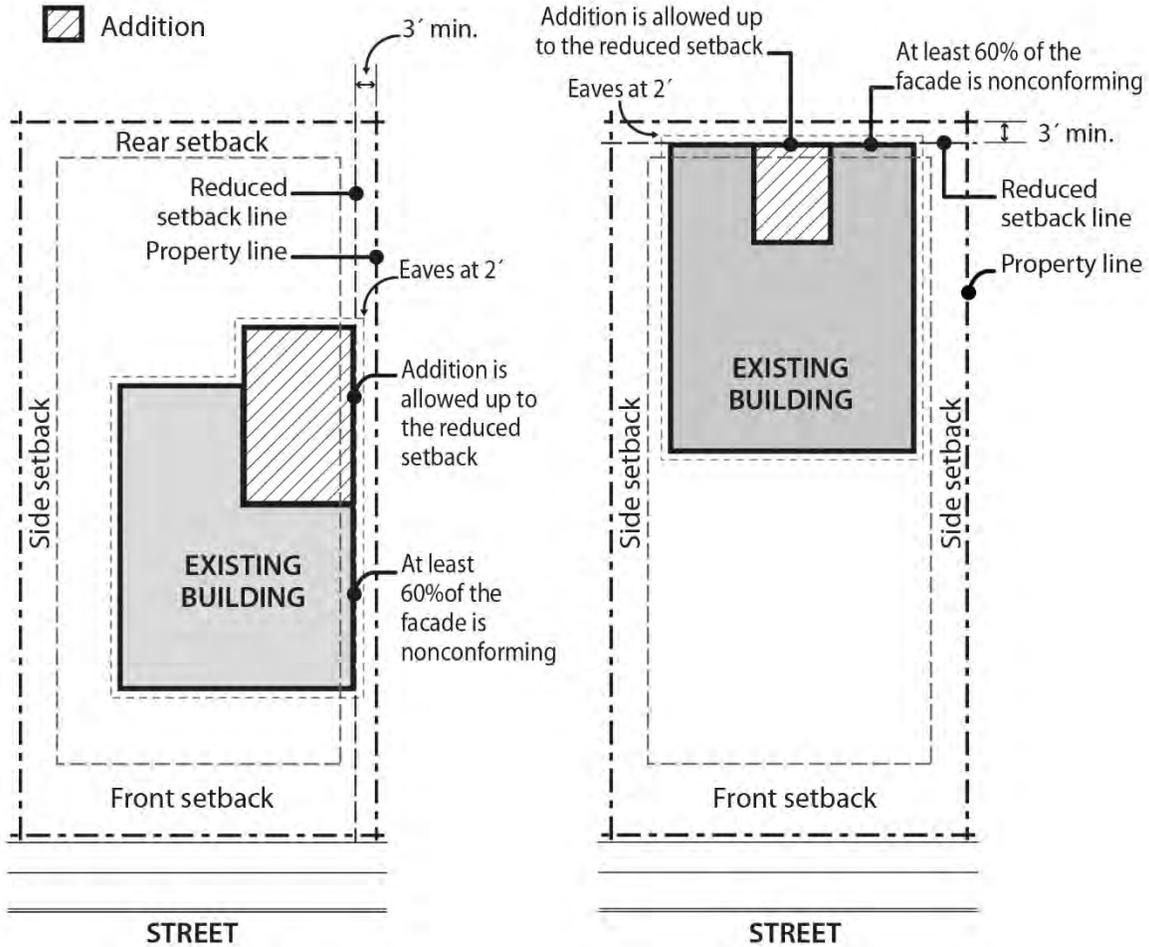
Commentary

33.110.225.A

The purpose statement for building coverage is being amended to reflect that the new floor area ratio standard will also work with building coverage to help control the bulk of buildings in the single-dwelling zones.

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

Figure 110-4
Established Building Lines



33.110.225 Building Coverage

- A. **Purpose.** The building coverage standards, limit the footprint of buildings and work together with the height, ~~and setback, and floor area ratio~~ standards to control the overall bulk of structures. They are intended to ensure~~assure~~ that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on a site.
- B. **Building coverage standards.** The maximum combined building coverage allowed on a site for all covered structures is stated in Table 110-6-4.

Commentary

33.110.230.B.1 Where these standards apply

This minor amendment replaces the list of residential structure types to which the main entrance standards apply with the term "all residential structure types except accessory dwelling units". The change in language avoids lengthening the sentence by adding triplex and fourplex.

33.110.230.B.2

This provision is being deleted because it is covered in B.1.

33.110.230.B.4

Development that is located in the special flood hazard area will be exempt from the main entrance standard that limits how high above grade the main entrance can be. In these areas, the lowest floor of the residence is required to be elevated 1 foot above the 100 year flood elevation. In some cases, this is achieved by placing the structure on piers (as opposed to raising the surrounding grade), which could make compliance with this standard impractical.

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

Notes:

[1] Group Living uses are subject to the maximum building coverage for institutional development stated in Table 110-9-5.

33.110.227 Trees

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

33.110.230 Main Entrances in R10 through R2.5 Zones

A. Purpose. These standards:

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

B. Where these standards apply.

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

Commentary

33.110.230.D. Distance from Grade

This standard, which previously applied only to attached houses on new narrow lots (lots created after 2002), will now apply to all residential structure types on all lots. The standard limits long, tall runs, or “floating”, stairways. Applying it to all lots will improve the relationship between the first floor of the dwelling and the surrounding grade. The standard applies only to the one main entrance that meets the street-facing standard of subsection C.

The standard is also being clarified and illustrated with a diagram to show how to measure the average grade (see page 53). The clarification addresses tuck under garages and other excavations that may complicate the calculation of average grade.



Houses with main entrance high above average grade



Main entrances within 4 feet of average grade

The amendment also allows the adjustment review procedure for modifications to the standards rather than requiring a Planned Development. This provides for a more consistent review process when one or more base zone standards are being adjusted.

- C. Location.** At least one main entrance for each structure must:
1. Be within 8 feet of the longest street-facing wall of the dwelling unit; and
 2. Either:
 - a. Face the street. See Figure 110-5;
 - b. Be at an angle of up to 45 degrees from the street; or
 - c. Open onto a porch. See Figure 110-6. The porch must:
 - (1) Be at least 25 square feet in area;
 - (2) Have at least one entrance facing the street; and
 - (3) Have a roof that is:
 - No more than 12 feet above the floor of the porch; and
 - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with a trellis or other open material if no more than 70 percent of the area of the material is open.
- D. Distance from grade.** The main entrance that meets Subsection C, ~~above~~, must be within 4 feet of grade. For the purposes of this Subsection, grade is the average grade measured at the outer most corners of the street facing façade~~along the foundation of the longest street-facing wall of the dwelling unit.~~ See Figure 110-7. ~~Modifications to this standard are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

Commentary

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

Figure 110-5
Main Entrance Facing the Street

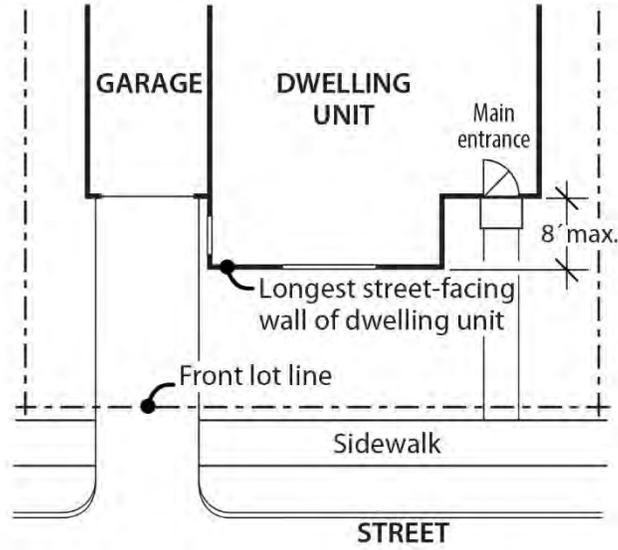
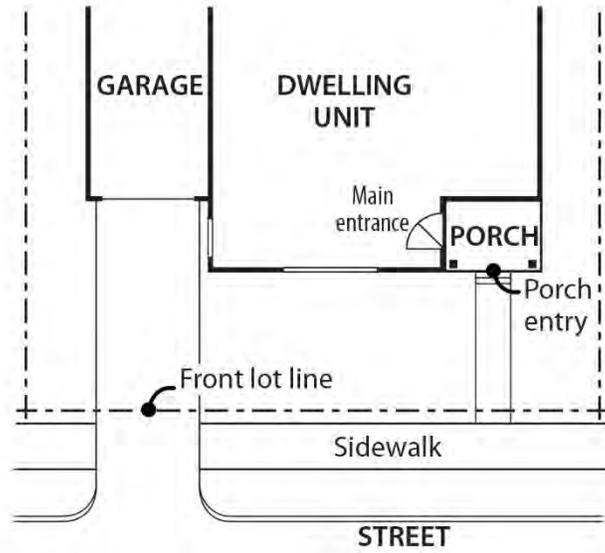


Figure 110-6
Main Entrance Opening onto a Porch



Commentary

Figure 110-7

The figure is being amended to show the new method for measuring average grade.

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

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

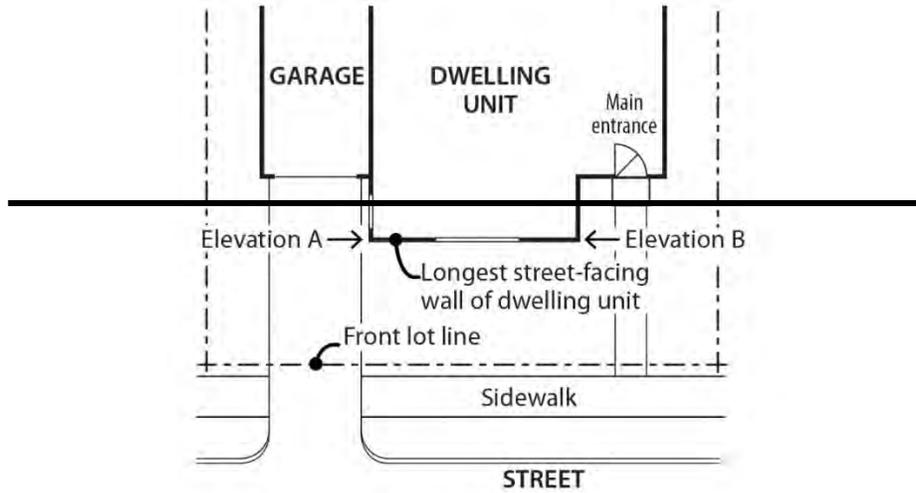
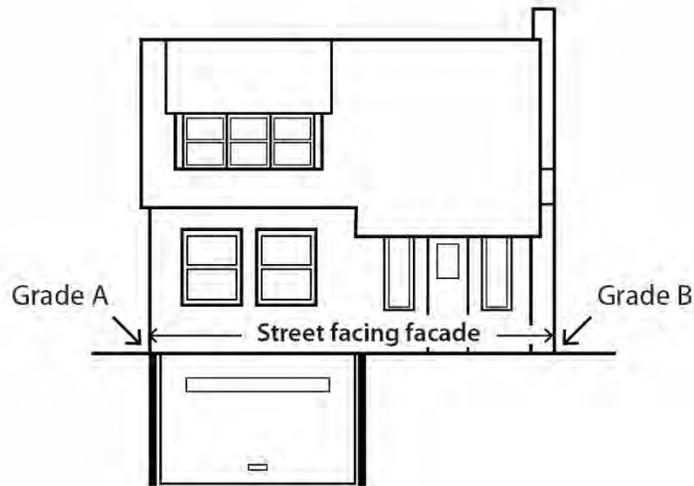


Figure 110-7
Calculation of Grade: (Grade A + Grade B) / 2



Commentary

33.110.235.A.

The purpose statement is being amended to reflect the additional standard related to second story entrances.

33.110.235.B. *Where these standards apply*

This minor amendment replaces the list of residential structure types to which the main entrance standards apply with the term "all residential structure types except accessory dwelling units". The change in language avoids lengthening the sentence by adding triplex and fourplex.

33.110.235.C.

The subsection is being renamed to differentiate the minimum window requirement from the exterior stair standard.

33.110.235.D.

This standard is being added to prevent exterior stairs to a second story from being located between the building façade and a street. Like the main entrance distance from grade standard, this standard will limit long, tall runs, or "floating", stairways on the front façade of a structure and ensure that the front façade is not obscured by a staircase. Stairs to second story entrances will be allowed on non-street side and rear facades.



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

33.110.235232 Street-Facing Facades in R10 through R2.5 Zones

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

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

B. Where the standards apply.

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

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

D. Exterior stairs. Fire escapes and exterior stairs providing access to an upper level are not allowed on any facade that faces a street lot line.

Commentary

33.110.240.B Required outdoor area size

The requirement for a minimum outdoor area is being amended to apply per lot rather than per dwelling unit. The experience with accessory dwelling units has been that it is hard to fit in more than one 250 square foot outdoor area and that problem will be exacerbated with the option to build or convert a structure to a triplex or fourplex. In addition, this change also makes the requirement more consistent with the outdoor area requirement in the multi-dwelling zones (48 square feet per unit). Total open area on a site will not be affected by this change because building coverage limits will continue to apply limiting the amount of a lot that can be covered by buildings.

33.110.240.C.2

This amendment will ensure that required outdoor area is not also used as vehicle areas (including storage of vehicles).

33.110.240235-Required Outdoor Areas

- A. Purpose.** The required outdoor areas standards ensure~~assure~~ opportunities in the single-dwelling zones for outdoor relaxation or recreation. The standards work with the maximum building coverage standards to ensure that some of the land not covered by buildings is of an adequate size and shape to be usable for outdoor recreation or relaxation. The location requirements provide options for private or semiprivate areas. The requirement of a required outdoor area serves in lieu of a large rear setback requirement and is an important aspect in addressing the livability of a residential structure.
- B. Required outdoor area sizes.** The minimum sizes of required outdoor areas per lot~~dwelling unit~~ are ~~is~~ stated in Table 110-4-3. The shape of the outdoor area must be such that a square of the stated dimension will fit entirely in the outdoor area.
- C. Requirements.**
1. The required outdoor area must be a contiguous area and may be on the ground or above ground.
 2. The area must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed. Required outdoor area may not be used as vehicle area.
 3. General landscaped areas that~~which~~ are included as part of the required outdoor area may extend into the required side and rear building setback, but the required outdoor area may not be located in the front building setback.

Commentary

33.110.240 Alternative Development Options

This section is being restructured, renamed and moved. See 33.110.265, Residential Infill Options.

Key structural changes:

- The flag lot standards are being moved to 33.110.255. Additional Standards for Flag Lots.
- The transitional site option is being deleted. In the R7, R5, and R2.5 zones, up to 4 units will be allowed on most lots, including transitional sites that presently only allow 2 units. In addition, there are fewer than 15 transitional sites in the R10 and R20 zones and due to the low applicability of this option, it is being deleted.
- The zero lot line development option is being deleted due to difficulties with building code compliance. For example, the building code does not allow window or door openings within 3 feet of a property line and does not allow eaves to project across a property line. In addition, this option has been rarely used.
- The reference to the Permit Ready House program is also being deleted. The permit ready houses program was initiated in 2004/2005. Two pre-approved plans were developed with BDS staff to help administer the program. With the 2009 recession and subsequent budget cuts, this program was discontinued and the plans are no longer under copyright. Twelve houses were built under this program. Due to its seldom use and the lack of flexibility in modifying the copyrighted plans, Chapter 33.278, Permit Ready Houses, was deleted from the zoning code in May, 2018.

33.110.240 Alternative Development Options

A. Purpose. ~~The alternative development options allow for variety in development standards while maintaining the overall character of a single-dwelling neighborhood. These options have several public benefits:~~

- ~~• They allow for development that is sensitive to the environment, especially in hilly areas and areas with water features and natural drainageways;~~
- ~~• They allow for the preservation of open and natural areas;~~
- ~~• They promote better site layout and opportunities for private recreational areas;~~
- ~~• They promote opportunities for affordable housing;~~
- ~~• They promote energy efficient development;~~
- ~~• They allow for the provision of alternative structure types where density standards are met; and~~
- ~~• They reduce the impact that new development may have on surrounding residential development.~~

B. General requirements for all alternative development options. ~~The alternative development options listed in this section are allowed by right unless specifically stated otherwise. The project must comply with all of the applicable development standards of this section. The project must also conform with all other development standards of the base zone unless those standards are superseded by the standards in this section.~~

C. Attached housing. ~~Attached housing allows for more efficient use of land and for energy-conserving housing.~~

~~1. R20 through R5 zones.~~

~~a. Lot dimensions. Each attached house must be on a lot that complies with the lot dimension standards for new lots in the base zone stated in Chapter 33.610, Lots in RF through R5 Zones.~~

~~b. Building setbacks.~~

~~(1) Interior (noncorner) lots. On interior lots the side building setback on the side containing the common wall is reduced to zero. The reduced setback applies to all buildings on the lot and extends along the full length of the lot line that contains the common or abutting wall. The side building setback on the side opposite the common wall must be double the side setback standard of the base zone.~~

~~(2) Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.~~

~~c. Number of units. Two attached houses may have a common wall. Structures made up of three or more attached houses are prohibited unless approved as a Planned Development.~~

Commentary

33.110.240.C.1.d.

The narrow lot landscape standards have been moved to 33.110.260, Additional Standards for Narrow Lots.

~~d.—Landscape standards. The following landscape standards must be met on lots in the R10 through R5 zones that do not meet the minimum lot width standard of 33.610.200.D.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

~~(1) All street facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~

~~(2) Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~

~~2.—R2.5 zone.~~

~~a.—Density and lot size. The density and minimum lot dimension standards are stated in Chapter 33.611, Lots in the R2.5 Zone, apply.~~

~~b.—Number of units. Up to eight attached houses may have common walls. Structures made up of nine or more attached houses are prohibited.~~

~~c.—Building setbacks.~~

~~(1) Perimeter building setbacks. The front, side, and rear building setbacks around the perimeter of an attached housing project are those of the base zone.~~

~~(2) Interior building setbacks. The side building setback on the side containing the common wall is reduced to zero. The reduced setback extends along the full length of the lot line that contains the common or abutting wall.~~

~~(3) Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.~~

~~d.—Landscape standards. The following landscape standards must be met on lots in the R2.5 zone that do not meet the minimum lot width standard of 33.611.200.C.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited:~~

~~(1) All street facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~

~~(2) Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~

Commentary

33.110.240.D.3

The limitation on fire escapes and stairs on the front façade has been incorporated as a general requirement in 33.110.240, Street Facing Façades.

D. ~~Duplex in R2.5 zone.~~ Duplexes are allowed in the R2.5 zone if the following are met:

1. ~~Density. A maximum density of 1 unit per 2,500 square feet of site area is allowed. Density for this standard is calculated before public right-of-way dedications are made;~~
2. ~~Development standards. Duplexes must comply with the height, building setback, building coverage, and required outdoor area requirements of the base zone, overlay zone, or plan district; and~~
3. ~~Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building.~~

E. ~~Duplexes and attached houses on corners.~~ This provision allows new duplexes and attached houses in locations where their appearance and impact will be compatible with the surrounding houses. Duplexes and attached houses on corner lots can be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street.

1. ~~Qualifying situations. This provision applies to corner lots in the R20 through R2.5 zones.~~
2. ~~Density. One extra dwelling unit is allowed up to a maximum of two units.~~
3. ~~Lot dimension regulations. Lots in the R20 through R2.5 zones must meet the lot dimension regulations of this section. Adjustments are prohibited.~~
 - a. ~~In the R20 through R7 zones:~~
 - (1) ~~Duplexes. Lots for duplexes must meet the minimum lot dimension standards for new lots in the base zone.~~
 - (2) ~~Attached houses. Where attached houses are proposed, the original lot, before division for the attached house proposal, must meet the minimum lot dimension standards for new lots in the base zone. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
 - (3) ~~Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~
 - b. ~~In the R5 zone:~~
 - (1) ~~Duplexes. Lots for duplexes must be at least 4,500 square feet in area.~~
 - (2) ~~Attached houses as a result of a land division. Where attached houses are proposed, the original lot, before division for the attached house proposal, must be at least 4,500 square feet. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
 - (3) ~~Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~

Commentary

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

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

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

- ~~a. Entrances. Each of the units must have its address and main entrance oriented towards a separate street frontage. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed;~~
- ~~b. Height. If attached housing is proposed, the height of the two units must be within four feet of each other; and~~

~~c. On both units:~~

- ~~(1) Exterior finish materials. The exterior finish material must be the same, or visually match in type, size and placement.~~
- ~~(2) Roof pitch. The predominant roof pitch must be the same.~~
- ~~(3) Eaves. Roof eaves must project the same distance from the building wall.~~
- ~~(4) Trim. Trim must be the same in type, size and location.~~
- ~~(5) Windows. Windows must match in proportion and orientation.~~

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

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

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

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

Commentary

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

~~**G.— Planned development.** See Chapter 33.270, Planned Developments.~~

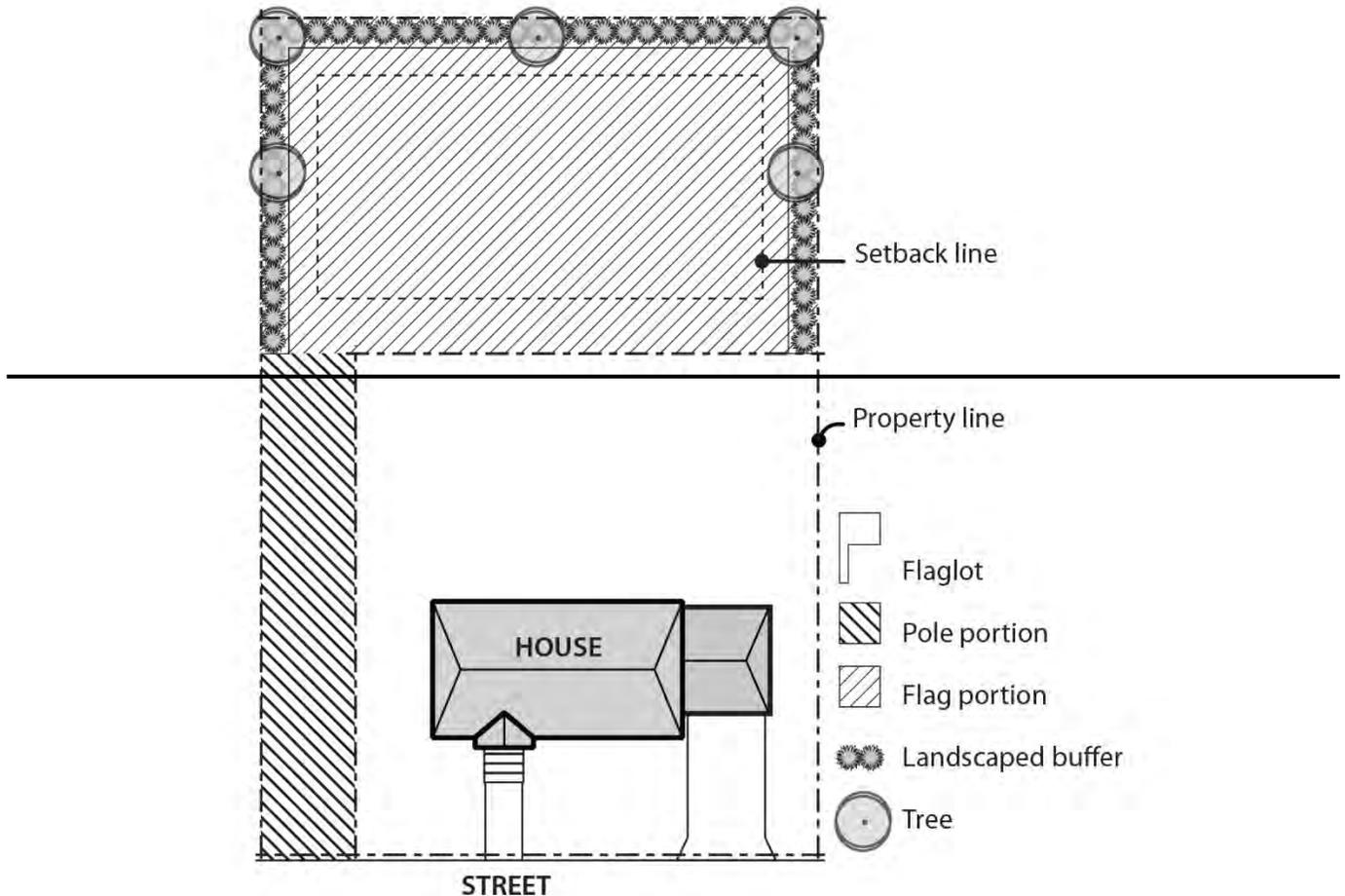
~~**H.— Transitional sites.** The transitional site standards allow for a transition of development intensities between nonresidential and single dwelling zones. A stepped increase in density is allowed on single dwelling zoned lots that are adjacent to most commercial/mixed use, employment, industrial,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

- ~~1.— Qualifying situations. The transitional site regulations apply only to sites in the R20 through R2.5 zones that have a side lot line that abuts a lot in the CM2, CM3, CE, CX, E, I, or CI zones. The side lot line of the residential site must abut the lot in a nonresidential zone for more than 50 percent of the residential site's length. The residential site must comply with the minimum lot dimension standards in the applicable base zone listed in Chapters 33.610 and 33.611.~~
- ~~2.— Density. The site may have one dwelling unit more than the density allowed by 33.610.100.C.1 and 33.611.100.C.1.~~
- ~~3.— Housing types allowed. The site may contain a duplex or be divided for attached houses.~~
- ~~4.— Standards for attached housing projects. New lots created for attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone. Development must meet the site development regulations for attached houses in the R2.5 zone.~~

Commentary

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

Figure 110-9
Flag Lot Description and Buffer



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

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

Commentary

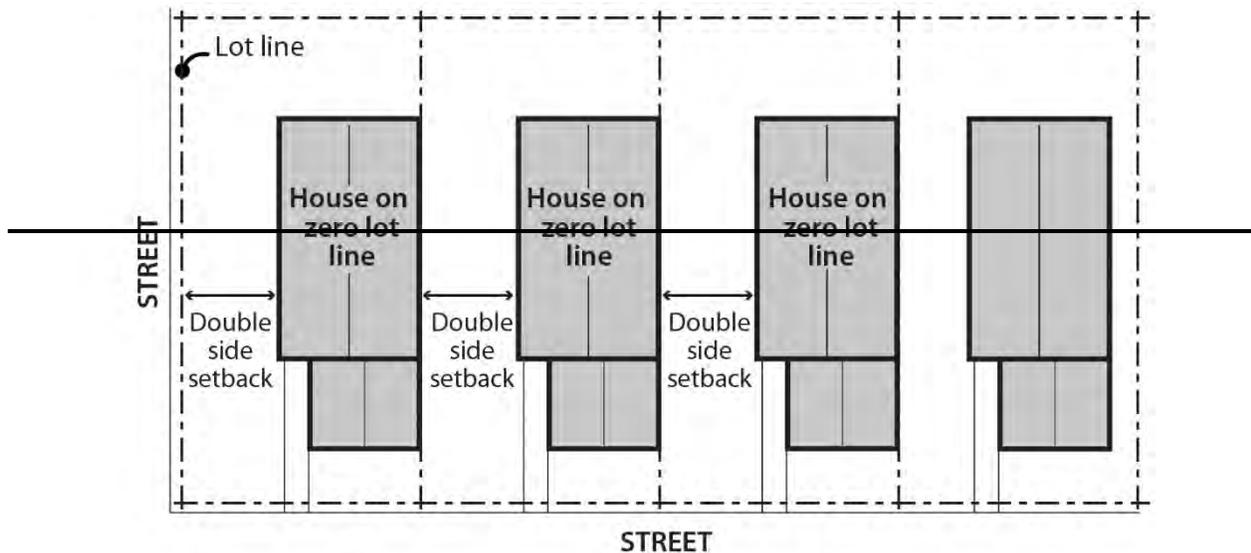
Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

4. ~~Additional site development standards.~~

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

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

**Figure 110-10
Zero Lot Line Development**



Commentary

33.110.245.B General Standards

The accessory structure standards are being amended to more clearly distinguish between detached accessory structures, connected accessory structures, and attached accessory structures. The accessory structure standards will apply to detached and connected accessory structures. An attached structure that shares a wall, floor or ceiling with a primary building appears like an extension of that building, whereas a structure that is connected via just a breezeway or deck reads more like a detached structure.

See also changes to definitions of attached structure and connected structure in 33.910

	Attached accessory structures (shared wall or floor/ceiling)	Connected accessory structures	Detached accessory structures
Setbacks	Base zone	<ul style="list-style-type: none"> • Reduced side/rear • Connection still subject to base zone setbacks 	Reduced side/rear
Building Coverage	Combined building coverage limit	<ul style="list-style-type: none"> • 15% /not larger than primary structure. • Connections not included in 15% building coverage limit, but counted for site coverage 	15% /not larger than primary structure.
Height	30/35' measured at low point of total bldg	<ul style="list-style-type: none"> • 20' measured at low point of accessory structure • Connection subject to base zone height limit. 	20' measured at low point of accessory structure
Exterior material standards	No	<ul style="list-style-type: none"> • Yes (when taller than 15') • Connection not subject to material standards 	Yes (when taller than 15')



Attached accessory structure



Connected accessory structure

33.110.245250 Detached and Connected Accessory Structures

A. Purpose. This section regulates detached and connected structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards limit the height and bulk of these structures, promote compatibility of design for larger structures, provide for necessary access around larger structures, help maintain privacy ~~to~~ between abutting lots, and maintain open front setbacks.

B. General standards.

1. The regulations of this section apply to ~~all~~ detached accessory structures and connected accessory structures. Farm structures associated with an agricultural use such as barns and silos are exempt from these standards as long as they are set back from all lot lines at least one foot for every foot in height. Additional regulations for accessory dwelling units are stated in Chapter 33.205.
2. Detached accessory structures are allowed on a lot only in conjunction with a primary building, and may not exist on a lot prior to the construction of the primary structure, except as allowed by Paragraph B.3, ~~below~~.
3. A detached accessory structure that becomes the only structure on a lot as the result of a land division, a property line adjustment, a lot confirmation~~separation of ownership~~, or a demolition of the primary structure may remain on the lot if the owner has executed a covenant with the City that meets the requirements of Section 33.700.060.
 - a. For a land division, the covenant must require the owner to remove the accessory structure if, within two years of final plat approval, a primary structure has not been built and received final inspection. The covenant must be executed with the City prior to final plat approval.
 - b. For a property line adjustment or a lot confirmation~~separation of ownership~~, the covenant must require the owner to remove the accessory structure if a primary structure has not been built and received final inspection within two years. The two years begins on the date the letter from BDS approving ~~confirming~~ the property line adjustment or lot confirmation ~~separation of ownership~~ is mailed. The covenant must be executed with the City before the final letter from BDS is issued.
 - c. For a demolition of a primary structure, the covenant must require the owner to remove the accessory structure if a new primary structure has not been built and received final inspection within two years. The two years begins on the date of the final inspection of the demolition. The covenant must be executed with the City prior to the issuance of the demolition permit.

Commentary

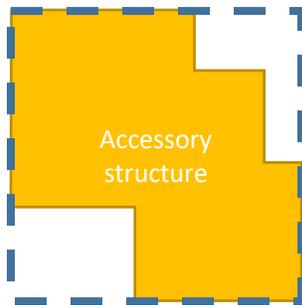
33.110.245.C. Detached and connected covered accessory structures.

Additional clarification is added to distinguish the applicable standards for detached versus connected accessory structures.

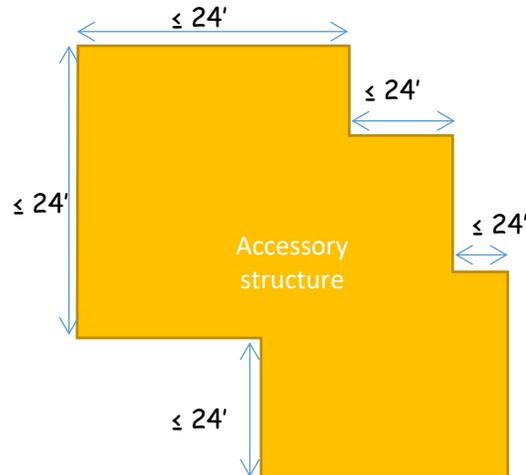
33.110.245.C.2.b(2)

Clarification is added to specify that the 24 foot dimension applies to the total footprint of the structure, not just a single dimension.

24' x 24' footprint (dashed line)



Structure with "dimensions" that do not exceed 24 feet



C. Detached and connected covered accessory structures. The following standards apply to all detached covered accessory structures and connected covered accessory structures. Detached covered accessory structures are items such as garages, carports, greenhouses, artist's studios, guest houses, accessory dwelling units, storage buildings, wood sheds, water collection cisterns, and covered decks or patios that are not connected to the primary structure. Connected covered accessory structures include accessory structures that are connected to a primary structure via a roofed structure such as a breezeway. The standards of this subsection do not apply to the portion of the structure that connects the accessory structure to the primary structure. ~~The following standards apply to all detached covered accessory structures.~~ Garages are also subject to the standards of 33.110.250~~253~~.

1. Height. The maximum height allowed for all detached covered accessory structures and connected covered accessory structures is 20 feet.
2. Setbacks. Except as follows, detached covered accessory structures and connected covered accessory structures are subject to required building setbacks. See the additional regulations for garages in 33.110.250~~253~~.
 - a. Water collection cisterns that are 6 feet or less in height are allowed in required side and rear setbacks.
 - b. In the R7, R5 and R2.5 zones, detached covered accessory structures other than water collection cisterns, are allowed in the required side and rear building setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, is at least 20 feet from a side street lot line;
 - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet, excluding eaves;
 - (3) If more than one structure is within the setback, the combined length of all structures in the setback adjacent to each property line is no more than 24 feet;
 - (4) The structure is no more than 15 feet high, and the walls of the structure are no more than 10 feet high, excluding the portion of the wall within a gable;
 - (5) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening;
 - (6) Walls located within the setback do not have doors or windows facing the adjacent lot line;

Commentary

33.110.245.C.2.b(8)

The dormer standard is intended to preserve privacy between lots, however if the dormer faces a lot line that abuts a street, then the dormer does not need to set back 5 feet. This amendment makes that clear.

33.110.245.C.3.a

This amendment clarifies that the building coverage standard for accessory structures applies to detached and connected accessory structures. For example, the building coverage of a garage connected to the house via a breezeway plus a detached shed may not exceed 15% of the total site area.

33.110.245.C.4.

The term "visually match" is being deleted because it is discretionary.

33.110.245.C.4.b. Roof pitch

This amendment clarifies what the term "predominant" was intended to mean.

- (7) The structure does not have a rooftop deck; and
 - (8) Dormers are set back at least 5 feet from the side and rear lot lines that abut another lot.
3. Building coverage. The following additional building coverage standards apply to detached covered accessory structures and connected covered accessory structures:
- a. The combined building coverage of all detached and connected covered accessory structures may not exceed 15 percent of the total area of the site; and
 - b. The building coverage of a detached covered accessory structure may not be greater than the building coverage of the primary structure, and the building coverage of a connected covered accessory structure may not be greater than the building coverage of the primary structure.
4. Additional development standards ~~for detached covered accessory structures~~. The following additional standards apply to detached covered accessory structures and connected covered accessory structures that are more than 15 feet high. Additions to existing structures that do not meet a standard are exempt from that standard.
- a. Exterior finish materials. The exterior finish materials ~~on the detached covered accessory structure~~ must meet one of the following:
 - (1) The exterior finish material must be the same ~~or visually match~~ in type, size and placement, the exterior finish material of the primary structure; or
 - (2) Siding must be made from wood, composite boards, vinyl or aluminum products, and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
 - b. Roof Pitch. The ~~roof~~ pitch of the roof with the highest ridgeline ~~detached covered accessory structure~~ must meet one of the following:
 - (1) The ~~predominant roof~~ pitch of the roof with the highest ridgeline must be the same as the ~~predominant roof~~ pitch of the roof with the highest ridgeline of the primary structure; or
 - (2) The ~~roof~~ pitch of the roof with the highest ridgeline must be at least 6/12.
 - c. Trim. The trim ~~on the detached covered accessory structure~~ must meet one of the following:
 - (1) The trim must be the same in type, size, and location as the trim used on the primary structure; or
 - (2) The trim around all windows and doors must be at least 3 ½ inches wide.

Commentary

- d. Windows. The windows on all street facing facades ~~of the detached covered accessory structure~~ must meet one of the following:
 - (1) The windows must match those on the street facing façade of the primary structure in orientation (horizontal or vertical); or
 - (2) Each window must be square or vertical – at least as tall as it is wide.
- e. Eaves. The eaves ~~on the detached covered accessory structure~~ must meet one of the following:
 - (1) The eaves must project from the building walls the same distance as the eaves on the primary structure;
 - (2) The eaves must project from the building walls at least 1 foot on all elevations; or
 - (3) If the primary structure has no eaves, no eaves are required.

DE. Detached uncovered vertical structures. Detached uncovered vertical structures are items such as flag poles, trellises, arbors and other garden structures, play structures, antennas, satellite receiving dishes, and lamp posts. The following standards apply to detached uncovered vertical structures. Fences are addressed in 33.110.~~275255~~:

- 1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is 20 feet:
 - a. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
 - b. Flagpoles are subject to the height limit of the base zone for primary structures.
 - c. Detached small wind turbines are subject to the standards of 33.299, Wind Turbines.
- 2. Setbacks. Except as follows, detached uncovered vertical structures are subject to required building setbacks:
 - a. Detached uncovered vertical structures that are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet are allowed in required building setbacks.
 - b. A single arbor structure that is up to 6 feet wide, up to 3 feet deep, and up to 8 feet tall is allowed in the front setback. The arbor must allow for pedestrian access under its span.
 - c. Flagpoles are allowed in required building setbacks.
 - d. In the R7, R5, and R2.5 zones, detached uncovered vertical structures that exceed the allowances of Subparagraph 2.a are allowed in side and rear setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
 - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet;
 - (3) The structure is no more than 10 feet high;

Commentary

- (4) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening; and
- (5) The structure does not have a rooftop deck.

EF. **Detached uncovered horizontal structures.** Uncovered horizontal structures are items such as decks, stairways, swimming pools, hot tubs, tennis courts, and boat docks not covered or enclosed. The following standards apply to detached uncovered horizontal structures.

1. Height. The maximum height allowed for all detached uncovered horizontal structures is 20 feet.
2. Setbacks. Except as follows, detached uncovered horizontal structures are subject to required buildings setbacks:
 - a. Detached uncovered decks, ramps, and stairways that are more than 2-1/2 feet above the ground may extend into a required building setback up to 20 percent of the depth of the setback. However, the deck or stairway must be at least three feet from a lot line.
 - b. Structures that are no more than 2-1/2 feet above the ground are allowed in required building setbacks.

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

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

Commentary

33.110.250.B Additional regulations

This statement is being deleted because it is unnecessary because the accessory structure section already refers to these additional standards.

33.110.250.C.1.

The paragraph is being reworded so that it applies to all garages including garages that are accessory to triplexes and fourplexes. The amendment avoids adding to words triplex and fourplex to the already cumbersome list of structure types.

33.110.250253 Additional Development Standards for Garages

A. Purpose. These standards:

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

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

BC. Existing detached garages.

1. **Rebuilding.** A detached garage that is nonconforming due to its location in a setback, may be rebuilt on the footprint of the existing foundation, if the garage was originally constructed legally. In this case, the rebuilt garage may be no more than 15 feet high, and the garage walls may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The rebuilt garage is not required to comply with other standards of this chapter.
2. **Additions.** An addition may be made to an existing or rebuilt detached garage that is nonconforming due to its location in a setback as follows:
 - a. The expanded garage complies with all other standards of this chapter; or
 - b. The combined size of the existing foundation and the addition is no larger than 12 feet wide by 20 feet deep. In this case, the garage may be no more than 15 feet high, and the walls of the addition may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The expanded garage is not required to comply with other standards of this chapter.

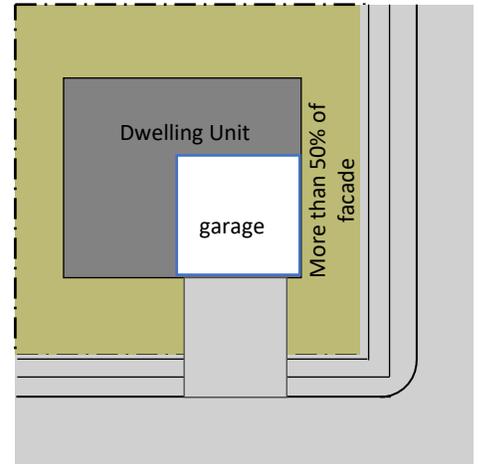
CD. Length of street-facing garage wall.

1. Where these regulations apply. Unless exempted by Paragraph CE.2, ~~below~~, the regulations of this subsection apply to garages ~~accessory to houses, attached houses, manufactured homes, and duplexes~~ in the R10 through R2.5 zones.
2. Exemptions.
 - a. ~~Garages that are accessory to d~~Development on flag lots, or development on lots which that slope up or down from the street with an average slope of 20 percent or more are exempt from the standards of this subsection.

Commentary

33.110.250.C.2.c

This exemption is being clarified so that when the standard applies to only one street lot line, it is the street lot line with the garage door or garage doors. On corner lots, the standards are not intended to limit a garage that opens to one street from being located on the side of the primary structure that faces the other street (where the inside of the garage wall without the garage door may exceed 50% of the depth of the primary structure).



33.110.250.C.3.b

The length of the street-facing garage wall standard is being reorganized to address the introduction of triplexes and fourplexes into the single-dwelling zones and to align with additional limitations on vehicle area between a building and the street that are being added to the Parking chapter (see page 113). The standards are intended to prevent garages from becoming the predominant design element on a street-facing façade, while providing reasonable flexibility for some of the units to have a garage. The standard applies differently but hopefully the outcome is consistent among houses, attached houses, duplexes, triplexes and fourplexes.

For houses, where generally only one built, the standard remains the same—only 50% of the street facing façade can be garage wall. When the façade is less than 22 feet wide, a garage is not allowed because it is hard to park a car in a garage that is less than 11 feet wide.

For attached houses, where each unit is wider than 22 feet, each unit may have up to 50% devoted to garage wall. When any of the units are less than 22 feet wide, then the 50% façade limit will apply to the combined façade of all the units.

For other residential structure types (duplexes, triplexes, and fourplexes) because the units could be arranged side by side (like attached houses) or stacked, applying the standard to each unit is not workable in all cases. Therefore, the 50% garage limit applies to the combined building façade.

For four units (i.e. four narrow attached units or a fourplex), an additional limit is applied. This states that in addition to the 50% limit on garage wall width on a street facing façade, a minimum of 50% of the façade wall that is not garage (i.e. the dwelling unit) must be contiguous. This ensures the building façade is not dominated by multiple garages and driveways that negatively impact the pedestrian experience and effectively eliminate on street parking opportunities.



- b. ~~Garages in~~ Subdivisions and PUDs that received Preliminary Plan approval between September 9, 1990, and September 9, 1995, are exempt from the standards of this subsection.
 - c. On corner lots, only ~~one~~ the street-facing garage wall that contains the garage door must meet the standards of this subsection.
3. Standards.
- a. ~~Garages that are accessory to houses. For garages that are accessory to houses, the~~ length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure 110-~~8-11~~. Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that facade. For duplexes, this standard applies to the total length of the street-facing facades. For all other lots and structures, the standards apply to the street-facing facade of each unit.
 - b. Garages that are accessory to attached houses. The following standards apply to garages that are accessory to attached houses:
 - (1) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure 110-8. When all the units are 22 feet wide or wider, the standard applies to the street-facing façade of each unit. In all other situations, the standard applies to the total combined length of the street-facing facades; and
 - (2) When the attached house structure is made up of more than three attached houses and at least one attached house is less than 22 feet wide, at least 50 percent of the total combined length of the street-facing facades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.
 - c. Garages that are accessory to duplexes, triplexes, and fourplexes. The following standards apply to garages that are accessory to duplexes, triplexes, and fourplexes:
 - (1) The length of the garage wall facing the street may be up to 50 percent of the total combined length of the street-facing building facades. See Figure 110-8. Where the total combined length of the street-facing facades is less than 22 feet long, an attached garage is not allowed; and
 - (2) For a fourplex, at least 50 percent of the total combined length of the street-facing building facades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.
 - b. ~~Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that facade.~~

Commentary

33.110.250.C.4 and C.5. Exception

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

33.110.250.D.3.

To address duplexes, triplexes and fourplexes which may have main entrances on more than a single street facing façade, the standard applies to any street façade where there is a main entrance.

- ~~4. Exception. Where the building is not being built on a new narrow lot, the garage wall facing the street may exceed the standards listed in Paragraph D.3 above if D.4.a and either D.4.b or c. are met. See Figure 110-12.~~
 - ~~a. The garage wall facing the street is no more than 12 feet long; and~~
 - ~~b. There is interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall; or~~
 - ~~c. There is a covered balcony above the garage that is at least the same length as the street-facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.~~
- ~~5. For new narrow lots, modifications to the standards of this subsection are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

DE. Street lot line setbacks.

1. Where this standard applies. The standard of this paragraph applies to garages ~~that are accessory to houses, attached houses, manufactured homes, and duplexes~~ in the R10 through R2.5 zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
2. Exemptions.
 - a. Development on flag lots or on lots ~~which~~that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.
 - b. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.
 - c. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located.
3. Standard. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit. See Figure 110-~~1013~~.
4. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 - a. The street-facing garage wall is 40 percent or less of the length of the building facade; and
 - b. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 110-~~1114~~. The porch must meet the following:
 - (1) The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;
 - (2) The porch must have a solid roof; and
 - (3) The roof may not be more than 12 feet above the floor of the porch.

Commentary

Figure 110-12 is being deleted from the code because this exception is being deleted.

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

Figure 110-814
Length of Street-Facing Garage Wall

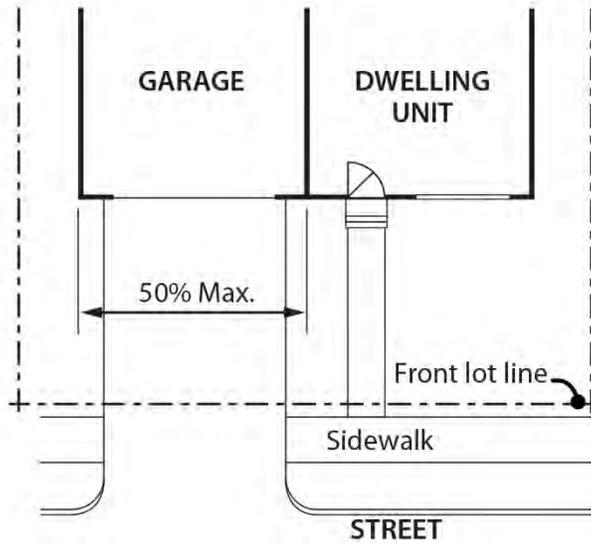
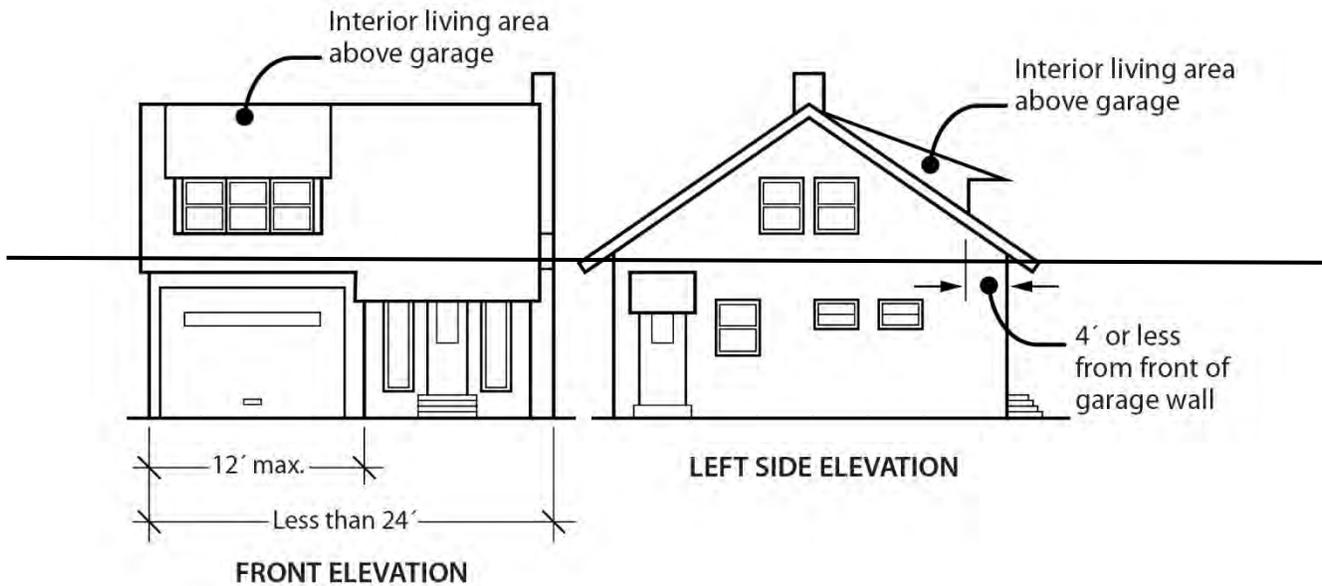


Figure 110-12
Length of Street-Facing Garage Wall Exception



Commentary

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

Figure 110-9
Combined Length of Street-Facing Garage Wall

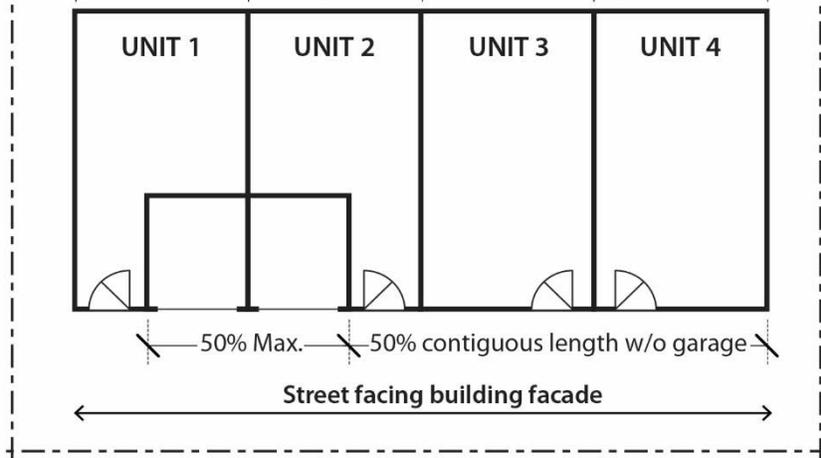
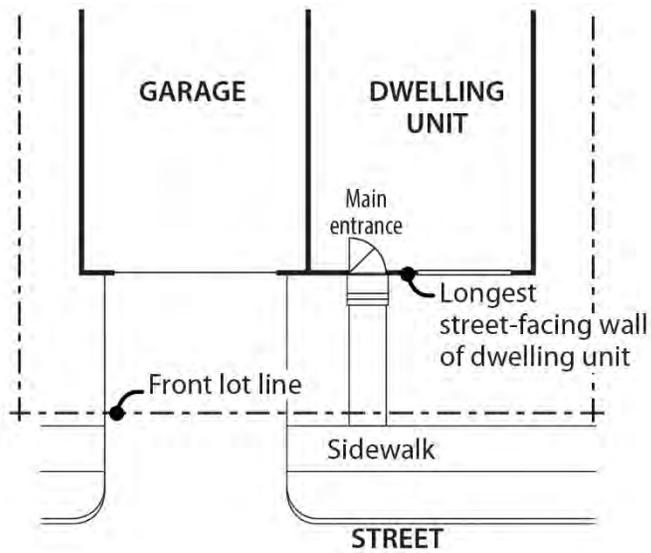


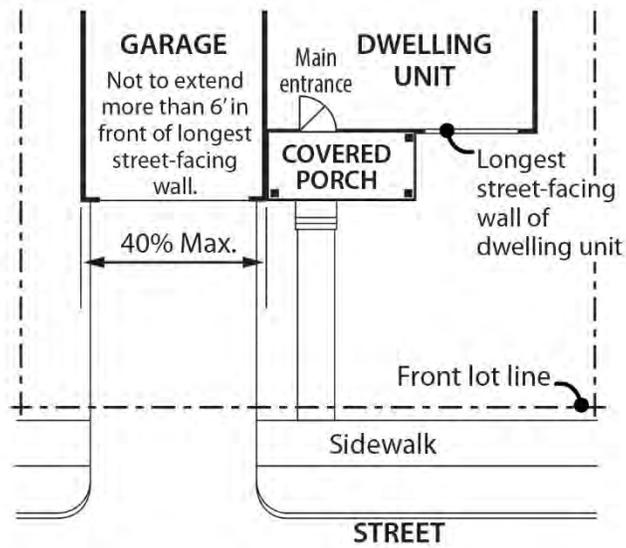
Figure 110-~~1013~~
Street Lot Line Setback



Commentary

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

Figure 110-1114
Garage Front Setback Exception



Commentary

33.110.255 Flag Lots

The flag lot standards are being moved from the Alternative Development Options section to their own section so that they are easier to find for user. Flag lots are becoming increasingly common as infill housing is being incorporated onto lots with existing houses.

The standards will also be tailored to large (3000 square feet and larger) and small (less than 3000 square feet) flag lots.

The standards for large flag lot are the same as the previous standards except that the landscape buffer requirement is being amended to apply to any lot 10,000 square feet in area rather than just those lots in R7-R2.5. The change reflects the fact that new lots in the R10 zone can be as small as 6,000 square feet when the overall average lot size is 10,000 square feet.

33.110.255 Additional Development Standards for Flag Lots

A. Purpose. Flag lots encourage additional housing opportunities in a land efficient manner that allows existing homes to be retained. The standards in this section are intended to:

- Protect privacy between the flag lots and abutting residences; and
- Increase the compatibility of structures on small flag lots.

B. Flag lot standards.

1. Large flag lots. The following standards apply to flag lots that are 3,000 square feet or more in area. Only the area of the flag portion of the flag lot is included when calculating area. The pole portion of the flag lot is not included. See Figure 110-11:

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

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

b. Landscaped buffer area. A landscaped area is required around the perimeter of a flag lot that is 10,000 square feet or less in area to buffer the flag portion from surrounding lots. The pole portion of the flag lot is not included when calculating area, and the pole and the lot lines that are internal to the original land division site, or are adjacent to an alley, are exempt from the landscaped area requirement. The landscaped area must be at least 5 feet deep and must be landscaped to at least the L3 standard. Landscaping is not required within the first 10 feet from the point at which the pole portion meets the flag portion of the lot. See Figure 110-12;

c. Building coverage. Only the area of the flag portion of the flag lot is included when calculating building coverage. The area of the pole portion of the lot is not included;

d. Required outdoor area. The required outdoor area may not extend into the required landscaped buffer area required by Subparagraph B.1.b.; and

e. Detached and connected accessory structures. Detached and connected accessory structures may project into the flag lot setbacks as allowed by 33.110.245, Detached and Connected Accessory Structures. However, these structures may not extend into the landscaped buffer area required by Subparagraph B.1.b.

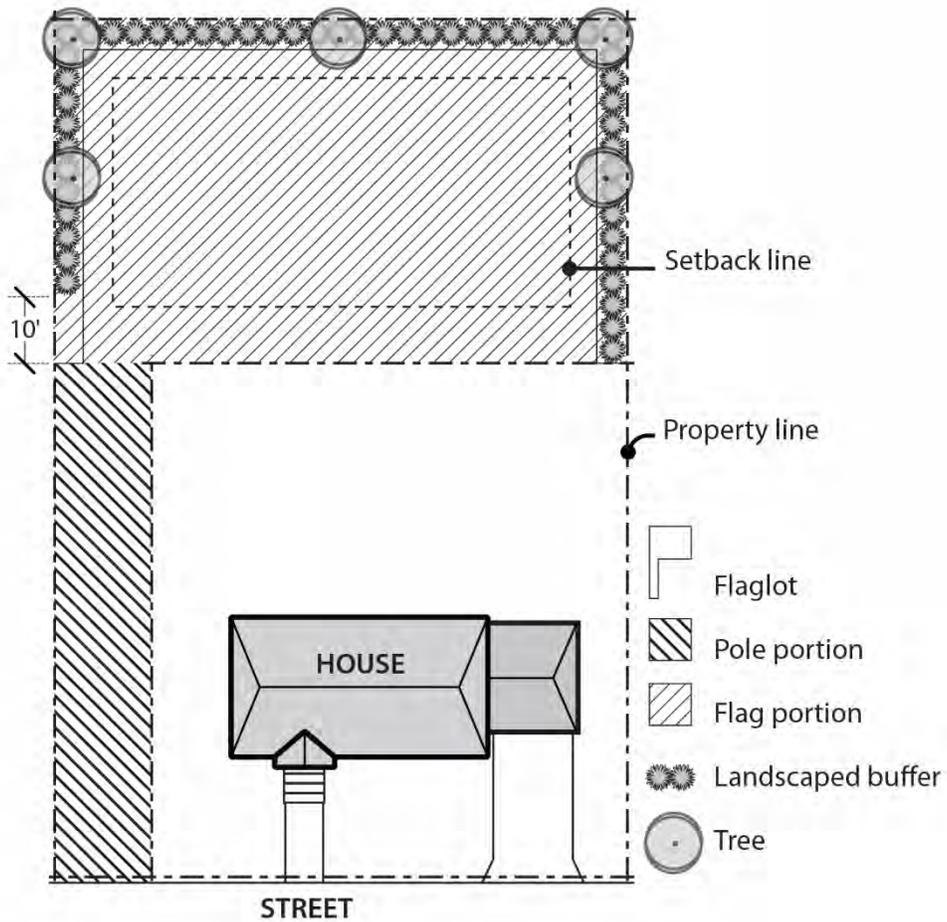
Commentary

Figure 110-12

This figure currently exists as part of 33.110.240, Alternative Development Options and is being moved to this section with the other flag lot standards.

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

Figure 110-12
Flag Lot Description and Buffer



Commentary

33.110.255.C.2. Small flag lots

Standard specifically for development on small flag lots are being added to address structure size and design compatibility. Development on small flag lots (former backyard space) has the potential to overwhelm existing surrounding development especially on small sites with limited area for buffering. While backyard cottages and accessory dwelling units (ADUs) have become more common, without these new standards the size of a house could be up to 1,500 square feet and 30 feet tall on a 3,000 s.f. R5 flag lot. Additional requirements are proposed to ensure more compatible development of these lots in R5 zones.

The new standards generally apply the size, height and design standards that apply to a detached accessory dwelling unit. This includes a maximum floor area limitation, a 20 foot height limit, and material, trim, and eave requirements that encourage matching the house on the front lot. The standards are intended to maintain the relationship between structures on a site with a house and detached ADU in the back yard even when the dwelling unit is a primary unit on its own small flag lot.



NOTE: An existing accessory detached structure is not allowed to become the primary structure on a lot through a property line adjustment or a land division unless a covenant has been signed agreeing to either build a primary structure or remove/convert the accessory structure within 2 years (see 33.110.245.B.3.)

In cases where an accessory dwelling unit becomes the sole structure on the flag lot, a conversion to a primary structure may be possible, once certain code and utility requirements have been reviewed. In some cases, this may mean payment of System Development Charges (since waivers currently apply only to Accessory Dwelling Unit) and combined sewer, storm, water and private utilities will need to be separated and located on their own respective lots. Where the accessory structure is in a setback, an adjustment would also be required.

2. Small flag lots. The following standards apply to flag lots where the flag portion of the lot is less than 3,000 square feet in area:
- a. Duplexes and accessory dwelling units. Duplexes and accessory dwelling units are prohibited on small flag lots;
 - b. Setbacks. Small flag lots have a 5-foot required building setback along all lot lines;
 - c. Building coverage. Only the area of the flag portion of the flag lot is included when calculating building coverage. The area of the pole portion of the lot is not included;
 - d. Floor area. In the RF through R5 zones, the primary structure may not have more than 1,000 square feet of floor area.
 - e. Maximum height. In the RF through R5 zones, the maximum height allowed for all structures is 20 feet.
 - f. Design standards. In the RF through R5 zones, the following design standards apply to structures that are more than 15 feet high:
 - (1) The exterior finish material must be the same in type, size and placement as the exterior finish material on the primary structure on the lot in front of the flag lot, or be made from brick, stucco, wood, composite boards, vinyl or aluminum. Wood, composite boards, vinyl or aluminum siding must be arranged in a shingle, horizontal clapboard, or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
 - (2) The pitch of the roof with the highest ridgeline must be the same as the pitch of the roof with the highest ridgeline of the primary structure on the lot in front of the small flag lot or be at least 6/12.
 - (3) The trim around all windows and doors must be the same as the window and door trim on the primary structure on the lot in front of the flag lot or be at least 3-1/2 inches wide.
 - (4) The eaves must project the same as the eaves on the primary structure on the lot in front of the flag lot, or project from the building walls at least 1 foot on all elevations.

Commentary

33.110.260 Additional Development Standards for Narrow Lots

This section combines the zoning code requirements for historically narrow lots and new narrow lots into one section. The standards have been updated and made consistent for all narrow lots regardless of when they were created.

The standards currently apply based on when the narrow lot was created—historically narrow lots created pre July 26, 1979; new narrow lots created post June 30, 2002; and other narrow lots created between 1979 and 2002. Having three sets of standards applying to the same size and shape lot has been confusing. Development on narrow lots should relate to the lot dimensions and site conditions, not when the lot was created.

The table below compares the current code and amended code. The proposed code applies based on the type of house (attached or detached) and apply to all lots less than 32 feet wide.

Standard	Current Code		Amended Code
	New Narrow Lots	Historically Narrow Lots	All Narrow Lots (<32 feet wide)
House type	Attached houses required (<25' wide lots)	Detached and attached houses allowed	Attached houses required (<26' wide lots)
Street facing garage	Not allowed on facades <22 feet wide	12' wide max allowed	Not allowed on facades <22 feet wide
Parking space/driveway	Parking required	Parking not required	Parking not required Driveways prohibited between building and street (when façade is <22' wide)
Access	Alley access required	Access not limited	Alley access required
Height	1.2 X width of house (R5) 1.5 X width of house (R2.5)	1.5 X width of house (R5&R2.5)	Detached: 1.5 X width of house Attached: 30' (R5) 35' (R2.5)
Setbacks	Base zone	Base zone	Base zone
Main entrance height	Attached houses only	All houses	Base zone (new grade limits apply to all houses)
Building Coverage	50% max	40% max	50% max
Materials, trim, and eaves	Not regulated	Required	Not regulated
Front landscaping	Attached houses only	Not regulated	Required
Exceptions to development standards	<u>Planned Development</u> Garages, height, and landscaping <u>Adjustment</u> Setbacks and building coverage	<u>Design Review</u> Garages, height, setbacks, building coverage, and materials	<u>Adjustment</u> Any exception to additional development standards, including the attached house requirement), except when prohibited

**33.110.26033.110.213 Additional Development Standards for Narrow Lots and Lots of Record
Created Before July 26, 1979**

- A. Purpose.** These standards increase the compatibility of residential structures~~new houses~~ on ~~small and narrow lots by:-~~
- Ensuring a reasonably proportional relationship between the width and height of structures on narrow lots;
 - Promoting wider front facades by requiring two attached houses on very narrow lots;
 - Promoting open landscaped front yards;
- B. Where these regulations apply.** The following additional development standards apply to lots, lots of record, and combinations of lots or lots of record that are less than 32 feet wide in the R20 through R2.5 zones. Lots in planned unit developments are exempt from the additional standards.
- ~~1. RF through R7 zones. These regulations apply in the RF through R7 zones, if the lot, lot of record, or combination of lots or lots of record is less than 36 feet wide and has not abutted any lot or lot of record owned by the same family or business on July 26, 1979, or any time since that date.~~
 - ~~2. R5 zone. In the R5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are:
 - a. ~~Less than 3,000 square feet in area; or~~
 - b. ~~Less than 36 feet wide.~~~~
 - ~~3. R2.5 zone. In the R2.5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are less than 1,600 square feet in area.~~
 - ~~4. Planned unit developments. Lots in planned unit developments are exempt from the requirements of this section.~~

Commentary

33.110.260.C Standards

This amendment switches the process for modifying this standard from design review to an adjustment review.

33.110.260.C.1

Attached houses will be required on narrow lots (lots 25 feet wide or narrower). This has several benefits:

- Attached houses have wider floorplates and mirror the greater building width of more standard detached houses.
- Attached houses are more energy efficient and require less siding material than detached houses.
- Connecting the houses, coupled with the FAR limits, results in houses that are less deep (43 feet) than detached houses (58 feet) which leaves more useable backyard space.

There are exceptions built into this requirement to acknowledge that there may be existing development on the abutting lots that preclude attaching two houses together. In this case, a detached house will be allowed. In the R20-R5 zones, where there is an odd number of narrow lots and only two attached houses are allowed, a planned development can be requested to allow for more than 2 units to be attached. Alternatively, a pairs of attached houses could be built, and the remaining single lot could be developed with a detached house because the adjacent lots have development that precludes attaching.

33.110.260.C.2

The height limit that previously applied to new narrow lots in the R5 zone is being applied to all residential structures on narrow lots. A 15 foot wide house would be capped at 22.5 feet, while a 25 foot wide or wider house would be capped at 30 feet.

The maximum building coverage, main entrance and garage door standards are being deleted because they are covered by other standards in this chapter.

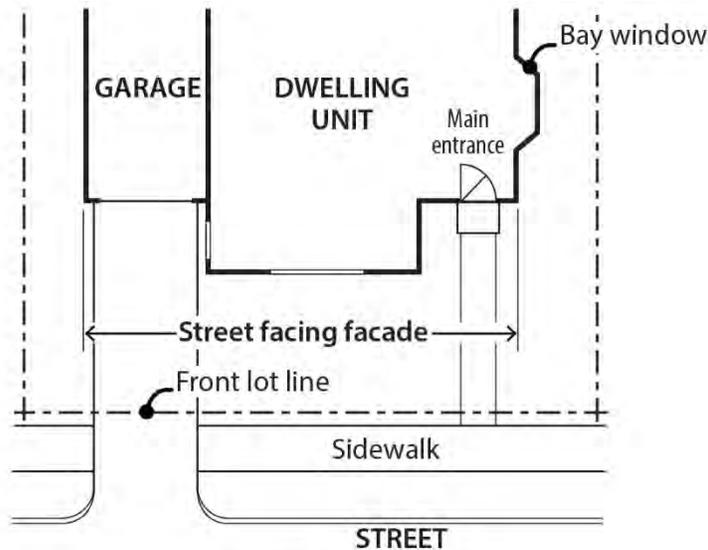
Figure 110-13

This figure has been clarify to show that minor building projections, like bay windows, are not included in the calculation of facade width for the purposes of determining the maximum height.

C. Standards. ~~Modifications to the standards of this subsection may be requested through Design Review. Adjustments are prohibited. The standards are:~~

1. Required housing type. Attached houses are required on lots and lots of record that are less than 26 feet wide. Attached houses are not required on sites that contain a combination of lots or lots of record when the combination is at least 26 feet wide. Attached houses are also not required when there are primary structures on all of the adjacent sites that share a side lot line with the development site. See 33.110.265.C. for development standards that apply to attached houses.
2. ~~Maximum building coverage.~~ The maximum combined building coverage for structures on lots, adjusted lots, and lots of record in the R5 zone that have not had a dwelling unit on it in the last five years, and is not in an environmental zone is 40 percent.
3. ~~Main entrance.~~ The main entrance that meets Subsection 33.110.230.C, Main entrances in R10 through R2.5 Zones, must be within 4 feet of grade. For the purposes of this requirement, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit. See Figure 110-7;
4. ~~Garage door.~~ In addition to meeting the requirements of 33.110.253.E, if the garage door is part of the street-facing facade, it may not be more than 8 feet wide. If there is more than one garage door, the combined width may not be more than 8 feet;

Figure 110-13
Width of Street-Facing Facade



Commentary

33.110.260.C.3

The landscaping standards currently apply to attached houses on new narrow lots but not to historically narrow lots. The standards will now be applied to all narrow lot development to ensure consistency between narrow lots.

The design-related standards are being deleted because they are covered by other standards in this chapter.

3. Landscaping.

- a. All street-facing facades must have landscapng along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and
 - b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use or for use by pedestrians. Examples include walkways, play areas, and patios.
- ~~5.—No parking required. No off-street parking is required.~~
- ~~6.—Exterior finish materials. The standards of this paragraph must be met on all building facades.~~
- a.—~~Plain concrete block, plain concrete, corrugated metal, plywood, composite materials manufactured from wood or other products, and sheet pressboard may not be used as exterior finish material, except as secondary finishes if they cover no more than 10 percent of each facade.~~
 - b.—~~Composite boards manufactured from wood or other products, such as hardboard or hardplank, may be used when the board product is less than 6 inches wide;~~
 - c.—~~Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes;~~
 - d.—~~Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards with a reveal of 6 inches or less, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6 inches or less in width;~~
 - e.—~~Siding material may not cover required window and door trim.~~
- ~~7.—Trim. Trim must mark all building rooflines, porches, windows, and doors on all facades. The trim must be at least 3 1/2 inches wide. Buildings with an exterior material of stucco or masonry are exempt from this standard;~~
- ~~8.—Eaves. Roof eaves must project from the building wall at least 12 inches on all elevations; and~~
- ~~9.—Attached housing. Attached housing is allowed, but no more than two units may be attached. Attached housing allowed under this provision is not subject to the development standards of subsection 33.110.240.C.~~
- ~~10.—Setbacks. Adjustments to minimum required setbacks are prohibited. Modifications may be requested through Design Review.~~

Commentary

33.110.265 Residential Infill Options

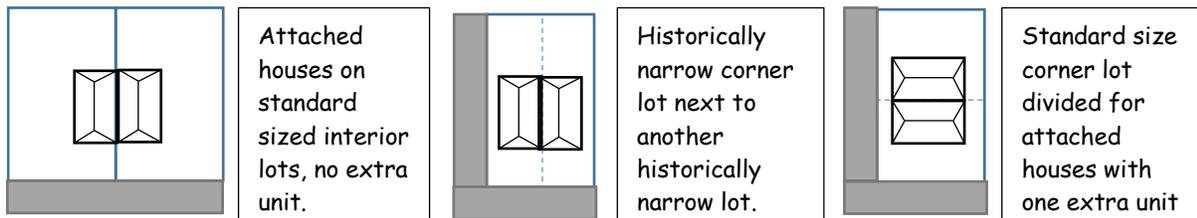
This new section is one of the more major changes that implement the concepts in the Residential Infill Project.

The 2035 Comprehensive Plan identifies the need for a diversity of housing types in high-amenity areas. The residential infill options have been designed to address that need in R7, R5 and R2.5 zones. Duplexes, triplexes and fourplexes will be allowed on lots in these zones that meet certain size thresholds because these areas generally have convenient access to jobs, services, schools, and other amenities. Areas with constraints that make additional density undesirable will be in a new overlay zones called the Constrained Sites overlay zone (see page 177) and the additional housing types will not be allowed. This section also maintains the existing attached house and corner duplexes provisions from the Alternative Development Options section for the R20 and R10 zones.

33.110.265.C Attached housing

This subsection contains the existing corner and interior lot standards for attached houses that are currently contained in the Alternative Development Options section of Chapter 33.110.

The regulations allows pairs of attached houses in the R20-R5 zones provided the lots meet the minimum lot size for development in the zone (see page 19). No additional density is allowed in this case. On corner lots, an existing lot that is large enough for a house can be divided to the R2.5 lot dimension standards with one additional dwelling allowed. A single historically narrow R5 corner lot could not be additionally divided as the new lots would be too small to meet the R2.5 1,600 sf minimum lot size.



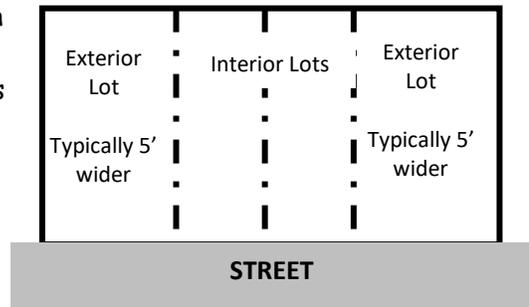
33.110.265 Residential infill options

- A. Purpose.** The residential infill options allow for a variety of residential housing types in a manner that maintains the overall character of single-dwelling neighborhoods. These options have several public benefits:
- They promote housing types that accommodate households of varying sizes and income levels;
 - They promote energy-efficient development;
 - They provide for a more efficient use of residential land; and
 - They promote better site layout and opportunities for private recreational areas.
- B. General requirements for all residential infill options.** The residential infill options listed in this section are allowed by right unless specifically stated otherwise. The project must comply with the applicable development standards of this section.
- C. Attached housing.** Attached housing allows for more efficient use of land and for energy-conserving housing.
1. R20 through R5 zones. Attached houses are allowed as follows:
 - a. Lot dimensions.
 - (1) Interior (noncorner) lots. Each attached house must be on a lot that complies with Section 33.110.202, Development on Lots and Lots of Record.
 - (2) Corner lots. The original lot must comply with Section 33.110.202, Development on Lots and Lots of Record, and the new lots for attached houses must either meet the minimum lot dimension standard stated in Chapter 33.611, Lots in the R2.5 Zone, or must have been created through a Property Line Adjustment. Adjustments are prohibited
 - b. Number of attached houses. Two attached houses may have a common wall. Structures made up of three or more attached houses are prohibited unless approved as a Planned Development.
 - c. Building setbacks. The required building setback on the side containing the common wall is reduced to zero. The reduced setback applies to all buildings on the lot and extends along the full length of the lot line that contains the common or abutting wall.

Commentary

33.110.265.C.2.d Building coverage

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



33.110.265.C.2.e Floor Area

Similar to building coverage, with different size lots, the resulting maximum floor area will vary. Because attached houses may also include an ADU, the FAR can also vary per lot between 0.7 and 0.8. This provision allows for a single floor area ratio to be applied to the project site, when all the lots contain the same number of dwelling units, and includes limitations to ensure that FAR is not disproportionately applied to a single lot.

c. Development standards. Both attached houses must meet the following standards to ensure that the two units have compatible elements:

(1) Height. The height of the two units must be within four feet of each other; and

(2) On both units:

- Exterior finish materials. The exterior finish material must be the same in type, size and placement.
- Roof pitch. The roof pitch must be the same.
- Eaves. Roof eaves must project the same distance from the building wall.
- Trim. Trim must be the same in type, size and location.
- Windows. Windows must match in proportion and orientation.

2. R2.5 zone. Attached houses are allowed as follows:

a. Density and lot dimensions. Each attached house must be on a lot that meets the density and minimum lot dimensions stated in Chapter 33.611, Lots in the R2.5 Zone.

b. Number of attached houses. Up to eight attached houses may have common walls. Structures made up of nine or more attached houses are prohibited.

c. Building setbacks. The required building setback on the side containing the common wall is reduced to zero. The reduced setback extends along the full length of the lot line that contains the common or abutting wall.

d. Building coverage. The maximum building coverage of the base zone applies to the entire attached housing project, however the building coverage per lot may not exceed 5 percent more than the base zone maximum.

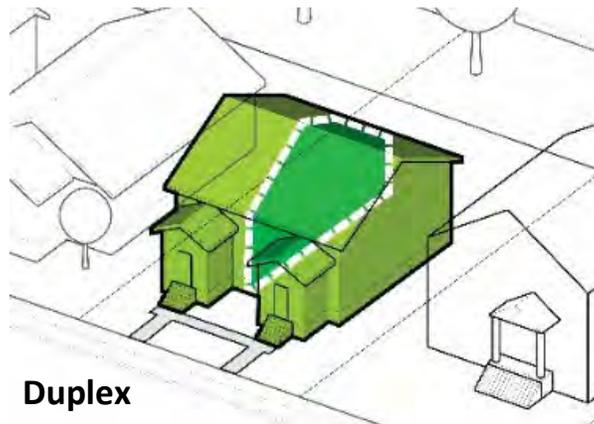
e. Floor area. The maximum floor area ratio may be applied to the entire attached housing project, however the floor area ratio per lot may not exceed .05 more than the base zone maximum floor area per lot.

Commentary

33.110.265.D. Duplexes

This subsection includes the corner lot duplex standards that currently apply in the R20-R2.5 zones (existing Alternative Development Options) and adds a new allowance for duplexes on interior lot in the R7, R5 and R2.5 zones. The minimum lot sizes for duplexes in the R2.5 and R5 zones have been reduced to be consistent with the minimum lot size for a house and an ADU.

Minimum Lot/Site Size for Duplex		
Zone	Previous Minimum Lot Area	New Minimum Lot Area
R2.5	3,000 sq. ft.	1,600 sq. ft.
R5	4,500 sq. ft.	3,000 sq. ft.
R7	4,200 sq. ft.	4,200 sq. ft.
R10	6,000 sq. ft.	6,000 sq. ft.
R20	12,000 sq. ft.	12,000 sq. ft.



D. Duplexes. Duplexes are allowed on corner lots in the R20 and R10 zones, and on interior and corner lots in the R7 through R2.5 zones as follows:

1. Density. One extra dwelling unit is allowed up to a maximum of two units.
2. Minimum lot area. Lots for duplexes must meet the minimum lot area standard shown in Table 110-7. Adjustments are prohibited

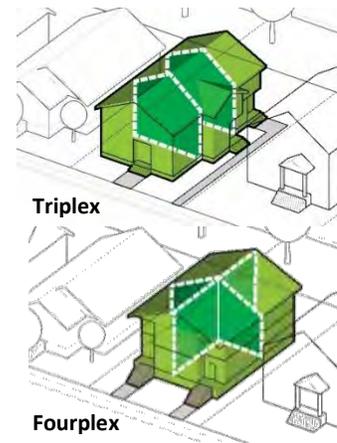
<u>Zone</u>	<u>Minimum Lot Area</u>
<u>R20</u>	<u>12,000 sq. ft.</u>
<u>R10</u>	<u>6,000 sq. ft.</u>
<u>R7</u>	<u>4,200 sq. ft.</u>
<u>R5</u>	<u>3,000 sq. ft.</u>
<u>R2.5</u>	<u>1,600 sq. ft.</u>

3. Compatibility standards. Both units of the duplex must meet the following standards to ensure that the two units have compatible elements. The standards are:
 - a. Exterior finish materials. The exterior finish material must be the same in type, size and placement.
 - b. Roof pitch. The roof pitch must be the same.
 - c. Eaves. Roof eaves must project the same distance from the building wall.
 - d. Trim. Trim must be the same in type, size and location.
 - e. Windows. Windows must match in proportion and orientation.

Commentary

33.110.265.E Triplexes and Fourplexes

Triplexes and fourplexes will be allowed in the R7, R5 and R2.5 zones when lots meet minimum lot size standards. Sites that do not have frontage on at least one improved street will not be eligible to use these provisions because areas with unimproved streets create impediments to access, reducing walkability and bikeability. While new development and conversions to add units would trigger the need for a street improvement or payment of a fee-in lieu (LTIC), the incremental improvements could be mid-block and not connect to the street network or may occur elsewhere.



33.110.265.E.2. Minimum Lot Area

The minimum required lot size for a triplex or fourplex is larger than for a duplex. This ensures that sites are large enough to accommodate the triplex or fourplex units, plus suitable yard area and parking if proposed.

Minimum Lot/Site Size for Triplex or Fourplex			
Zone	Minimum Lot Area	FAR	Building Size
R2.5	3,200 sq. ft.	.9	2,880 sq. ft.
R5	4,500 sq. ft.	.7	3,150 sq. ft.
R7	5,000 sq. ft.	.6	3,000 sq. ft.
R10	n/a	-	
R20	n/a	-	

33.110.265.E.3. Visitability

Access to housing for people of all ages and abilities is an important policy objective in the 2035 Comprehensive Plan but current Building Code requirements for "accessible" housing only apply to buildings with 5 or more dwelling units. This provision required on unit in a triplex or fourplex to be visitable. Visitability is a basic level of accessibility that removes barriers for people with temporary or permanent mobility impairments, parents with strollers, seniors and small children.

The requirements do not stipulate that the entire unit be fully accessible as there are significant costs associated with being fully accessible, and specific features will vary depending on a user's needs and desires. Visitability ensures that a residence can be comfortably "visited" by someone regardless of his or her abilities.

33.110.265.E.3.b. VISIBLE unit standards.

There are four basic elements required to be visitable:

- 1) A zero step route and entry to ensure easy access to the unit. The slope of the route can be no steeper than 12.5%.
- 2) Bathroom (sink and toilet) on the floor with the visitable entrance
- 3) Living area with space to entertain and socialize
- 4) Doorways that are at least 34 inches wide. This provides adequate clearance considering the width of the door itself when open.

E. Triplexes and fourplexes. Triplexes and fourplexes that meet the following standards are allowed on interior and corner lots in the R7 through R2.5 zones. To qualify for a triplex or fourplex the lot must abut a street that has been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, or must abut a private street that connects to a street or highway accepted for maintenance by the City or State. See Title 17.42, Property Owner Responsibility for Streets. Payment in lieu of street improvements does not satisfy this requirement.

1. Density. Up to four dwelling units are allowed.
2. Minimum lot area. Lots for triplexes and fourplexes must meet the minimum lot area requirement shown in Table 110-8. Adjustments are prohibited.

<u>Zone</u>	<u>Minimum Lot Area</u>
<u>R7</u>	<u>5,000 sq. ft.</u>
<u>R5</u>	<u>4,500 sq. ft.</u>
<u>R2.5</u>	<u>3,200 sq. ft.</u>

3. Visitability.
 - a. Purpose. Visitability standards ensure that a baseline of accessible features is provided to accommodate people living in or visiting the residence regardless of age or ability. The standards:
 - Promote a diverse supply of more physically accessible housing;
 - Allow people of all ages and abilities to easily enter and visit the residence;
 - Foster community interaction by reducing barriers that can lead to social isolation; and
 - Enhance public safety for all residents and visitors.
 - b. VISIBLE unit standards. Unless exempted by Subparagraph E.3.c., at least one dwelling unit on the lot must meet all of the following visitability standards:
 - (1) VISIBLE entrance. At least one entrance must be accessible via a route that does not have any stairs between it and the street lot line or an on-site parking space. The slope of the route may not exceed 1:8.
 - (2) VISIBLE bathroom. At least one bathroom must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed “t-shape” area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See Figure 110-14. The visible bathroom must be on the same floor as the visible entrance or be accessible from the visible entrance via a ramp, elevator or lift. Adjustments are prohibited;

Commentary

33.110.265.E.3.c. Exemptions.

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

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

Another common challenge is lots that are elevated from the street. When the highest point along the street lot line to the lowest grade along the front setback is more than 3 feet, then the visitability standards do not apply. Providing for a route that does not exceed 12.5% over a 3-foot rise will require a 24-foot-long ramp. This allows for sufficient room within the front setback to accommodate the ramp.

Flexibility is also provided by allowing the route to the visitable entrance to be from either the street or from an on site parking space.

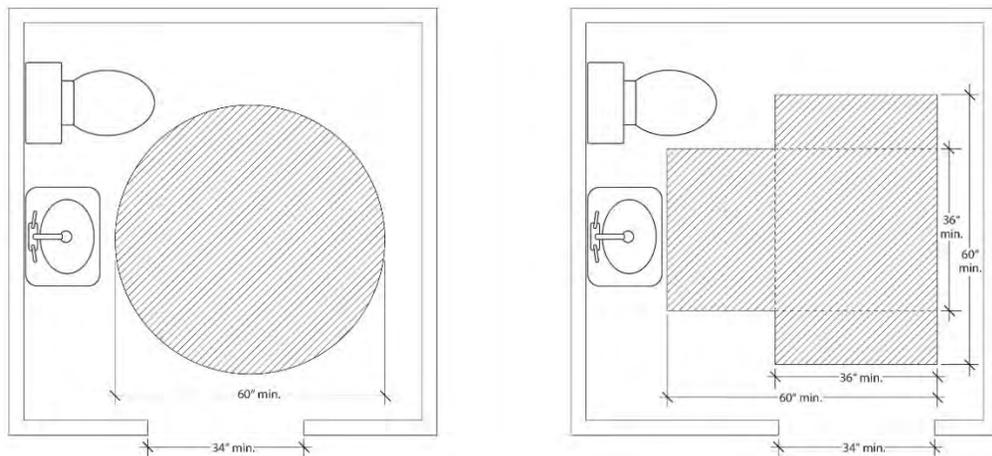
33.110.265.F. Planned Developments

This provides a reference to the Planned Development Chapter which offers greater infill flexibility in housing type and arrangement configurations.

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

- (3) Visitable living area. There must be at least 70 square feet of living area on the same floor as the visitable entrance or 70 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
 - (4) Visitable doors. All door openings between and including the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.
- c. Exemptions. The following are exempt from the standards of this Subsection:
- (1) Lots with an average slope of 20 percent or greater;
 - (2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.
 - (3) Conversion of an existing residential structure to a triplex or fourplex.

Figure 110-14
Visitable Bathroom Clearances



F. Planned development. See Chapter 33.270, Planned Developments.

Commentary

33.110.270245 Institutional Development Standards

- A. Purpose.** The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas.
- B. Use categories to which these standards apply.** The standards of this section apply to uses in the institutional group of use categories, whether allowed by right, allowed with limitations, or subject to a conditional use review. The standards apply to new development, exterior alterations, and conversions to institutional uses. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.
- C. The standards.**
1. The development standards are stated in Table 110-~~9~~5. If not addressed in this section, the regular base zone development standards apply.
 2. Setbacks on a transit street or in a Pedestrian District.
 - a. Purpose. The purpose of these regulations is to reduce reliance on the automobile and encourage pedestrians and transit riders by ensuring safe and convenient pedestrian access to buildings.
 - b. Building setbacks on a transit street or in a Pedestrian District. Buildings on a transit street or in a Pedestrian District must meet the provisions of 33.120.220.C.
 - c. Conflicts.
 - (1) If the depth of the minimum building setback or buffering standards conflicts with the maximum building setback standard, the depth of the maximum building setback standard supersedes the depth of the minimum building setback and buffering standards.
 - (2) If the depth of the minimum setback standard for detached accessory structures conflicts with the depth of the minimum buffering standard, the depth of the minimum buffering standard supersedes the depth of the minimum setback standard for detached accessory structures.
 - d. Exception. Development that is not subject to conditional use review under Section 33.815.040 is exempt from the maximum transit street setback requirement.
 3. Exterior storage. Exterior storage of materials or equipment is prohibited.
 4. Outdoor activity facilities. Except as specified in paragraph C.5. below, outdoor activity facilities, such as swimming pools, basketball courts, tennis courts, or baseball diamonds must be set back 50 feet from abutting R-zoned properties. Playground facilities must be set back 25 feet from abutting R-zoned properties if not illuminated, and 50 feet if illuminated. Where the outdoor activity facility abuts R-zoned properties in School uses, the required setback is reduced to zero.
 5. Recreational fields for organized sports. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

33.110.270.C.6 Mechanical Equipment

The mechanical equipment screening requirement is being amended to clarify that mechanical equipment on the roof of an institution only needs to be screened when it is located within 50 feet of an adjacent residential lot. Because the institutional lot is also zoned residential, the current wording of the standard could be read to imply that the mechanical equipment needs to be screened even when it is far from an adjacent lot.

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

Commentary

Footnote [5]

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

Table 110-9-5 Institutional Development Standards [1]	
Minimum Site Area for New Uses	10,000 sq. ft.
Maximum Floor Area Ratio [2]	0.5 to 1
Maximum Height [3]	50 ft.
Minimum Building Setbacks [2]	1 ft. back for every 2 ft. of bldg. height, but in no case less than 15 ft.
Maximum Building Setback Transit Street or Pedestrian District [7]	20 ft. or per CU/IMP review
Maximum Building Coverage [2]	50% of site area
Minimum Landscaped Area [2,4]	25% of site area to the L1 standard
Buffering from Abutting Residential Zone [5]	15 ft. to L3 standard
Buffering Across a Street from a Residential Zone [5]	15 ft. to L1 standard
Setbacks for All Detached Accessory Structures Except Fences [6]	10 ft.
Parking and Loading	See Chapter 33.266, Parking And Loading
Signs	See Title 32, Signs and Related Regulations

Notes:

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

[2] For campus-type developments, the entire campus is treated as one site. Setbacks are only measured from the perimeter of the site. The setbacks in this table only supersede the setbacks required in Table 110-4-3. The normal regulations for projections into setbacks and for detached accessory structures still apply.

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

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

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

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

[7] The maximum building setbacks are described in 33.110.270~~245~~.C.

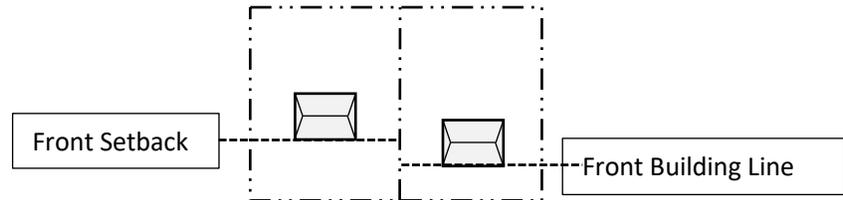
33.110.275~~255~~ Fences

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

Commentary

33.110.275.C.1. Front Building Setbacks

Currently, fence height is limited to 3-1/2 feet within the front setback even if the house is closer to the front lot line than the required setback. This amendment will allow the taller fence can be built in line with the front of the house in this nonconforming situation.



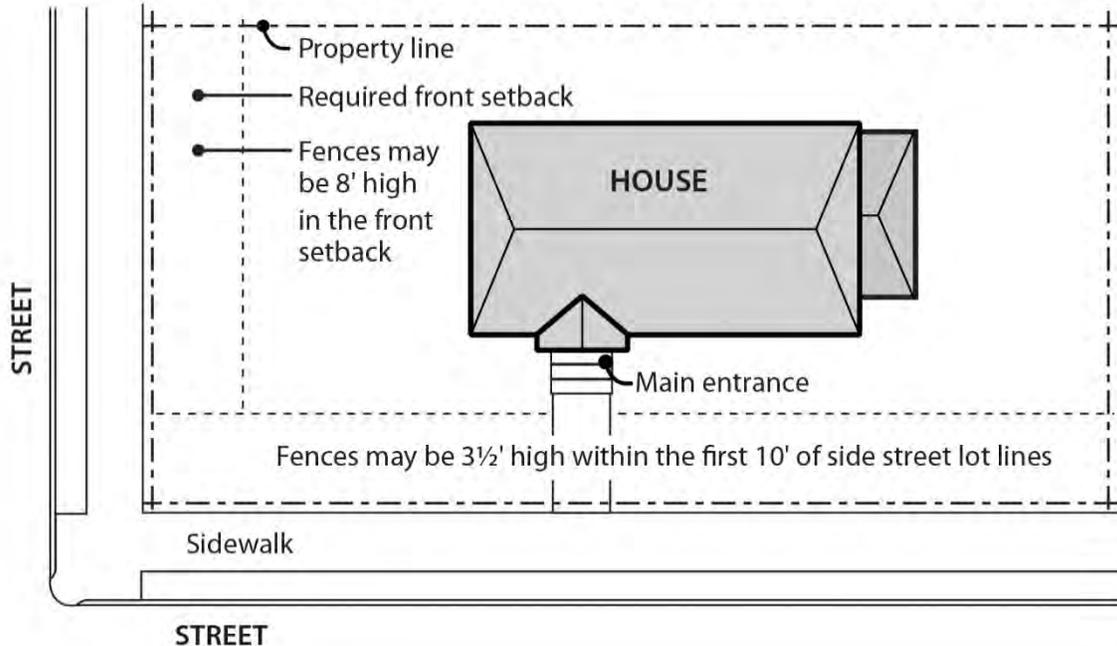
B. Types of fences. The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location and height.

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

Commentary

Figure 110-15
Fence Height Option on Corner Lots



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

33.110.280~~33.110.257~~ Retaining Walls

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

Commentary

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

C. Standards.

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

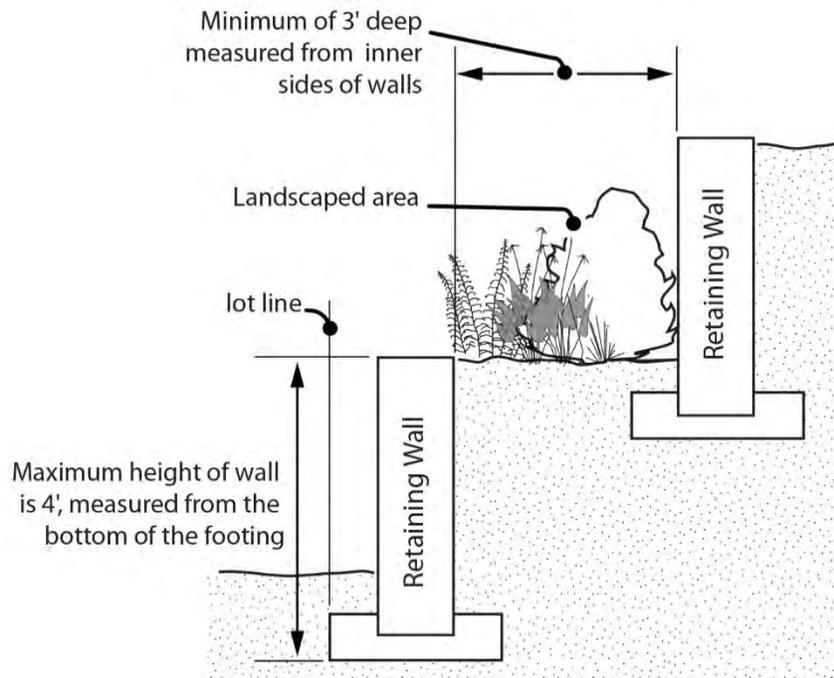
33.110.285260 Demolitions

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

33.110.290270 Nonconforming Development

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

**Figure 110-16
Retaining Walls**



Commentary

33.110.292 Parking and Loading

The requirement for access from an alley when an alley exists and parking is proposed is being moved to 33.266.120.C and will apply to all houses, attached houses, duplexes and triplexes on lots that abut an alley. See page 147.

33.110.292275 ~~275~~ **Parking and Loading**

For parking and loading regulations, see Chapter 33.266, Parking and Loading.

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

~~1. The lot abuts an alley;~~

~~2. The lot was created by a land division submitted after July 1, 2002; and~~

~~3. The lot is either:~~

~~a. In the R10 through R5 zones and does not meet the minimum lot width standard of 33.610.200.D.1; or~~

~~b. In the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.~~

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

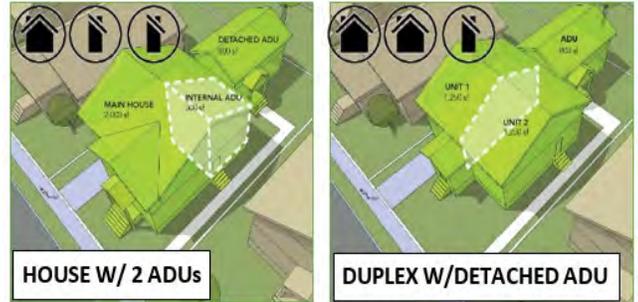
33.110.295280 ~~280~~ **Signs**

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

Commentary

33.205 Accessory Dwelling Units

Accessory dwelling units are currently allowed in conjunction with a house on any lot, but are not allowed in conjunction with a duplex. These changes allow for a second ADU in conjunction with a house, or a detached ADU in conjunction with a duplex.



33.205.020.B.2

In the R7 - R2.5 zone, a larger lot size is required for the third unit (consistent with the standards for triplexes - 33.110.265.E)

Additionally, to avoid potential conflicts with the building code, only one ADU is allowed within a house and an ADU added to a duplex must be detached . Three units with one structure must be permitted as a triplex under the building code.

33.205 Accessory Dwelling Units

205

Sections:

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

33.205.010 Purpose

Accessory dwelling units are allowed in certain situations to:

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

33.205.020 Where Accessory Dwelling Units are Allowed~~These Regulations Apply~~

~~An accessory dwelling unit may be added to a house, attached house, or manufactured home in an R, C, or EX zone except for attached houses in the R20 through R5 zones that were built using the regulations of 33.110.240.E, Duplexes and Attached Houses on Corners.~~

A. RF through R10. One accessory dwelling unit is allowed on a site with a house, attached house or manufactured home in the RF through R10 zones except for attached houses in the R20 and R10 zones that were built using the regulations of 33.110.265.C.1. In this case, an accessory dwelling unit is prohibited.

B. R7 through R2.5.

1. One accessory dwelling unit is allowed on a site with a house, attached house or manufactured home in the R7 through R2.5 zones when the lot complies with Section 33.110.202, Development on Lots and Lots of Record.
2. Up to two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the R7 through R2.5 zones when the lot meets the minimum lot area requirement stated in Table 205-1. If there are two accessory dwelling units on the site, only one may be attached to or within the primary structure.
3. One accessory dwelling unit is allowed on a site with a duplex in the R7 through R2.5 zones when the lot meets the minimum lot area requirements stated in Table 205-1. In this case, the accessory dwelling unit must be detached.

Commentary

Table 205-1

The lot size threshold for a site with 2 ADUs or a duplex and 1 ADU is that same as for required for a triplex or fourplex under the residential infill options n 33.110.265.

33.205.030.A. Number of residents.

The limitation on the number of residents on a site with an ADU is being deleted because the ADU size limitation serves to limit the number of people living in an ADU.

3

3.205.040.A. Development Standards Purpose Statement

The phrase "house, attached house, or manufactured home" is changed to "primary dwelling unit" to reflect that in some cases, ADUs are allowed with duplexes.

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

Zone	Minimum Lot Area
<u>R7</u>	<u>5,000 sq. ft.</u>
<u>R5</u>	<u>4,500 sq. ft.</u>
<u>R2.5</u>	<u>3,200 sq. ft.</u>

C. Multi-dwelling, C and EX.

1. Up to two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the multi-dwelling, C and EX zones. If there are two accessory dwelling units on the lot, only one may be attached to or within the primary structure.
2. One accessory dwelling unit is allowed on as site with a duplex in the multi-dwelling, C and EX zones. In this case, the accessory dwelling unit must be detached .

33.205.030 General Requirements

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

33.205.040 Development Standards

- A. Purpose.** Standards for creating accessory dwelling units address the following purposes:
- Ensure that accessory dwelling units are compatible with the desired character and livability of Portland’s residential zones;
 - Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;
 - Ensure that accessory dwelling units are smaller in size than primary dwelling units ~~houses, attached houses, or manufactured homes;~~ and
 - Provide adequate flexibility to site buildings so that they fit the topography of sites.
- B. Generally.** The development standards for accessory dwelling units are stated in this section. If not addressed in this section, the base zone development standards apply.

Commentary

33.205.040.C.1. Location of Entrances

The limitation on doors on the front façade of the house to provide greater flexibility and allow for easier conversion of existing spaces such as attached garages.

33.205.040.C.2. Maximum Size

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

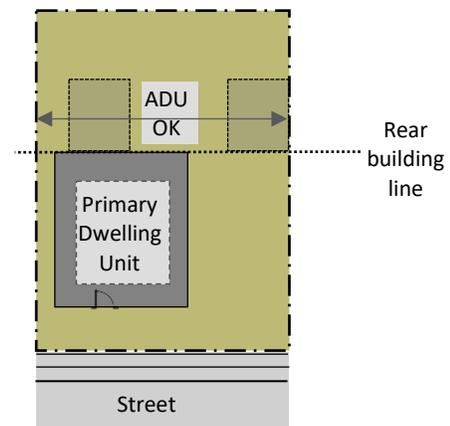
A new provision is being added to recognize situations where a basement is being converted and where the basement is the same size as the house on the first floor. In these cases, the 75 percent/800 square foot size limit leads to either walling off area in the basement, designing it as common area for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

33.205.040.C.3. Setbacks

This amendment clarifies that the ADU must be behind the rear building line as opposed to physically behind the house itself.

33.205.040.C.4.

With the addition of connected structures, clarification is added to address ADUs that are connected to the primary structure via a breezeway. A detached or connected ADU must meet the applicable height, setback, building coverage, and exterior design requirements for detached and connected covered accessory structures.



33.205.040.C.5 Visitability

These visitability requirements are being included to be consistent with the Residential Infill Options that require a visitable unit when there are 3 or more units are provided on a site (for example having two ADUs with a house, or one ADU with a duplex). See commentary on page 112.

C. Requirements for ~~all~~ accessory dwelling units. ~~All~~a Accessory dwelling units must meet the following:

- ~~1.~~ ~~Location of entrances. Only one entrance may be located on the facade of house, attached house, or manufactured home facing the street, unless the house, attached house, or manufactured home contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks. Detached accessory dwelling units are exempt from this standard.~~
- ~~2~~1. Parking. No additional parking is required for the accessory dwelling unit. Existing required parking for the house, attached house, or manufactured home must be maintained or replaced on-site.
- ~~3~~2. Maximum size. The size living area of the accessory dwelling unit may be no more than 75 percent of the living area of the primary dwelling unit or 800 square feet of living area, whichever is less. This maximum size standard does not apply when the basement of a primary dwelling unit is converted to an accessory dwelling unit and the primary dwelling unit has been on the site for at least 5 years. The size measurements are based on what the square footage of the primary dwelling unit and accessory dwelling unit will be after the accessory dwelling unit is created. When the primary dwelling unit is a duplex, the size of the accessory dwelling unit may be no more than 75 percent of the living area of the smaller of the two primary units or 800 square feet of living area, whichever is less.
- ~~4~~3. Setbacks. Detached and connected accessory dwelling units must be:
 - a. Set back 40 feet from the front lot line; or
 - b. Located behind the rear building linewall of the primary dwelling unit~~house, attached house, or manufactured home~~. ~~For the purpose of this regulation, the rear wall of the house is the wall furthest from the wall with the main entrance to the street.~~
- ~~5~~4. Detached and connected accessory dwelling units must meet the development standards for ~~detached~~ covered accessory structures in the base zone.
5. Visitability.
 - a. Purpose. Visitability standards ensure that a baseline of accessible features is provided to accommodate people living in or visiting a residence regardless of age or ability. The standards:
 - Promote a diverse supply of more physically accessible housing;
 - Allow people of all ages and abilities to easily enter and visit the residence;
 - Foster community interaction by reducing barriers that can lead to social isolation; and
 - Enhance public safety for all residents and visitors.

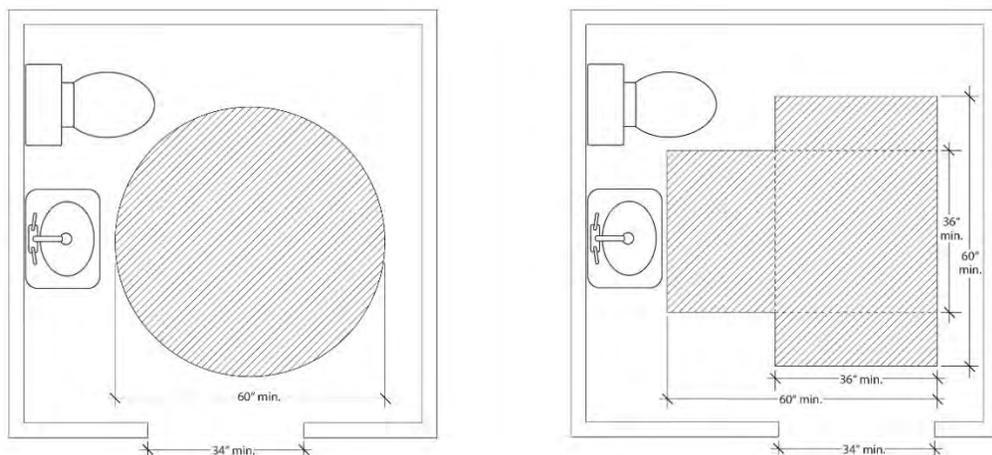
Commentary

33.205.050 Density

This provision is being amended to allow accessory dwelling units to count toward the new minimum dwelling unit density requirement for double-sized lots in R2.5, R5, and R7 zones (see page 25).

- b. When the visitable unit standards apply. Unless exempted by Subparagraph C.5.c, the visitable unit standards apply to the following situations:
- (1) When there are two accessory dwelling units on a site with a house, attached house or manufactured home; and
 - (2) When there is one accessory dwelling unit on a site with a duplex.
- c. Visitable unit standards. At least one dwelling unit on the site must meet all of the following visitable unit standards:
- (1) Visitable entrance. At least one entrance must be provided with a route without stairs between the entrance and an on-site parking space or the street lot line. The slope of the route may not exceed 1:8.
 - (2) Visitable bathroom. At least one bathroom in the visitable unit must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed "t-shape" area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See Figure 205-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;
 - (3) Visitable living area. There must be at least 70 square feet of living area on the same floor as the visitable entrance or 70 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
 - (4) Visitable doors. All door openings between the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.

Figure 205-1
Visitable Bathroom Clearances



Commentary

d. Exemptions. The following are exempt from the visitable unit standards of this Paragraph:

- (1) Lots with an average slope of 20 percent or greater;
- (2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.
- (3) Conversion of an existing accessory structure that is at least 5 years old or converting space in a house that is at least 5 years old to an accessory dwelling unit.

33.205.050 Density

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

Commentary

33.251.020.D

Several of the development standards for manufactured homes are being deleted to remove barriers to this type of housing. Manufactured homes are an affordable housing option and the development standards that are being deleted (minimum floor area, minimum roof pitch and required siding) all present barriers and can increase the cost of manufactured homes when adjustments are required to site a manufactured home that is less than 1000 square feet or has a roof pitch that is less than 3/12. In addition, conventionally built homes do not have similar requirements except in certain situations (design overlay zone or small flag lot) and deleting these standards will bring parity between the structure types.

33.251.020.D.2 Foundation

The foundation standard will remain because having a perimeter foundation is more in keeping with conventionally built houses, and having it enclosed helps improve energy efficiency by reducing heat loss. The standard is being amended because the specifications regarding the foundation (depth of excavation and back filling) are prescribed by building code.

33.251 Manufactured Homes and Manufactured Dwelling Parks

251

33.251.010 Purpose

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

33.251.020 Manufactured Homes on Individual Lots

A.-B. [No change]

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

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

~~1. Floor area. The manufactured home must be at least 1,000 square feet in floor area.~~

~~2. Roof. The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes, or tile. Eaves from the roof must extend at least 1 foot from the intersection of the roof and the exterior walls.~~

13. Foundation. The manufactured home must be set on an excavated, back-filled a foundation that is and enclosed at the perimeter.

~~4. Exterior siding. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.~~

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

Commentary

33.266.110.B.2

Sites located close to transit are currently exempt from the minimum parking requirements. This amendment exempts sites in single-dwelling zones that are far from transit from the minimum parking requirements. Eliminating the parking requirement for household living uses has several benefits:

- Reducing required parking reduces the cost of building housing. Building a parking space cost on average \$3,000-20,000 per space.
- With the inclusion of a maximum FAR standard, eliminating the requirement that some of the floor area be devoted to a garage increases the amount of floor area that can be devoted to living space.
- Reducing the amount of parking required allows more of the site to be used for outdoor area, trees and landscaping.
- Eliminating parking requirement offers the opportunity for better site and building design because there may be less emphasis on accommodating vehicle storage.

33.266 Parking, Loading, And Transportation And Parking Demand Management

266

33.266.110 Minimum Required Parking Spaces

- A. [No change]
- B. **Minimum number of required parking spaces.**
1. Minimum for sites located close to transit. For sites located 1500 feet or less from a transit station, or 500 feet or less from a transit street with 20-minute peak hour service the following minimum parking requirements apply. The Bureau of Transportation will publish a map annually, adopted through Administrative Rule, showing sites that meet these service thresholds. For sites not shown on the map, the applicant may provide current information demonstrating that the site meets the service thresholds:
 - a. Household Living uses. The minimum number of required parking spaces for a site with a Household Living use is:
 - (1) Where there are up to 30 dwelling units on the site, no parking is required;
 - (2) Where there are 31 to 40 dwelling units on the site, the minimum number of required parking spaces is 0.20 spaces per dwelling unit;
 - (3) Where there are 41 to 50 dwelling units on the site, the minimum number of required parking spaces is 0.25 spaces per dwelling unit; and
 - (4) Where there are 51 or more dwelling units on the site, the minimum number of required parking spaces is 0.33 spaces per dwelling unit.
 - b. All other uses. No parking is required for all other uses.
 2. Minimum for sites located far from transit. For sites located more than 1500 feet from a transit station, or more than 500 feet from a transit street with 20-minute peak hour service the following minimum parking requirements apply:
 - a. Household Living uses.
 - (1) Single-dwelling zones. No parking is required for Household Living uses in the single-dwelling zones.
 - (2) All other zones. The minimum number of parking spaces required for Household Living uses in all other zones is stated in Table 266-1.
 - b. All other uses. ~~‡~~The minimum number of parking spaces required is stated in Table 266-1.
 3. [No change]

Commentary

33.266.120 Development Standards for Houses, Duplexes and Triplexes.

The existing parking standards are broken into two groups: standards for houses and duplexes and standards for all other development. These amendments group triplexes with houses and duplexes. Houses and duplexes have standards that allow for 9-foot wide driveways, backing out into the street, more restrictive front yard paving limits. Parking standards for fourplexes will continue to be grouped with the standards for all other development because accommodating 4+ parking spaces and maneuvering area introduces the need for requirements for forward entry and exiting, curbs, striping and screening.

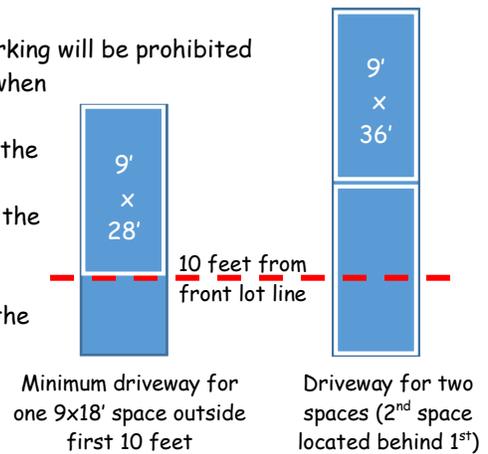
33.266.120.A Purpose

The amendments to the parking regulations are intended to improve the pedestrian experience along streets.

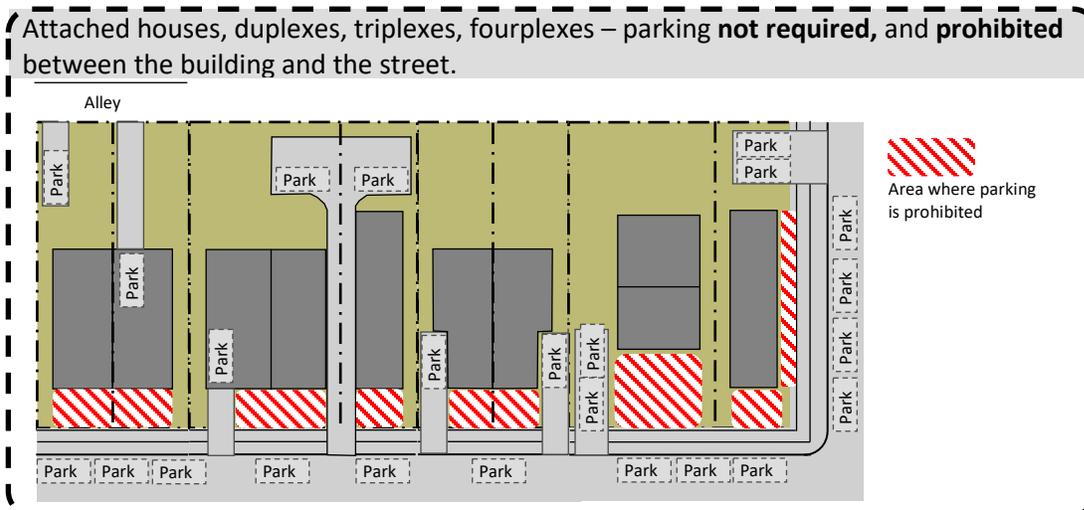
33.266.120.C. Parking area locations

To reduce the prominence of vehicles in the front of residences, parking will be prohibited between the building and the street. Parking spaces will be allowed when they are either entirely behind the front building line (either in a garage or on a parking pad), or when they are located to the side of the building (i.e. not in the area between the building and the street). Driveways will only be allowed between an allowed parking space and the street.

Where the parking is proposed on the site to the side of a building the parking space must be outside the first 10 feet or street side setback. Parking in the first 10 feet is only allowed when it is directly behind another space that is located entirely outside the 10-foot area.



Paving in the front yard is limited to 40% (20% on a street side yard), except for flag lots which can have a 12-foot-wide driveway (otherwise the 40% limit would mean a maximum 4.8 foot wide driveway on a 12 foot wide pole).



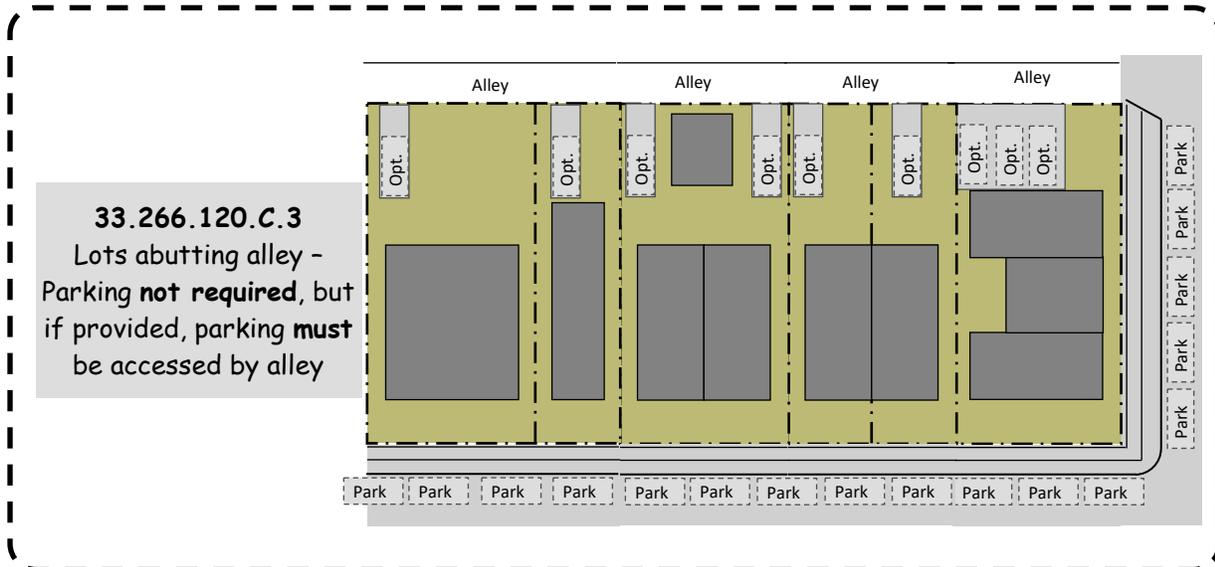
33.266.120 Development Standards for Houses, ~~and Duplexes, and Triplexes~~

- A. Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance and pedestrian experience of neighborhoods.
- B. Structures these regulations apply to.** The regulations of this section apply to houses, attached houses, duplexes, attached duplexes, triplexes, manufactured homes, and houseboats. The regulations apply to all required ~~and excess~~ parking areas. The following are exceptions to this requirement:
1. Parking that is in a parking tract is subject to the standards of Section 33.266.130 instead of the standards of this section. However, perimeter landscaping is not required where the parking tract abuts a lot line internal to the site served by the tract.
 2. Parking for manufactured dwelling parks is regulated in Chapter 33.251.
- C. Parking area locations.**
1. Vehicle area. The following standards apply to the location of vehicle area:
 - a. Vehicle area is prohibited between the primary structure and the street except as follows. This standard does not apply to houses on lots that are at least 32 feet wide:
 - (1) Parking spaces located entirely behind the front and side street building lines of a primary structure are allowed; and
 - (2) Driveways to parking spaces located entirely behind the front and side street building lines of a primary structure are allowed.
 - b. No more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. See Figure 266-2. On corner lots, no more than 20 percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. For attached houses, this standard applies to the combined lot lines of attached house lots. As an exception to the area limitations in this subparagraph, a flag lot with a pole that allows vehicle access is allowed at least a 12-foot wide vehicle area.
 2. Parking spaces. The following standards apply to the location of parking spaces:
 - a. Generally, parking spaces are not allowed within the first 10 feet from a front lot, and on corner lots, parking spaces are not allowed within the side street setback.
 - b. Exceptions. A parking space is allowed within the first 10 feet from a front lot line or within a side street setback when the parking space is in a driveway behind a parking space that is located outside of the first 10 feet from a front lot line or outside of the side street setback.

Commentary

C.3. Alley access

This amendment requires parking to be accessed via an alley when an alley exists, and parking is proposed. Alley-loaded parking is an optimal parking solution where alleys are present. It preserves the street-facing side of the house for landscaping and more interesting architectural details, retains area for street trees, eliminates curb cuts and reduces conflicts with pedestrians. This is not a requirement to improve an unimproved alley because on-site parking will no longer be required.



Example of a garage built adjacent to an alley but does not use the alley for access. This removes on street parking, limits street trees and creates a very wide curb cut zone. This will no longer be allowed.

3. Vehicle area access. If the lot abuts an alley, all parking and vehicle access to the site must be from the alley.

~~1. Required parking~~

~~a. Generally, Required parking spaces are not allowed within the first 10 feet from a front lot line or in a required front setback, whichever is greater. In addition, on corner lots, required parking spaces are not allowed within the side street setback.~~

~~b. Exception for common greens and shared courts. On lots where the front lot line abuts a common green or shared court, parking spaces are allowed within 10 feet of the front lot line.~~

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

~~3. Front yard restrictions.~~

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

~~(1) A lot is allowed at least a 9-foot wide vehicle area.~~

~~(2) In the multi-dwelling, C, E, I, CI, and IR zones, on sites where the front lot line abuts a shared court, paving blocks or bricks may be used to surface the entire area between the front lot line and the front building line.~~

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

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

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

D.-E. [No change]

Commentary

Figure 266-1

With the changes to eliminate minimum required parking for houses, duplex, and triplexes in single dwelling zones, the figure delineating the distinction between required and non-required parking is being replaced to instead illustrate where parking spaces are/are not allowed.

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

Figure 266-1
Non-Required Parking

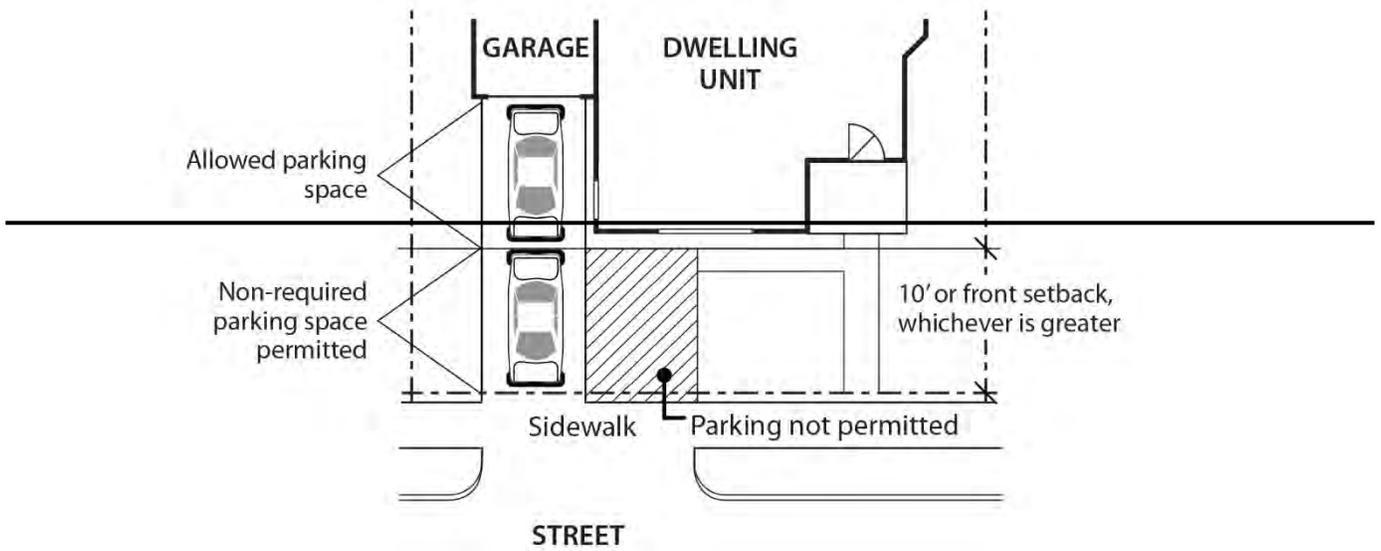
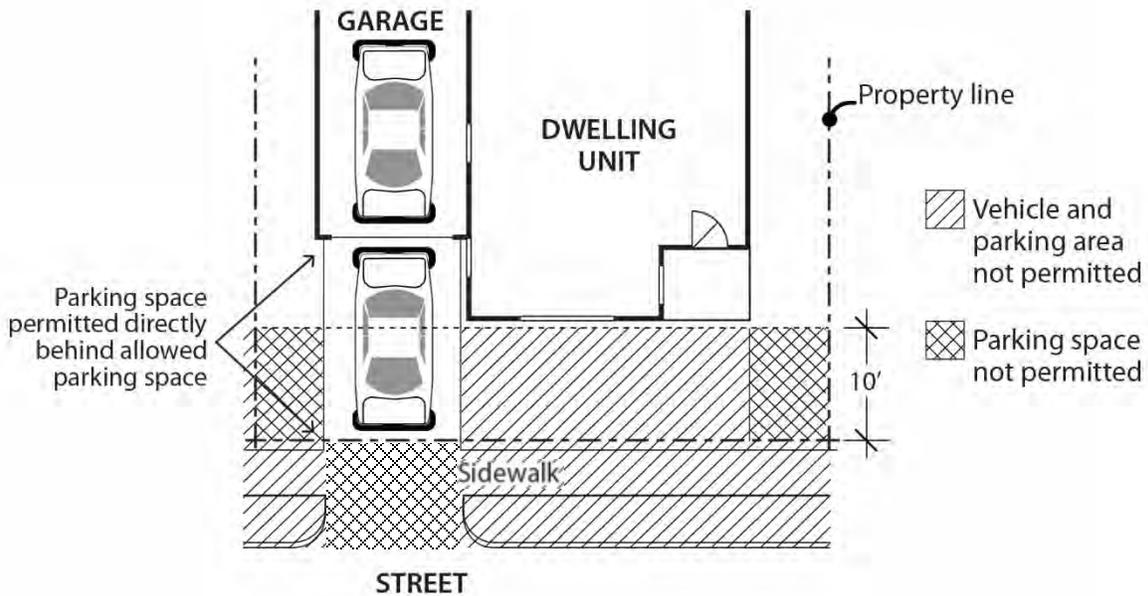


Figure 266-1
Parking Space Locations



Commentary

33.266.130 Development Standards for all other development

B. Where the standards apply. This was amended to refer to vehicle areas more broadly, not just parking locations. Vehicle areas refers to all the area on a site where vehicles may circulate or park including parking areas, driveways, drive-through lanes, and loading areas.

33.266.130.C.1. Location of vehicle area

A change is being made to align with upcoming changes as part of the Better Housing by Design Project which is proposing requiring alley access for ≤ 7500 square foot sites in multi dwelling zones. This also aligns fourplex parking requirements with changes being made for houses, duplexes, and triplexes on alley lots (see 33.266.120.C.3)

33.266.130.C.3 Frontage limitation

The R7, R5, and R2.5 zones are included here to address parking and vehicle areas that are not associated with a house, duplex or triplex. Specifically, this will apply to fourplexes, but will also be applied to non-conforming and conditional uses (schools, religious institutions, etc). This limits front yard vehicle area to 50%. Note: the Better Housing by Design Project includes changes to this section that will align the frontage limitation to the 40% limit for houses, duplexes and triplexes..

33.266.130 Development Standards for All Other Development

- A. [No change]
- B. **Where these standards apply.** The standards of this section apply to all vehicle areas whether required or excess parking, except for residential ~~parking~~vehicle areas subject to the standards of 33.266.120.
- C. **On-site locations of vehicle areas.**
 - 1. Location of vehicle areas. The allowed on-site location of all vehicle areas is stated in Table 266-3. Additionally, on sites in single dwelling zones that abut an alley and are 7,500 square feet or less in area, all parking and vehicle access to the site must be from the alley.
 - 2. Building setbacks for structures that contain vehicle areas.
 - a. Structures that contain vehicle areas are subject to the building setbacks of the base zone, where exiting in a forward motion is provided.
 - b. Structured parking that does not allow exiting in a forward motion in R Zones is subject to the garage entrance setback standard of the base zone.
 - c. Structured parking that does not allow exiting in a forward motion in C, E, I, CI, or IR zones must be set back 18 feet from the street lot line.
 - 3. Frontage limitation.
 - a. The standard of this subparagraph applies outside the Central City plan district in the R7, R5, R2.5, R3, R2, R1, and RMP zones. No more than 50 percent of the frontage on a street may be used for vehicle areas. On sites with more than one street frontage, this standard applies to the street with the highest transit designation. If two streets have the same highest transit classification, the applicant may choose on which street to meet the standard. Sites where there is less than 100 square feet of net building area are exempt from this standard.
 - b. The standard of this paragraph applies outside the Central City plan district in the RH, RX, CR, CM1, CM2, CM3, CE, CX, EG1, EX, CI, and IR zones. Where vehicle areas are adjacent to a transit street or a street in a Pedestrian District, no more than 50 percent of the frontage on the transit street or street in a Pedestrian District may be used for vehicle areas. Sites where there is less than 100 square feet of net building area are exempt from this standard.

Commentary

Table 266-3

The amendments to Table 266-3 apply the vehicle area location standards for the RX, CX, CR, EX and smaller CM1-CM3 zones to the R7, R5, and R2.5 zones so that the vehicle area location standards for fourplexes (and other non-Household Living uses) are similar to the vehicle area location standards for houses, duplexes and triplexes.

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

D. Improvements.

1. Paving. In order to control dust and mud, all vehicle areas must be paved. However, some portions of individual parking spaces may be landscaped per the standards of Paragraph F.4, below.
2. Striping. All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards of Subsection F. below.
3. Protective curbs around landscaping. All perimeter and interior landscaped areas must have protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards, or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers.

E.-G. [No change]

Table 266-3 Location of Vehicle Areas [1]			
Zone	General Standard	Exception for Through Lots and Sites with Three Frontages	Exception for Full-Block Sites
OS, RF-R10R5, R2.5, EG2, I	No restrictions.		
R3, R2, R1, RH, RMP, IR, CE, EG1, CI, sites in CM1, CM2, and CM3 that are more than 2 acres in total area	Vehicle areas not allowed between the portion of the building that complies with the maximum street setback and the transit street or streets in a Pedestrian District.	May have vehicle areas between the portion of the building that complies with the maximum street setback and one Local Service Transit Street.	May have vehicle areas between the portion of the building that complies with the maximum street setback and two Local Service Transit Streets.
<u>R7-R2.5</u>, RX, CX, CR, EX, sites in CM1, CM2, and CM3 that are 2 acres or less in total area	Not allowed between a building and any street.	May have vehicle areas between the building and one Local Service Transit Street.	May have vehicle areas between the building and two Local Service Transit Streets.

Notes:

[1] Driveways that provide a straight-line connection between the street and a parking area inside a building are not subject to these regulations.

Commentary

33.270.020.B.1 Density and FAR.

These amendments are intended to more closely align the new housing allowances in the R7-R2.5 zones with the allowed density in the Planned Development regulations. For example, if 5 lots in the R5 zone could each have 4 dwelling units (i.e. a fourplex per lot) with a total of 20 units among the 5 lots, then a similarly sized planned development site should likewise be allowed 20 units. The Planned Development review provides for flexibility in how dwelling units are arranged (i.e. a mixture of different housing types) while ensuring compatibility with the surrounding area. The density calculation for Planned Developments in the R7, R5 and R2.5 zones have been revised to allow for a system of near equivalency between the number of dwelling units allowed on a site that is divided through a land division and one that is not divided but is designed through a Planned Development review.

For the R7 and R5 zones, the maximum number of dwelling units allowed for a site that is not in the Constrained Sites overlay zone or otherwise prohibited from having a triplex or fourplex will be 4 times the base zone density standard. This maximum number of dwelling units is based on the fact that the average lot sizes in the R7 and R5 zones are larger than the minimum lot size required to build a triplex/fourplex in the zones (R7 average lot size = 1/7,000 sq. ft., min lot size for a triplex/fourplex = 5,000 sq. ft.; R5 average lot size = 1/5,000 sq. ft., minimum lot size for a triplex/fourplex = 4,500 sq. ft.).

33.270 Planned Development

270

Sections:

- 33.270.010 Purpose
- 33.270.020 Relationship to Other Regulations
- 33.270.100 Additional Allowed Uses and Development in ~~Single Dwelling Zones~~
- 33.270.110 Limitations on Residential Uses and Development
- 33.270.200 Additional Requirements for Planned Developments in R7 and R5 zones
- ~~33.270.200~~210 Additional Requirements for Planned Developments in Commercial/Mixed Use Zones

33.270.020 Relationship to Other Regulations

- A. Flexibility.** Approval of a Planned Development allows certain kinds of flexibility for development in residential zones and commercial/mixed use zones. Some of the flexibility allowed by Planned Developments may also be allowed under other provisions of this Title. Where such situations exist, the applicant may choose which provision to apply.
- B. Density and FAR.** ~~Adjustments to density and FAR regulations are prohibited. Minimum residential density and minimum FAR requirements must be met in a Planned Development. Adjustments to minimum density or minimum FAR are prohibited. Where the density requirement is expressed as a number of lots, it can be met in the Planned Development by providing the same number of dwelling units. Maximum density requirements in Single Dwelling zones are specified in 33.610.100 and 33.611.100. Maximum FAR requirements are specified in 33.130.205.~~

1. Density.

a. Maximum dwelling unit density.

(1) RF through R10. In RF through R10, maximum density is expressed as a number of lots. Maximum density can be met in the Planned Development by providing the same number of dwelling units. Maximum density for the RF through R10 zones is specified in 33.610.100.

(2) R7 and R5:

- If the Planned Development is in the Constrained Sites Overlay or does not qualify to use the triplex or fourplex provisions of 33.110.265.E, maximum density is expressed as a number of lots. Maximum density can be met in the Planned Development by providing the same number of dwelling units. Maximum density for the R7 and R5 zones is specified in 33.610.100.
- For all other Planned Developments, maximum density is expressed as a number of dwelling units and is calculated as follows:
Square footage of site;
÷ Maximum density from Table 610-1;
x 4
= Maximum number of dwelling units allowed.

Commentary

33.270.020.B.1.a(3) R2.5

The maximum number of dwelling units allowed through a Planned Development in the R2.5 zone will be twice the base zone density rather than four times the base zone density as in the R7 and R5 zones. This is because the average lot size for a triplex or fourplex in the R2.5 zone is smaller than the minimum lot size required to build a triplex/fourplex on a lot in this zone (R2.5 average lot size = 2,500 sq. ft., minimum lot size for a triplex/fourplex = 3,200 sq. ft.). Allowing up to four times the number of dwelling units on a Planned Development site in this zone would result in more dwelling units than would be allowed if the site was divided through a land division.

33.270.020.B.2.FAR

In the R7 - R2.5 zones, the FAR increases with the number of units on a single lot. Table 110-4 specifies different FARs for lots and sites with 1, 2 and 3 or more units. When multiple units are proposed for a single site, the higher FARs will apply.

C. Land Divisions

This amendment reiterates that the number of lots that can be created through a Land Division

(3) R2.5

- If the Planned Development is in the Constrained Sites Overlay or does not qualify to use the triplex or fourplex provisions of 33.110.265.E, maximum density is expressed as a number of lots. Maximum density can be met in the Planned Development by providing the same number of dwelling units. Maximum density for the R2.5 zone is specified in 33.611.100.
- For all other Planned Developments, maximum density is expressed as a number of dwelling units and is calculated as follows:

Square footage of site;

÷ 2,500;

x 2

= Maximum number of dwelling units allowed.

- b. Minimum density. Minimum density must be met in the Planned Development. Minimum density for single-dwelling zones is expressed as a number of lots. Minimum density can be met in a Planned Development by providing the same number of dwelling units. Minimum density for single-dwelling zones is stated in 33.610.110 and 33.611.100. Minimum density for all other zones is stated in the base zone chapters.

2. FAR.

a. Maximum FAR.

- (1) R7 through R2.5. The maximum FAR in the R7 through R2.5 zones is specified in 33.110.210.
- (2) Commercial/mixed use zones. The maximum FAR in the commercial/mixed use zones is specified in 33.130.205.

- b. Minimum FAR. Where the base zone requires a minimum FAR, the standard must be met in a Planned Development

- C. Land Divisions.** A Planned Development may be the only land use review requested for a site, or may be part of a proposal for a Land Division. Certain site conditions or aspects of a proposal require a Land Division, including situations where a tract is required (such as when there is floodway on the site), or where rights-of-way are requested or required. Maximum dwelling unit density in a Planned Development does not equate to maximum lot density in a Land Division.

Commentary

33.270.100.D Triplexes and E. Fourplexes

This amendment identifies triplexes and fourplexes as being allowed housing types through a Planned Development because triplexes and fourplexes will be stand-alone housing types—they were previously covered under the definition of multi-dwelling structure (see page 227). The housing type multi-dwelling structures will now be defined as buildings with five or more dwelling units.

33.270.100.I Alternative Residential Dimensions

This flexibility allows the minimum lot dimensions for new lots to be modified through a Planned Development. Currently, in the single-dwelling zones the dimensions that can be modified are minimum lot area, depth and front lot line. Whereas all of the minimum lot dimensions standards for new lots in multi-dwelling zones may be modified through a PD. This amendment will allow lot width and maximum lot area to be modified through a PD in the single-dwelling zones because chapters 33.610 and 33.611 both currently say lot width can be modified through a PD.

33.270.100 Additional Allowed Uses and Development

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

- A. Attached houses.** Attached houses may be requested in the RF through R5 zones;
- B. Duplexes.** Duplexes may be requested in the RF through R2.5 zones;
- C. Attached duplexes.** Attached duplexes may be requested in the RF through R2.5 zones;
- D. Triplexes.** Triplexes may be requested in the RF through R2.5 zones;
- E. Fourplexes.** Fourplexes may be requested in the RF through R2.5 zones;
- FD. Multi-dwelling structures.** Multi-dwelling structures may be requested in the RF through R2.5 zones;
- GE. Multi-dwelling development.** Proposals to allow multi-dwelling development on a lot may be requested in RF through R2.5 zones;
- HF. Modification of site-related development standards.** Modification of site-related development standards that are not prohibited from being adjusted may be requested through a Planned Development.
- IG. Alternative residential dimensions.** ~~Proposals for lots that do not meet the minimum lot area, minimum lot depth, or minimum front lot line standards may be requested in RF through R2.5 zones.~~ Proposals for lots that do not meet the minimum lot size dimensions regulations for land divisions may be requested in the RF through RH through R3 zones.
- JH. Commercial uses.** Commercial uses that are allowed in the CM1 zone may be requested in the RF through R1 zones;
- KI. Additional height and FAR.** For sites in the CM2, CM3, CE, and CX zones outside of the Central City and Gateway plan districts that are greater than 2 acres in size, additional height and FAR may be requested through a Planned Development as specified in 33.130.212.E, Planned Development Bonus, and Table 130-3;
- LJ. Transfer of development within a site.** Transfer of development rights across zoning lines within the site may be proposed as follows:
 - 1. RF through R1 zones. If the site is located in more than one zone, and all the zones are RF through R1, the total number of units allowed on the site is calculated by adding up the number of units allowed by each zone. The dwelling units may be placed without regard to zone boundaries.
 - 2. RH and RX zones. If the site is located in more than one zone, and the zones are RH and RX, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.
 - 3. C, E, I, CI, and IR zones. If the site is located in more than one zone, and all the zones are C, E, I, CI, and IR zones, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.

Commentary

33.270.100.M. Transfer of Development between Sites

This amendment clarifies that this regulation only applies when the transfer of development rights (which are described in other chapters) requires a Planned Development. For example, the density transfer allowed in the Johnson Creek Basin plan district requires a PD, whereas the FAR transfer from an historic site in the Mixed-Use zones does not. There has been an ongoing misunderstanding that this subsection requires a PD for every density or FAR transfer

33.270.200 Additional requirements for Planned Developments in the R7 and R5 zones

As part of aligning Planned Developments with Land Divisions in the R7-R5 zones, the visitability requirements are similarly applied when there are at least 3 units proposed on a site. One-third of the units will need to meet the visitability standards. An exemption is provided for steeply sloping sites. An exemption is also provided for PDs with a concurrent land division. In these cases, if the new lots will be developed with triplexes or fourplexes, they will be subject to the visitability standards and exemptions specified in the Residential Infill Options.

R2.5 zones are not included, since the density calculations (33.270.020.B.1.a(3)) only double the unit allowance.

See commentary related to visitability requirements on page 112.

4. All zones. If the site is located in more than one zone, and at least one of the zones is RF through R1, and at least one of the zones is RH, RX, C, or EX, then the total number of dwelling units allowed on the site is calculated as follows:
 - a. The number of units allowed on the RF through R1 portion of the site is calculated in terms of dwelling units;
 - b. The number of units allowed on the other portion of the site is calculated in terms of floor area; The floor area calculation is converted to dwelling units at the rate of 1 dwelling unit per 1,000 square feet of floor area;
 - c. The two dwelling unit numbers are added together, and may be placed without regard to zone boundaries.

MK. **Transfer of development between sites.** Sites that are eligible to transfer development rights to another site are designated in other chapters of this Title. Where such transfers require a Planned Development~~€€€€~~, both the sending and receiving sites must be part of a Planned Development.

33.270.110 Limitations on Residential Uses and Development

The following limitations apply to Planned Developments proposed in EG or I Zones:

- A. Industrial zones.** Residential uses and development are prohibited in industrial zones. Using floor area transferred from industrial zones for residential uses is prohibited in all zones.
- B. EG1 and EG2 zones.** Residential uses and development are prohibited in EG1 and EG2 zones. Using floor area transferred from EG1 or EG2 zones for residential uses is prohibited in all zones.

33.270.200 Additional requirements for Planned Developments in the R7 and R5 Zones

In the R7 and R5 zones, unless exempted by Subsection B., when the total number of proposed dwelling units is at least 75 percent of the maximum number of dwelling units allowed through the Planned Development, at least 33 percent of the dwelling units on the Planned Development site must be visitable. Visitable means that the unit meets the visitability standards specified in Subsection A.

A. Visitability standards:

1. Visitable entrance. At least one entrance must be provided with a route without stairs between the entrance and an on-site parking space or the street lot line. The slope of the route may not exceed 1:8.
2. Visitable bathroom. At least one bathroom in the visitable unit must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed “t-shape” area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See Figure 270-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;
3. Visitable living area. There must be at least 70 square feet of living area on the same floor as the visitable entrance or 70 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
4. Visitable doors. All door openings between the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.

Commentary

33.270.200.B. Exemptions

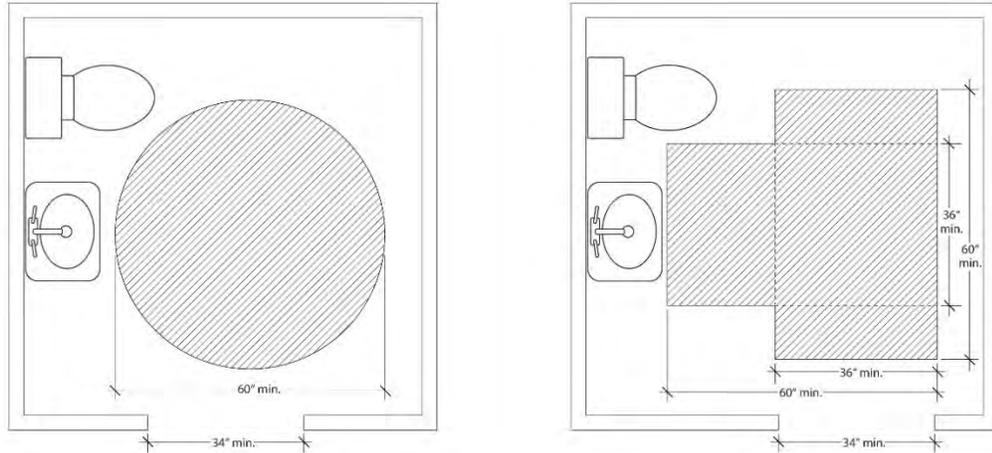
The exemptions for the visitability requirement include steeply sloping sites (same as base zone, and ADU requirements), proposals when there are fewer than 3 units (for example a PD for a duplex or two single houses on a site), and proposals that also include a land division to create lots for subsequent building (as these would be treated like other lots where 3 or 4 units are proposed).

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

B. Exemptions. The following are exempt from the standards of Subsection A:

1. Sites with an average slope of 20 percent or greater
2. Sites where fewer than 3 units are proposed.
3. Sites with a concurrent land division where no multi-dwelling development or multi-dwelling structures are proposed. For these sites, the visitability standards are applied to each lot according to 33.110.265.E.3. at the time of development

Figure 270-1
Visitable Bathroom Clearances



33.270.200210 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

Planned Developments in the CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts, that are using the Planned Development bonus, must met all of the following requirements:

A.-D. [No change]

Commentary

33.281 Schools and School Sites

281

33.281.100 General Standards

In the OS, R, and R zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in 33.110.~~270~~245 and 33.120.275. In C and E zones, the development standards of the base zone apply except where superseded by the standards in this chapter. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

Overlay Zones

- 33.400 Aircraft Landing Zone – h
- 33.405 Alternative Design Density Overlay Zone – a
- 33.410 Buffer Zone – b
- 33.415 Centers Main Street Overlay Zone – m
- 33.418 Constrained Sites Overlay Zone – z
- 33.420 Design Overlay Zone – d
- 33.430 Environmental Zone – c or p
- 33.435 Future Urban Zone – f
- 33.440 Greenway Zones – g, i, n, q, or r
- 33.445 Historic Resource Protection Overlay Zone
- 33.465 Pleasant Valley Natural Resources Overlay Zone – v
- 33.470 Portland International Airport Noise Impact Zone – x
- 33.471 Prime Industrial Overlay Zone – k
- 33.475 River Overlay Zones – g*, e
- 33.480 Scenic Resource Zone – s

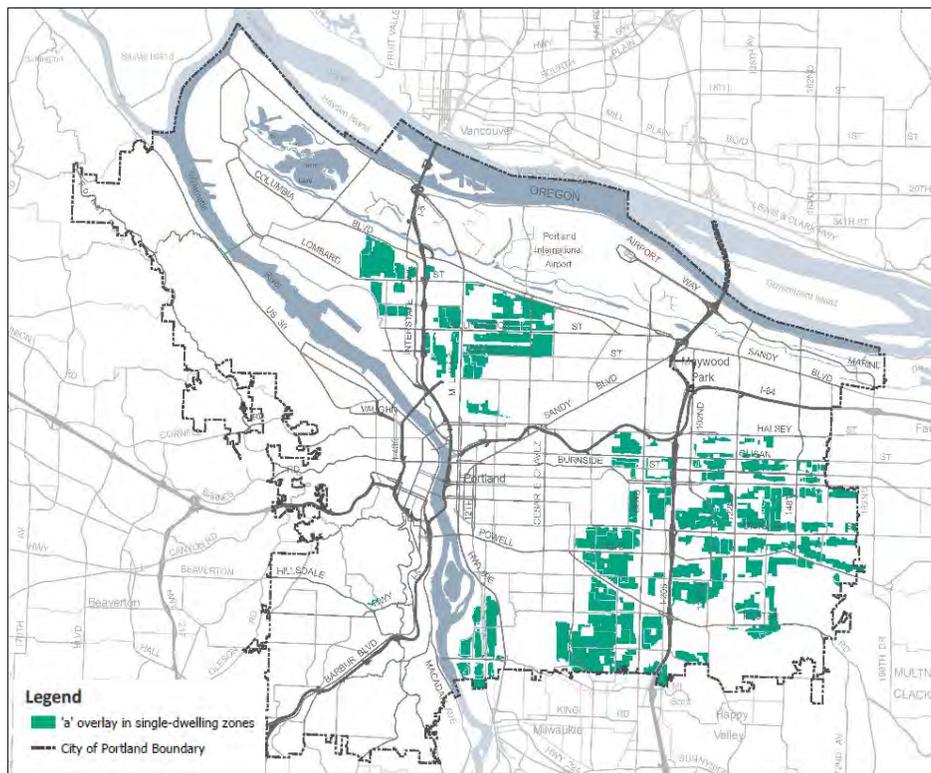
A list of symbols that appear on the Official Zoning Maps and their corresponding Zoning Code chapters is contained in the front of the Zoning Code, following the Table of Contents, under “Index of Symbols on the Official Zoning Maps”.

Commentary

33.405 Alternative Density Design overlay zone

This map shows the location and extent of the current a-overlay as applied to single dwelling zoned areas. The a overlay is being removed from single dwelling zones because for all intents and purposes, the additional housing allowances that are available in the a overlay zone will be available going forward in the base zones. These allowances include attached houses on narrow lots in the R5 zone, triplexes on 4,800 square foot lots in the R2.5 zone, and flag lots in the R2.5 zone.

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



33.405 Alternative Design Density Overlay Zone

405

Sections:

General

- 33.405.010 Purpose
- 33.405.020 Short Name and Map Symbol
- 33.405.030 Applying the Alternative Design Density Overlay Zone

Development Standards

- 33.405.050 Bonus Density for Design Review
- ~~33.405.060 Attached Houses on Vacant Lots in the R5 Zone~~
- 33.405.070 Alternative Development Options in the R2 ~~and R2.5~~ Zones
- 33.405.080 Nonconforming Multi-Dwelling Housing
- 33.405.090 Design Review and Community Design Standards
- 33.405.100 Review for Timeliness

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

- ~~**A. Purpose.** The increased density permitted by this section encourages infill development in areas that are generally well served by existing public services. The increase allows the area to absorb additional growth without creating market pressure that might lead to the early removal of existing sound housing. The increased density will lower the cost of housing while increasing opportunities for owner-occupied housing. Required design review of new development ensures that the new housing will make a positive contribution to the neighborhood's character.~~
- ~~**B. Attached houses.** Attached houses are allowed in the R5 zone if all of the following are met. Adjustments to this section are prohibited:~~
- ~~1. The proposed attached housing development will be on a lot or lot of record that was created at least five years ago;~~
 - ~~2. There has not been a dwelling unit on the lot or lot of record for at least five years;~~
 - ~~3. The density requirements of Chapter 33.611 must be met, and each attached house must be on a lot that meets the lot dimension standards of Chapter 33.611;~~
 - ~~4. Attached houses must meet the following development standards:~~
 - ~~a. Height and front setback standards. Attached houses must meet the height and front setback standards of the R5 zone; and~~
 - ~~b. All other development standards. The attached house must meet all other development standards for attached housing projects in the R2.5 zone;~~

Commentary

~~5. Design review required:~~

- ~~a. Generally. Attached residential development must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and~~
- ~~b. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~
- ~~c. Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.~~
- ~~d. Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.~~

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

- A. Purpose.** The provisions of this section offer opportunities for enhancing the variety of housing types and building forms that are found in areas zoned for ~~attached~~ or low-density multi-dwelling residential development. Such areas generally include a mixture of single-dwelling detached and small multi-dwelling development. A variety of types of housing in areas receiving infill development will improve continuity with the character of the existing buildings.
- B. Triplex.** Triplexes are allowed, if they meet all the following requirements:
 - 1. The proposed development conforms with the maximum height, minimum setbacks, maximum building coverage, and required outdoor area requirements for ~~attached housing~~ projects in the R2.5 zone. The proposed development must meet all other development standards of the base zone, overlay zone, and plan district; and
 - 2. The maximum density allowed under this provision is one dwelling unit for each 1,600 square feet of site area. However, no more than three dwelling units may be placed on a single lot.

Commentary

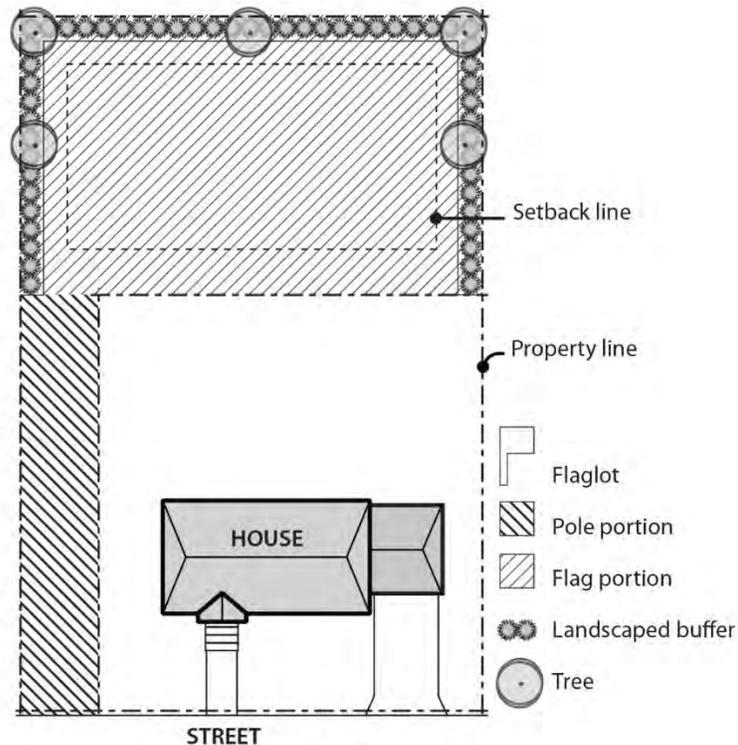
33.405.070.C. Flag lots

The flag lot provisions allowed for 8 foot versus 10-foot perimeter setbacks. New standards for small flag lots (those less than 3,000 sf) allow for 5-foot perimeter setbacks in the single dwelling zones.

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

- C. Flag lots averaging 2,500 square feet.** Lots in the R2 ~~and R2.5~~ zone may be developed as flag lots with an average area of 2,500 square feet when the proposed development meets all of the following requirements:
1. Both attached and detached dwellings are allowed;
 2. The average area of the lots created must be at least 2,500 square feet. Each must be at least 1,600 square feet;
 3. The pole portion of the flag lot must be part of the flag lot, must connect to a street, and must be at least 12 feet wide for its entire length;
 4. Detached structures on a flag lot are required to have an eight foot setback from all lot lines. Attached structures on flag lots are required to have an eight foot setback along those lot lines that abut a lot that is not a part of the flag lot development; and
 5. Required setbacks must include a landscaped buffer area. The landscaped area must be at least 3 feet deep and be landscaped to at least the L3 standard.
See Figure 405-1.

**Figure 405-1
Flag Lot Description and Buffer**



Commentary

D. Design review required.

1. Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and
2. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.
3. Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.
4. Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.

Commentary

33.418 Constrained Sites Overlay Zone

This overlay zone is being added to restrict use of the additional housing types allowed in the single-dwelling zones through the Residential Infill Options (see page 107) and the additional accessory dwelling unit allowances for a duplex and a second ADU with a house. The restrictions in this overlay zone will apply to lots that have significant natural resources or a natural hazard that make the lots unsuitable for additional development.

The constraints include lots with any portion located in:

- The City's Natural Resource Inventory areas
- The 100-year flood plain, floodway, and 1996 flood inundation area
- Landslide risk areas (which is comprised of three sets of data layers including rapidly moving landslide potential, high susceptible areas for deep seated landslides, and areas with previous landslide evidence, i.e. scarps and deposits)

33.418 Constrained Sites Overlay Zone

418

Sections:

33.418.010 Purpose

33.418.020 Map Symbol

33.418.030 Applying the Constrained Sites Overlay Zone

33.418.040 Housing Type Limitations

33.418.010 Purpose

Under some circumstances, up to four dwelling units is allowed per lot in the R7, R5 and R2.5 zones. The Constrained Sites overlay zone reduces that development potential on lots that have certain development constraints. The constraints make the lots unsuitable for three or four dwelling units.

33.418.020 Map Symbol

The Constrained Sites overlay zone is shown on the Official Zoning Maps with the letter “z” map symbol.

33.418.030 Applying the Constrained Sites Overlay Zone

The Constrained Sites overlay zone is applied to lots in the R7, R5 and R2.5 zones when any portion of the lot has one of the following constraints:

- A. Low, medium, or high value natural resource as shown on the City’s Natural Resources Inventory;
- B. Special flood hazard area;
- C. Floodway;
- D. 1996 Flood Inundation area;
- E. Potential Rapidly Moving Landslide Hazard Zones as shown in the DOGAMI IMS-22 publication;
- F. Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication.

33.418.040 Residential Infill and ADU Limitations

The following residential infill and accessory dwelling unit options do not apply in the Constrained Sites overlay zone:

- A. 33.110.265.D for duplexes on interior lots. The regulations for duplexes on corners continues to apply;
- B. 33.110.265.E which allows triplexes and fourplexes in the R7 through R2.5 zones;
- C. 33.205.020.B.2 which allows two accessory dwelling units on a site with a house, attached house, or manufactured home in the R7 through R2.5 zones; and
- D. 33.205.020.B.3 which allows an accessory dwelling unit on a site with a duplex in the R7through R.25 zones.

Commentary

33.420.041.I When Design Review is Required

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

33.420 Design Overlay Zone

420

33.420.041 When Design Review is Required

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

A.-G. [No change]

H. Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080;

I. Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, ~~or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5-Zoned Areas;~~

J.-K. [No change]

Commentary

33.505.220 Parking Requirement Reduction

This provision is not applicable to the single dwelling zones as minimum parking is no longer required.

33.505.230 Attached Residential Infill on Vacant Lots in R5 Zoned Areas

This provision, which was adopted in 1997, is being deleted. This provision allows lots in the R5 zone that have been vacant for at least 5 years to be divided using the R2.5 zone standards and requires the attached house development to go through design review or meet the community design standards. The base zone is being amended to allow up to four dwelling units on a lot in the R5 zone and does not require design review for the development.

33.505 Albina Community Plan District

505

Sections:

General

33.505.010 Purpose

33.505.020 Where These Regulations Apply

Use Regulations

33.505.100 Commercial Uses in the RH Zone

Development Standards

33.505.200 Minimum Density Standards

33.505.220 Parking Requirement Reduction

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

33.505.240 Design Review and Community Design Standards

33.505.245 When Community Design Standards May Be Used

33.505.248 When Community Design Standards May Not Be Used

Map 505-1 Albina Community Plan District

33.505.220 Parking Requirement Reduction

A. [No change]

B. **Where these regulations apply.** The provisions of this section apply in areas zoned ~~R2-5~~, R2 and R1 that are more than 1500 feet from a transit station, or more than 500 feet from a transit street with 20-minute peak hour service.

C. [No change]

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

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

Commentary

- B. ~~Attached residential infill.~~** Attached residential development is allowed if all of the following are met. Adjustments to Subparagraphs B.1 through B.4, below, are prohibited:
- ~~1. The proposed attached residential development will be on a lot or lot of record that was created at least five years ago;~~
 - ~~2. There has not been a dwelling unit on the lot or lot of record for at least five years;~~
 - ~~3. A land division creating an individual lot for each attached housing unit is recorded;~~
 - ~~4. The proposed attached residential development meets all development standards for attached residential development in the R2.5 zone; and~~
 - ~~5. Design review required:~~
 - ~~a. Generally. Attached residential development must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.505.240, Design Review and Community Design Standards, below; and~~
 - ~~b. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~

Commentary

33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea

The cross references in this section have been updated. This section previously referred to the alternative development option in the single-dwelling zones that pertained to additional density allowances for corner lot duplexes or attached houses (33.110.240.E).

The references now point to attached houses where an additional unit is allowed for a corner lot (33.110.265.C.1.a.(2)) and the additional density allowances for duplexes (33.110.265.D.1.)

On lots that meet the lot requirements of 33.563.220, attached houses without additional density, will continue to be allowed.

This section does not need to prohibit triplexes, fourplexes and additional ADUs because the new z overlay covers the extent of R2.5, R5 and R7 zoning within the Linnton Hillside area. The z overlay zone prohibits triplexes, fourplexes, and additional ADU's.

33.563 Northwest Hills Plan District

563

33.563.220 When Primary Structures Are Allowed in the Linnton Hillside Subarea

The regulations of Section 33.110.~~202~~212 do not apply in the Linnton Hillside Subarea. In this subarea, primary structures are allowed in single-dwelling residential zones as specified in this section.

Adjustments to the standards of this section are prohibited. Primary structures are prohibited on lot remnants that are not otherwise lots of record or are not combined with lots or lots of record. Primary structures are only allowed if one of the requirements in A. through E. are met:

A. - G. [No change]

33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea.

In the Linnton Hillside subarea, duplexes as allowed by 33.110.265.D, and attached houses on corners as allowed by 33.110.265.C.1.a(2) ~~33.110.240.E~~ are prohibited.

Commentary

33.564.360 Planned Development

Triplexes and fourplexes are being added to this list of prohibited uses and development because they were previously categorized as a type of multi-dwelling structure, but multi dwelling structures are now defined as buildings with five or more units.

33.564 Pleasant Valley Plan District

564

33.564.060 When Primary Structures are Allowed

Primary structures are allowed as specified in 33.110.202212 using Table 33.610-2. The lot dimension standards in this chapter do not supersede the lot dimension standards of Table 33.610-2 for the purposes of implementing Section 33.110.202212.

33.564.360 Planned Development

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

- A. Attached houses;
- B. Attached duplexes;
- C. Triplexes;
- D. Fourplexes;
- ~~E.~~ Multi-dwelling structures; and
- ~~F.~~ Commercial uses.

Commentary

33.610.200.D.2. Minimum lot width.

These criteria allow for reduced lot widths and narrow lots as part of a land division in certain circumstances.

33.610.200.D.2.b.

The minimum lot width for a detached house is being amended to 26 feet for consistency with the narrow lot standards in the base zone.

33.610.200.D.2.c.

This requirement will apply to all houses, duplexes, triplexes, and fourplexes based on the amendments in 33.266.120.C.3. and 33.266.130.C.1

33.610.200.D.2.e.

This landscaping requirement is being added to the base zone chapter to apply to all narrow lots not just to attached houses. This amendment makes this land division criterion consistent with that new base zone landscaping standard.

33.610.200.D.2.f.

The parking standards for houses, attached houses, duplexes and triplexes are being amended to require alley access whenever an alley exists, and parking is proposed. This criterion is being amended to make it consistent with that requirement.

33.610 Lots in RF Through R5 Zones

610

33.610.200 Lot Dimension Regulations

Lots in the RF through R5 zones must meet the lot dimension regulations of this section.

A. - C. [No change]

D. Minimum lot width. Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

1. Each lot must meet the minimum lot width standard stated in Table 610-2; or
2. Minimum lot width may be reduced below the dimensions stated in Table 610-2, if all of the following are met:
 - a. On balance, the proposed lots will have dimensions that are consistent with the purpose of the Lot Dimension Regulations;
 - b. The minimum width for lots that will be developed with detached houses may not be reduced below 2526 feet;
 - c. If the lot abuts a public alley, then vehicle access must be from the alley. ~~This requirement will be imposed as a condition of approval of the land division;~~
 - d. Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.250.C253.D at the time of development;
 - e. Lots that are less than 32 feet wide ~~will be developed with attached houses~~ must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and
 - f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate on-site vehicle access and parking. Such lots do not have to meet the requirements of ~~s~~Subparagraphs 2.c and D.2.d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:
 - (1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;
 - (2) Meet the requirements of Section 33.700.060, Covenants with the City; and
 - (3) Be attached to, and recorded with the deed for the new lot.

Commentary

Table 610-1

The table is being revised because land division density calculations result in the number of lots allowed not the number of units allowed.

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

E. - G. [No change]

Table 610-1 Maximum Density Standard					
	RF	R20	R10	R7	R5
Maximum Density	1 lot <u>unit</u> per 87,120 sq. ft.	1 lot <u>unit</u> per 20,000 sq. ft.	1 lot <u>unit</u> per 10,000 sq. ft.	1 lot <u>unit</u> per 7,000 sq. ft.	1 lot <u>unit</u> per 5,000 sq. ft.

33.610.400 Flag Lots

The following regulations apply to flag lots in the RF through R5 zones:

A. - E. [No change]

- F. **Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

Commentary

33.611 Lots in the R2.5 Zone

The changes in this chapter will make it easier to create narrow lots for attached houses. Current regulations require a minimum 36-foot wide lot (the same as required in the R5 zone) even though the minimum lot size is significantly less than in the R5 zone. For example, a 1600 sf lot that is 36 feet wide would be 44 feet deep. Moreover, many R2.5 sites are in areas with typical 50-foot-wide by 100-foot-deep platting, which lend them to narrow (25x100') dimensions.

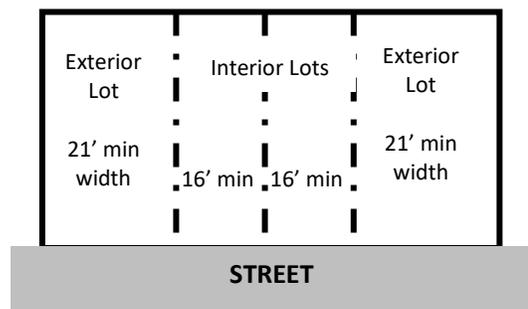
Under the existing code, lots less than 36 feet wide can be created when certain approval criteria are met. Alternatively, flag lots are allowed when either 1) a house is located that precludes a standard lot division, or 2) the site is less than 50 feet wide. Changing from approval criteria to clear and objective standards for flag lots will make it easier to propose flag lots.

The R2.5 zone was initially established as a row house zone. Changes to the zone over time have made it harder to create lots for attached houses. However, with the proposed changes to the R2.5 base zone to require attached houses on very narrow (25-foot wide) lots, the R2.5 zone will be more like it was originally intended. Where detached structures are proposed, wider lots are required. And where row houses are proposed, lot width minimums are set to facilitate that housing type.

Lots that do not meet these lot width standards may not be adjusted but may be requested through Planned Development review.

The new standards allow for the following lot configurations

1. 36-foot-wide and wider lots:
 - Attached or detached houses allowed, no additional provisions.
2. 26-foot-wide to 36 foot wide lots:
 - A detached house will be allowed where an existing house is situated such that a standard 36 foot wide lot could not fit on the land division site.
 - A detached house will be allowed on an oddly configured parcel, like a narrow through lot, where the sides of the proposed lot do not abut other lots in the land division site and there is insufficient room for a 36 foot wide lot.
3. 21 foot wide and wider lots:
 - Attached houses are allowed where a pair of attached houses is proposed (semi-detached housing) or the lots will be end units in a row of units.
4. 16-foot-wide and wider lots:
 - Attached houses allowed in the middle of a set of rowhouses (this provides consistent house widths in the row, accounting for side yard setbacks for the end units).



33.611 Lots in the R2.5 Zone

611

33.611.200 Lot Dimension Regulations

Lots in the R2.5 zone must meet the lot dimension regulations of this section. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

A. - B. [No change]

C. **Minimum lot width.** Each lot must meet one of the following regulations. ~~Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.~~

1. Each lot must be at least 36 feet wide; or
2. Minimum lot width may be reduced to 26 feet if the following are met:
 - a. An existing dwelling unit or attached garage is located on the site so that it precludes a land division that meets the minimum lot width standard of Paragraph C.1. The dwelling unit and attached garage must have been on the site for at least 5 years; or
 - b. The side lot line of a lot that is less than 36 feet wide will not abut the side lot line of any other lot within the land division site.
3. Minimum lot width may be reduced to 21 feet for a lot if the lot will be developed with an attached house that shares a common wall with at least one other attached house.
4. Minimum lot width may be reduced to 16 feet for a lot if the lot will be developed with an attached house that shares two common walls with two other attached houses.
2. ~~Minimum lot width may be reduced below 36 feet, if all of the following are met:~~
 - a. ~~On balance, the proposed lots will have dimensions that are consistent with the purpose of this section;~~
 - b. ~~The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet;~~
 - c. ~~If the lot abuts a public alley, then vehicle access must be from the alley. This requirement will be imposed as a condition of approval of the land division;~~
 - d. ~~Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.D, at the time of development;~~
 - e. ~~Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and~~

Commentary

33.611.200.C.2. Minimum lot width (previous page)

This paragraph is replaced by new lot width standards. Requirements that were included for alley access, lot configuration, and covenants are no longer necessary since all narrow lots (less than 32 feet wide) are now subject to the requirements in 33.110.260, Additional Development Standards for Narrow Lots

33.611.200. D. Minimum Front Lot Line.

These changes are made to allow the front lot line (typically 30 feet) to be reduced to match the reduced lot widths described above.

~~f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate onsite vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:~~

- ~~(1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;~~
- ~~(2) Meet the requirements of Section 33.700.060, Covenants with the City; and~~
- ~~(3) Be attached to, and recorded with the deed for the new lot.~~

D. Minimum front lot line. Each lot must have a front lot line that is at least 30 feet long. Lots that are created under the provisions of Paragraph ~~C.2. through C.4. above~~, may reduce the front lot line to equal the width of the lot.

E. - F. [No change]

33.611.400 Flag Lots

The following regulations apply to flag lots in the R2.5 zones:

A. [No change]

B. When a flag lot is allowed. A flag lot is allowed only when the following are met:

1. One of the following ~~is~~are met:
 - a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of Paragraph 33.611.200.C.1. The dwelling unit and attached garage must have been on the site for at least five years; or
 - b. The site has a width of less than 50 feet if two lots are proposed and a width of less than 75 feet if three lots are proposed.
2. Up to three lots are proposed, only one of which is a flag lot; and
3. Minimum density requirements for the site will be met.

C. - E. [No change]

F. Vehicle access. Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

Commentary

33.676 Lot Confirmation

This is a new chapter and set of rules to formalize the Lot Confirmation process. Confirming lots as individual buildable pieces of property has been an evolving practice. What was once an informal verification of the legality of the lot's creation has become more formalized to include reviews by service bureaus for changes to utility access, deed research to confirm the validity and ownership status of the lot over time, and an examination of some development standards to ensure the separation of a site does not create non-conforming development.

The County tax assessor now requires a letter from the City confirming that the lot is legal and developable prior to creating a new tax account for the property. This helps prevent potential buyers from purchasing a piece of property that is not buildable. This process also ensures that any utility encroachments are removed or resolved before the lot is considered independently buildable.

This chapter is modeled largely after 33.677 Property Line Adjustments

33.676.100 Prohibited Lot Confirmations

Properties that were not lawfully created through a deed recorded prior to July 26, 1979 or a properly recorded land division plat cannot be confirmed through a lot confirmation. Instead a land division would be required to validate such properties, subject to some additional State statutes.

33.676.200.B.

In some instances, the Zoning Code stipulates that a lot had to be under separate ownership from abutting lots or that the ownerships had not been combined at any time since their creation. In these cases, supporting documentation illustrating chain of ownership of the property and abutting properties is necessary.

33.676 Lot Confirmation

676

Sections:

- 33.676.010 Purpose
- 33.676.100 Prohibited Lot Confirmations
- 33.676.150 Method of Review
- 33.676.200 Application Requirements
- 33.676.300 Standards
- 33.676.400 Finalizing the Lot Confirmation

33.676.010 Purpose

This chapter states the procedures and regulations for confirming a lot, lot of record or combination of lots or lots of record. A Lot Confirmation recognizes the developability of a lot, lot of record, or combination of lots or lots of record. The regulations ensure that the Lot Confirmation does not:

- Create a new lot;
- Result in development sites that no longer meet the dimensional requirements and development standards of this Title;
- Alter the availability of existing services to a site; and
- Result in sites that no longer meet conditions of approval of a previous land use review.

33.676.100 Prohibited Lot Confirmations

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

33.676.150 Method of Review

Lot Confirmations are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

33.676.200 Application Requirements

The application for a Lot Confirmation must contain the following:

- A. Application Form.** One copy of the completed application form bearing an accurate legal description, tax account number and location of the property. The completed form must also include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant’s interest in the property.
- B. Supporting documentation.** Documentation that establishes when and how the lot was created is required. For Lot Confirmations where the base zone requires that the lot was under separate ownership from abutting lots, ownership information for the lot and abutting lots is also required. This may include copies of recorded plats, historic deeds, or other documentation that provides evidence of the creation and chain of ownership of the property.

Commentary

33.676.300.B. Minimum lot dimension standards.

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

The standards for single-dwelling zones also include that the lots must have street frontage. This is in part because measuring lot width in single-dwelling zones is measured at the front setback line. There is no front setback when there is no street frontage, making it impossible to determine if the lot meets the 36-foot minimum width requirement. Also, lots without street frontage lack access for residents and utilities unless easements are provided. Easements are generally not acceptable for some utility connections and cannot be established until *after* the lots are in separate ownership.

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

33.676.300.C. Development Standards.

This standard ensures that when confirming a lot for development, the development on the original site does not become non-conforming, or does not increase the degree of non-conformity. This may include loss of required parking spaces, reductions to setbacks, exceeding building coverage or FAR limits, etc. In these cases, adjustments to the development standards may be requested, to the degree that adjustments are allowed for those standards. Note that FAR is not an adjustable standard.

C. Site plan and supplemental survey.

1. A site plan no larger than 18 inches by 24 inches in size is required for all applications. The site plan must be drawn to scale and show:
 - The location of existing lot or property lines;
 - The boundaries of the re-established lot, lot of record, or combinations thereof;
 - All development on the site including driveways and parking areas;
 - The location of utilities and services; and
 - The location and dimensions of existing curb cuts abutting the site.
2. If existing buildings on the site will remain after the lot confirmation, a supplemental survey signed and stamped by a registered land surveyor is also required. The survey must show the distances between the buildings on the lot and the property line that is being confirmed.

33.676.300 Standards

A request for a Lot Confirmation will be approved if all of the following are met:

- A. Lot or lot of record.** Each lot or lot of record that will be confirmed meets the definition of lot or lot of record.
- B. Minimum lot dimension standards.** The following lot dimension standards apply to each lot, lot of record or combination of lots or lots of record. The standards must be met without necessitating a property line adjustment. Adjustments are prohibited:
 1. In the OS, C, EX, CI and IR zones, each lot must have a front lot line that is at least 10 feet long. There are no other minimum lot dimension standards.
 2. In the single-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of 33.110.202, Development on Lots and Lots of Record.
 3. In the multi-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of Section 33.120.210, Development on Lots and Lots of Record.
 4. In the EG zones, each lot must meet Standard B stated in Table 614-1.
 5. In the I zones, each lot must meet Standard B stated in Table 615-1.
 6. If the lot is in an overlay zone or plan district that regulates minimum lot dimensions, the minimum lot dimension standards of the overlay zone or plan district must be met instead of the standard that corresponds to the base zone.
- C. Development standards.** If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the Lot Confirmation. If existing development is not in conformance with a development standard of this title, the Lot Confirmation will not cause the development to move further out of conformance with the standard unless an adjustment is approved.

Commentary

33.676.300.D. Services. This standard includes the requirement to examine service bureau requirements to ensure the lot does or can be made to comply with service bureau requirements.

33.676.300.E. Conditions of previous land use reviews. To change the applicability of a condition of approval that is still relevant to a site, a new land use review would be required, adjustments are not allowed.

33.676.400

Following the Lot Confirmation approval, the applicant must submit the decision to the County to obtain a new tax account. A timeline has been established for this submittal to prevent approvals from getting "stale". That is where the approval sits without being acted upon, the development or Lot Confirmation rules change and the lot would not be confirmable under the new requirements. The timeline does not pertain to when the county assigns the tax account number, only when the request is submitted to the county for processing.

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

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

33.676.400 Finalizing the Lot Confirmation

A Lot Confirmation approval must be submitted to the appropriate county assessment and taxation office within 90 days of the City’s decision. The County is responsible for creating separate tax identification numbers for each confirmed lot.

Commentary

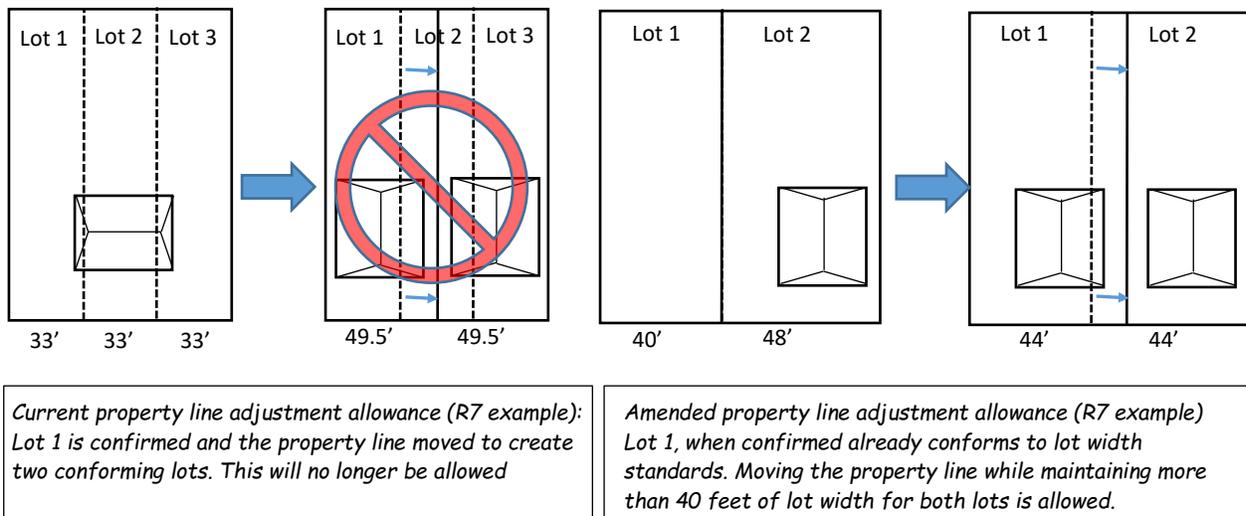
33.677 Property Line Adjustment

The Chapter is being renumbered to accommodate the new Lot Confirmation chapter.

33.677.100 Prohibited Property Line Adjustments

A. Flag lots. Additional flexibility has been added to allow flag lots through a property line adjustment in the R5 and R2.5 zone provided certain qualifications are met, including the added standards in 33.677.300.C.

B. Unbuildable Lots. The current code allows lots to be confirmed even though they do not meet minimum width or area requirements, provided a concurrent property line adjustment is proposed that would satisfy the dimensional requirements. For example, in the R7 zone with 3 lots that are substandard in width (less than 40 feet wide) a concurrent property line adjustment could previously be used to move one lot line, forming two lots that are wide enough to be buildable.



The amendment in essence establishes a two-step process. First, one must be able to develop on the lot or lot of record (it's a legal lot, large enough and wide enough). Only then can one modify the lot lines. This prohibits Property Line Adjustments from being used to create buildable lots from lots (or lot remnants, etc) that are unbuildable since they did not meet the requirements for when primary structures are allowed (e.g. 33.110.202). Where lot density requirements can be met, a land division in these cases could be proposed.

D. Alley Frontage. Emphasis is being added for lots that have alley frontage in terms of locating vehicle access. For example, lots that abut an alley will be required to use the alley to access any parking that may be proposed. To prevent circumventing this requirement, property line adjustments will not be allowed to configure the lot to remove the alley frontage.

33.67733.667 Property Line Adjustment

677667

Sections:

- 33.~~677667~~.010 Purpose
- 33.~~677667~~.050 When these Regulations Apply
- 33.~~677667~~.100 Prohibited Property Line Adjustments
- 33.~~677667~~.150 Method of Review
- 33.~~677667~~.200 Application Requirements
- 33.~~677667~~.300 Standards
- 33.~~677667~~.400 Recording an Approval

33.677667.100 Prohibited Property Line Adjustments

The following are prohibited as part of a Property Line Adjustment:

- A.** A Property Line Adjustment that configures either property as a flag lot, unless:
 - 1. The the property was already a flag lot; or
 - 2. Both properties are in the R5 or R2.5 zone and:
 - a. There is an existing house on one or both properties;
 - b. Only one flag lot is proposed;
- B.** A Property Line Adjustment that results in the creation of a buildable property from an unbuildable lot, lot of record, or lot remnant;
- C.** A Property Line Adjustment that results in the creation of street frontage for property that currently does not have frontage on a street; ~~and~~
- D.** A Property Line Adjustment that removes alley frontage from one or both properties; and
- E. ~~D.~~** A Property Line Adjustment that creates a nonconforming use.

33.677667.150 Method of Review

Property Line Adjustments are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

33.677667.200 Application Requirements

No more than three Property Line Adjustments may be requested on a site within one calendar year. The application must contain the following:

- A. Application form.** Two copies of the completed application form bearing an accurate legal description, tax account numbers and location of the property. The application must include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.

Commentary

33.677.300.A.2

A new provision is added to afford more flexibility when proposing a flag lot PLA. The ability to use a property line adjustment to create a flag lot is intended as an incentive to retain existing houses on Historically Narrow Lots. Frequently, existing houses will exceed the typical max FAR (1,250 - 1,500 square feet). By allowing the house to exceed the maximum FAR enables the PLA to be approved. Subsequent development (either on the vacant flag lot or as an alteration to the house) will have to comply with the maximum FAR.

33.677.300.A.5

This provision is also known as “the corner lot swivel”. It allows historically narrow corner lots in the R5 zone to rotate the lot line to create two standard width lots for detached houses. The reference to the additional standards in 33.110.213 is being removed. These standards have been amended and apply specifically to narrow lots. Since the adjusted lots will no longer be narrow, these additional standards will not apply

B. Surveys.

1. Three paper copies of a property line survey. The survey must be prepared, stamped and signed by a registered land surveyor to meet ORS 92.050. The survey must show all existing and proposed property lines and all existing lot lines. The survey may not be larger than 18 inches by 24 inches in size. The survey must be drawn to a scale no less than 1 inch = 200 feet, and no greater than 1 inch = 20 feet;
2. One copy of the property line survey that is 8-1/2 by 11 inches in size; and
3. One paper copy of a survey of the proposed PLA prepared, stamped, signed, and attested to for accuracy by a registered land surveyor, showing the location, dimensions and setbacks of all improvements on the site. This survey map must be drawn to a scale at least 1 inch = 200 feet.

- C. Legal description.** Two copies of the legal description for each adjusted property and each exchange parcel. The legal descriptions must be prepared and signed by a registered land surveyor.

33.677667.300 Standards

The site of a Property Line Adjustment is the two properties affected by the relocation of the common property line. A request for a Property Line Adjustment will be approved if all of the following are met:

- A. Conformance with regulations.** Both pProperties will remain in conformance with regulations of this Title, including those in Chapters 33.605 through 33.615, except as follows:

1. If a property or development is already out of conformance with a regulation in this Title, the Property Line Adjustment will not cause the property or development to move further out of conformance with the regulation;
2. If the Property Line Adjustment will configure one of the properties as a flag lot, nonconformance with the maximum floor area ratio standard is allowed for the existing development at the time of the property line adjustment. Future alterations may not move the development further out of conformance and new development must comply with the maximum floor area ratio;
- ~~3.~~ If both properties are already out of conformance with maximum lot area standards, they are exempt from the maximum lot area standard;
- ~~4.~~ If one property is already out of conformance with maximum lot area standards, it is exempt from the maximum lot area standard; and
- ~~5.~~ If at least one lot is already out of conformance with the minimum lot area standards and the site is in the R5 zone, the minimum lot area is 1600 square feet and the minimum width is 36 feet, if:
 - a. At least one lot is a corner lot; and
 - b. The adjusted property line must be perpendicular to the street lot line for its entire length; ~~and~~
 - ~~c. New houses must meet the standards of 33.110.213. Existing houses are exempt from the standards of 33.110.213.~~

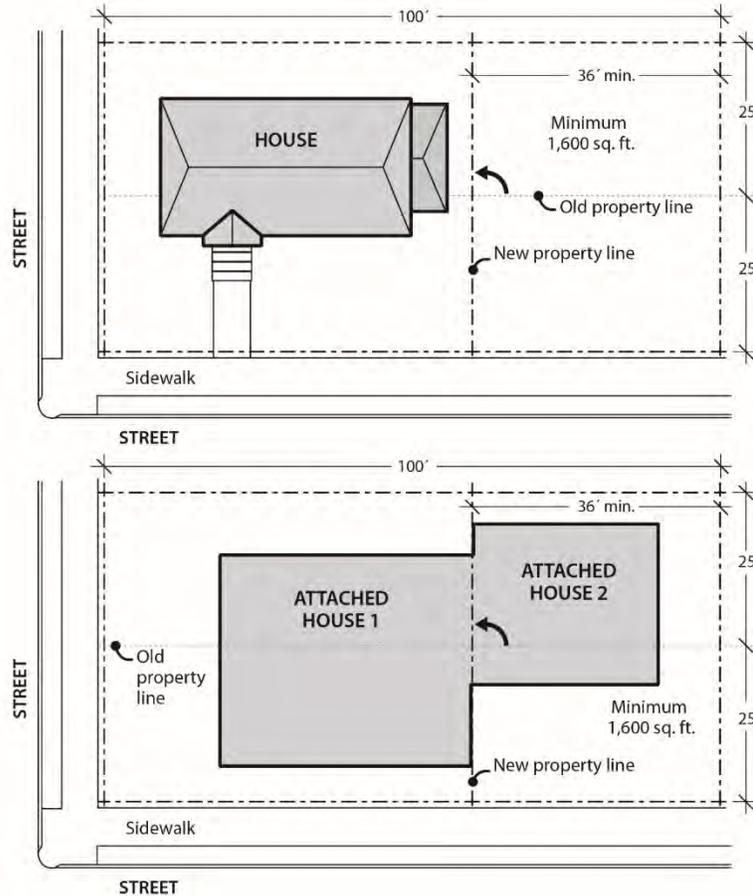
See Figure ~~66~~77-1.

Commentary

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

- B. Regular ~~Lot~~ Lines.** In the R10 through RH and RMP zones, the adjusted property line must be a straight line or up to 20 percent shorter or 20 percent longer than the existing lot line. Lines that are adjusted to follow an established zoning line or the boundary of the special flood hazard area or floodway are exempt from this requirement.

Figure 6677-1
Property Line Adjustment on Corner Site in R5 Zone



Commentary

33.677.300.C Flag Lots in the R5 and R2.5 Zone.

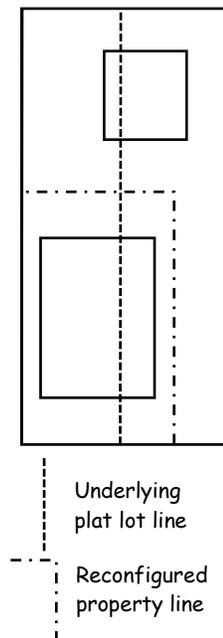
Many Historically Narrow Lots are sites comprised of pairs of 25' x 100' lots. Those sites may be developed with a house+one or two ADUs, pair of attached houses, duplex+ADU, triplex or fourplex.

One alternative to redevelopment that would permit a homeowner to remain in place while taking advantage of the underlying lot and providing for a modest home available for separate purchase (i.e. "fee-simple ownership") is to allow a property line adjustment to reconfigure the parallel lots into a flag lot.

Presently, property line adjustments that configure lots into flag lots are prohibited. In general, flag lots are a less desirable urban form, as they put houses in the back yards of other houses, disrupting the pattern of yards in a block and adding driveways and impervious area. However, in some cases, lot configuration or existing development prevent standard side by side lots, making flag lots the only alternative for land divisions, and thus an option for infill in limited cases.

This change would permit a property line adjustment to reconfigure already existing lots when there is an existing house on the site, the reconfigured lots must be at least 1,600 s.f. and the flag lot may not exceed 3,000 s.f. This ensures that minimum lot area requirements apply, and the maximum lot area ensures that the standards for small flag lots apply (33.110.255).

Additional flexibility is also added to the base zone to reduce the setback from the existing house to the pole (33.110.220.D).



C. Flag Lots in the R5 and R2.5 Zone. In the R5 and R2.5 zone, a Property Line Adjustment may be used to configure a property as a flag lot when all the following are met:

1. Flag pole. The pole portion of the flag lot must meet the following standards. Adjustments are prohibited:
 - a. The pole must connect to a street;
 - b. Pole width:
 - (1) If the pole portion of the flag lot will provide vehicle access to the flag portion of the flag lot, the pole must be at least 12 feet wide for its entire length; or
 - (2) If the pole portion of the flag lot will not provide vehicle access to the flag portion of the flag lot, the pole must be at least 10 feet wide for its entire length. A covenant must be recorded with the deed specifying that no vehicle access is allowed along the pole.
2. Lot dimensions. The lots must meet the following lot dimension standards:
 - a. Lot area.
 - (1) Minimum lot area. Each reconfigured lot must be at least 1,600 square feet. Only the area of the flag portion is included when calculating the minimum lot area for the flag lot. The area of the pole portion of the lot is not included.
 - (2) Maximum flag lot area. The area of the flag lot must be less than 3,000 square feet. The total area of the flag lot, including the pole portion, is included when calculating the maximum lot area for the flag lot.
 - b. Front lot line. There is no minimum front lot line standard for the flag lot.
 - c. Lot width and depth. The minimum lot width and minimum lot depth required for the flag lot is 36 feet measured at the midpoints of the opposite lot lines of the flag portion of the lot. The minimum lot width for the lot in front of the flag lot is 36 feet.

~~DC.~~ Split zoning. The Property Line Adjustment will not result in a property that is in more than one base zone, unless that property was already in more than one base zone.

~~ED.~~ Environmental overlay zones. If any portion of either property is within an environmental overlay zone, the provisions of Chapter 33.430 must be met. Adjustments are prohibited.

~~FE.~~ Services. The adjustment of the property line will not eliminate the availability of services to the properties and the properties will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management. Adjustments are prohibited.

~~GF.~~ Conditions of previous land use reviews. All conditions of previous land use reviews must be met. Adjustments are prohibited.

33.677667.400 Recording an Approval

The Property Line Adjustment application, survey, legal descriptions, and the deed for the exchange parcel must be recorded with the County Recorder and Surveyor within 90 days of the final decision.

Commentary

Table 825-1

In the RF- R2.5 zones, for development on small or narrow lots that were created prior to July 26, 1979, there were additional development standards that applied. These standards were revised and are now embedded in 33.110.260 Additional Development Standards for Narrow Lots (see page 101). Included in those changes is the ability to request deviations from the standards through an adjustment review as opposed to requesting a design review modification. Therefore, this reference in the Table is no longer necessary.

33.825 Design Review

825

Table 825-1 Procedure Type for Design Review Proposals			
Base Zones			
All zones	Signs	In design overlay zones	Type II
	Exterior mechanical equipment		
	New or replacement awnings		
C zones	Planned Development	Using the Planned Development bonus provision described in 33.130.212	Type III
C, E, I, RX, CI zones	Facade alteration	≤ 500 square feet in design overlay zones	Type II
RF—R2.5 zones	Subject to section 33.110.213, Additional Development Standards	Requests to modify standards	Type II
IR zone site with an approved Impact Mitigation Plan (IMP)	Proposals that are identified in IMP	IMP design guidelines are qualitative	Type II
	Proposals that are identified in IMP	IMP design guidelines are objective or quantitative	Type Ix

[No changes to remainder of Table 825-1]

Commentary

33.854 Planned Development Review

The changes shown here incorporate additional review criteria related to cluster housing open space and circulation.

33.854.200.C. Review Procedures

For Planned Developments, the changes reduce the review type from a Type III review to a Type IIX review for multi dwelling development proposals. (sites containing more than one primary dwelling unit on a single lot). Planned Developments that propose multi dwelling structures (buildings containing five or more units) are still subject to a Type III review.

For sites in R7 through R2.5, the threshold for Type III review has been increased from 11 to 21 units. While this is not directly equivalent to a 10 lot land division that could allow up to 4 units per lot, there are many variables that make direct parity impossible and/or create significant complexity in the code. To be directly parallel, an applicant would need to demonstrate that the site could be divided into at least 10 lots that meet minimum lot sizes for 3-4 units, considering right of way needs, site constraints and lot configurations. A requirement to develop a land division plan for the purposes of determining an equivalent review threshold is impractical and counter to the purpose of more holistic site planning for planned developments. Therefore, for the sake of simplicity while still acknowledging higher unit potential in the higher density single dwelling zones and other zones where household living is allowed, the threshold has been doubled to 20 units.

33.854 Planned Development Review

854

Review of Planned Development

33.854.200 Review Procedures

- A. Concurrent reviews.** When land use reviews in addition to Planned Development Review are requested or required, all of the reviews must be processed concurrently, except for Design Review for buildings within a Planned Development site when the Planned Development bonus is being utilized (See 33.130.212.E). In this case, Design Review may be processed after the Planned Development Review.
- B. Planned Development bonus.** Proposals that are using the commercial/mixed use zones Planned Development bonus (See 33.130.212.E) are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
- C. All other Planned Development Reviews.**
1. Review in conjunction with a land division. When a Planned Development is requested in conjunction with a land division, the review will be processed as follows:
 - a. Type III review. Proposals in the RF through R2.5 zones that include ~~attached duplexes, multi-dwelling structures, or multi-dwelling development~~ are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
 - b. Type IIx review. All other proposals are processed through the Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
 2. Review not in conjunction with a land division. When a Planned Development is not in conjunction with a land division, the review will be processed as follows:
 - a. Type III review. ~~Planned Developments Proposals~~ that include any of the following elements are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact:
 - (1) ~~Attached duplexes, Multi-dwelling structures, or multi-dwelling development~~ in the RF through R2.5 zones;
 - (2) Eleven or more units in the RF through R10 zones
 - (3) Twenty-one or more units in R7 through R2.5, Multi-Dwelling, Commercial/Mixed Use, CI2, IR and EX zones;
 - ~~(4)(3)~~ Four or more units where any building location, utility, or service is proposed within a Potential Landslide Hazard Area;
 - ~~(5)(4)~~ Environmental review;
 - ~~(6)(5)~~ Any portion of the site is in an Open Space zone.
 - b. Type IIx review. All other proposals not assigned to a Type III in Subparagraph C.2.a. are processed through a Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.

Commentary

33.854.310 Approval Criteria for Planned Developments in All Zones

Corrected the reference for the applicable criteria for proposals seeking additional height or FAR in the CM2, CM3, CE and CX zones.

Changed the reference to refer to two new criteria (G. Pedestrian Access and H. Garbage and Recycling Areas)

33.854.310.A. Urban design and development framework.

Two minor changes: the first updates the name from "master plan area" to "planned development area" for clarity and to be more accurate. The second removes the extemporaneous "and" at the end of the list.

33.854.310.E. Site Design.

These changes highlight the need to orient development to the adjacent streets, to prevent the design from "turning its back" to the street. Public realm is also clarified to include plazas and other gathering areas that are accessible from the street. Also, the extemporaneous "and" was removed from the end of this list.

33.854.310 Approval Criteria for Planned Developments in All Zones

Criteria A through ~~EF~~ apply to proposals for additional height or FAR in the CM2, CM3, CE, and CX zones that are taking advantage of 33.270.100.I. If the Planned Development is not proposing additional height or FAR as allowed by 33.270.100.I, then only criteria E through Hand F apply.

A. Urban design and development framework.

1. The proposed overall scheme and site plan provide a framework for development that meets applicable Community Design Guidelines and will result in development that complements the surrounding area;
2. Scale and massing of the development addresses the context of the area, including historic resources, and provides appropriate scale and massing transitions to the adjacent uses and development specifically at the edges of the Planned Development~~Master Plan~~ area;
3. Proposed plazas, parks, or open areas are well located to serve the site and public, and are designed to address safety and comfort of users; and
4. The site plan promotes active ground floor uses on key streets to serve the development and surrounding neighborhood.~~;~~~~and~~

B. Transportation system. [No change]

C. Stormwater Management. [No change]

D. Phasing Plan. [No change]

E. Site Design. Configure the site and development to visually integrate both the natural and built features of the site and the natural and built features of the surrounding area. Aspects to be considered include:

1. Orienting the site and development to the public realm, while limiting less active uses of the site such as parking and storage areas along the public realm. Public realm includes adjacent streets as well as plazas and common open areas that are accessible from the street;
2. Preservation of natural features on the site, such as stands of trees, water features or topographical elements;
3. Inclusion of architectural features that complement positive characteristics of surrounding development, such as similar building scale and style, building materials, setbacks, and landscaping;
4. Mitigation of differences in appearance through means such as setbacks, screening, landscaping, and other design features;
5. Minimizing potential negative effects on surrounding residential uses; and
6. Preservation of any City-designated scenic resources.~~;~~~~and~~

Commentary

33.854.310.F Open Area

These changes add a title to the subsection, and differentiate criteria for providing “adequate open area” for proposals that include attached houses, duplexes, triplexes, fourplexes or multi dwelling structures from proposals that include only detached primary units (houses).

For multi-dwelling developments with detached single units, a “featured open area” is required. The intent is to have this area be a focal point for the development by orienting at least half the units around it.

33.854.310.G. Accessible connections

When multi dwelling development or multi dwelling structures are proposed in zones where they are not allowed outright, pedestrian connections are not specifically addressed in the base zone. This new criterion ensures pedestrian connections are provided between buildings and the street or parking area and call for a pleasant pedestrian experience to encourage walking through the site.

33.854.310.H Garbage and Recycling Areas

When multi dwelling development or multi dwelling structures are proposed in zones where they are not allowed outright, garbage and recycling areas are not specifically addressed. This new criterion ensures that adequate area and attention is given to the functional needs for garbage and recycling collection.

- F. Open Area.** ~~Provide adequate open area on~~ On sites zoned RF through R2.5:
1. ~~w~~Where proposed development includes attached houses, duplexes, triplexes, fourplexes, attached duplexes, or multi-dwelling structures, or multi-dwelling development, adequate open area to accommodate the proposed development must be provided. Open area does not include vehicle areas.
 2. Where multi-dwelling development with detached single dwelling units is proposed, 50 percent of the total number of dwelling units on the site must be oriented around a common outdoor area.
- G. Accessible connections.** Provide one or more accessible routes that connect all buildings on the site to adjacent streets, common open areas, and parking areas. Use landscaping and site furnishings to ensure the accessible route provides a pleasant user experience.
- H. Garbage and recycling areas.** Garbage and recycling collection areas must be adequate in size to accommodate the proposed development, designed to encourage recycling, and located to facilitate pick-up service. Screening and buffering of garbage and recycling areas must be provided to maintain a clean and attractive development.

Commentary

33.900 List of Terms

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

Connected Structure is a new term being added which is used to better distinguish attached and detached accessory structures.

Fourplex is being added as a type of residential structure that is distinct from multi-dwelling structures.

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

33.900 List of Terms

900

33.900.010 List of Terms

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

Basement

Connected Structure

Fourplex See Residential
Structure Types

Residential Structure Types

- Fourplex

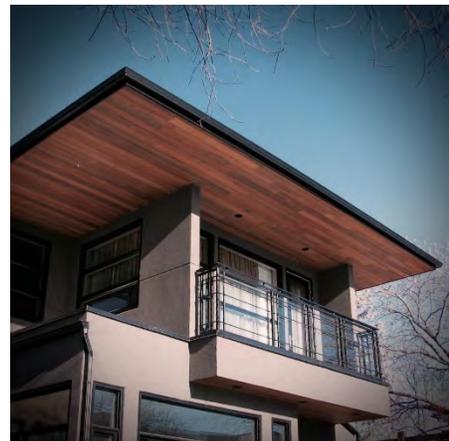
Commentary

33.910 Definitions

Attached structure. The definition of attached structure is being revised to more closely align with the definition of attached houses. In both cases, the term "attached" will mean that the structures share a wall or floor/ceiling (the floor of one structure is the ceiling of the other). The revision to the definition of attached structure helps to clarify the difference between a structure that is attached and one that is connected to another. Structures that are connected are not joined by walls or floor/ceilings. Connected structures are connected by a minor element such as a breezeway, and connected structures appear more like detached structures.

Basement. A definition of basement is being added to the zoning code because basements are exempt from the measurement of floor area. Floor area, which is intended to be a measure of building bulk, includes exemptions for building space that is partially or fully below grade. The definition of basement is intended to ensure that daylight basements and other basement levels that are at least half concealed below the ground are not counted toward the maximum FAR limit. This in part addresses concerns that some existing basement floors that are less than 4 feet below grade, but are still half below ground (e.g. 3 ½ feet down, 3 ½ feet up). This would also consider a daylight basement a "basement" provided for example -one wall was up to 100% exposed, the opposite wall was 0% exposed and the side walls each 50% or less exposed.

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



Connected structure. This is a new definition used to distinguish "attached structure" from a structure that is attached to a primary structure by a cover or deck. These connected structures are being regulated more similarly to detached structures.

33.910 Definitions

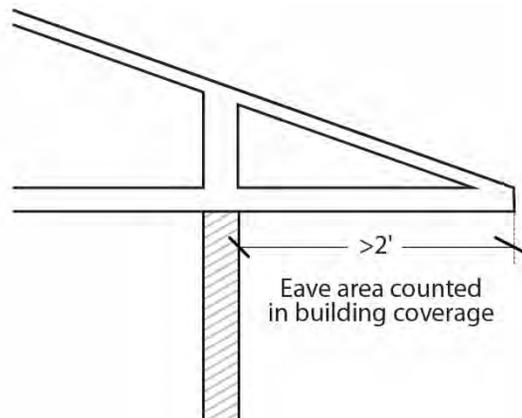
910

Attached Structure. Any structure that is attached to a primary~~another~~ structure by a common wall or shares a common floor/ceiling. For example, a garage is an attached structure when it shares a common wall with a primary dwelling unit. Structures that are attached solely by elements other than a common wall or floor/ceiling are not considered attached. See Connected Structure. ~~by a roof, or by structural connections that allow pedestrian access to both structures. For example, decks or stairways are attached structures when they are connected to another structure. A garage may be attached to another structure by sharing a wall or by a roofed structure such as a breezeway. Structures connected by an "I" beam or similar connections are not considered attached.~~

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

Building Coverage. The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves up to 2 feet in depth are not included in building coverage. See Figure 910-11.

Figure 910-11
Area of eave excluded from building coverage



Connected Structure. Any structure that is connected to a primary structure by a roof, a deck or by other structural connections, and which does not share a common wall, ceiling or floor. For example, decks or stairways are connected structures when they are fastened to a primary structure. A garage that is connected to a primary structure by a roofed structure such as a breezeway, and does not share a common wall with the primary structure, is a connected accessory structure. See Attached Structure.

Commentary

Floor area. Because FAR limits will apply in single-dwelling zones, minor revisions to the definition of floor area are being made to address smaller residential structure types. (See definition of basement on previous page.) This is more relevant for smaller residential structures that sit inside the lot away from the street than it is for larger mixed use buildings which more frequently are located directly adjacent to rights of way.

Also, portions of attics with a low ceiling height are excluded from "floor area". These spaces are not counted as habitable area per the building code, and with the low headroom, they do not substantially increase a building's height or bulk.

Figure 910-20 Floor Area in Attics

This new figure shows what is and what is not floor area in an attic space. Where the ceiling is higher than 6'8" tall, that portion of the room is counted.

Chapter 3, Section 305 of the Oregon Residential Specialty Code

305.1 Minimum height.

Habitable space, hallways, bath-rooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions

2. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
4. Conversion of existing nonhabitable spaces, such as a basement or attic, to habitable space, shall provide a minimum 6 feet, 8 inch (2032 mm) ceiling height for flat ceilings or the portion required under Exception 2 above.

Garage. The definition is being amended to include a triplex and fourplex, which were both previously defined as multi-dwelling structures. This will facilitate applying standards for garages to triplexes and fourplexes rather than applying the standards for parking structures.

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

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

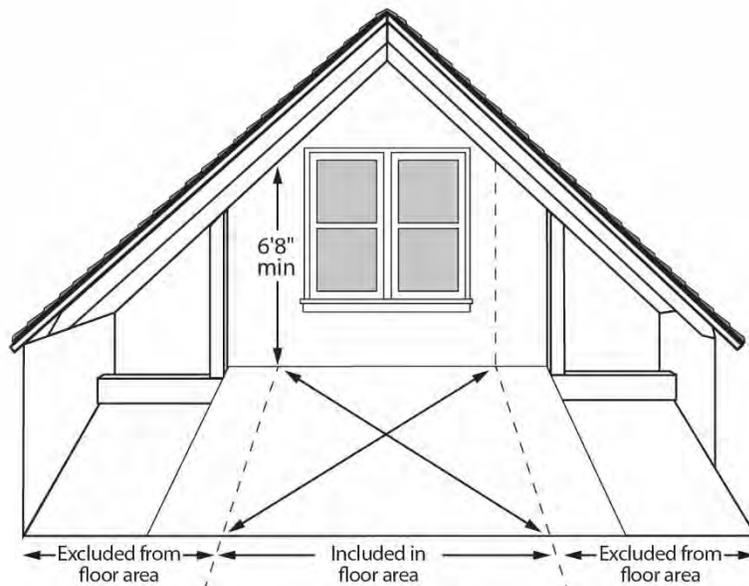
GRADE PLANE. A reference plane representing the average of finished ground level adjoining the building at *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the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

Floor Area. The total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. Floor area does not include the following:

- Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way;
- Basements;
- Portions of attics where the finished ceiling height is less than 6 feet 8 inches. See Figure 910-20;
- Roof area, including roof top parking;
- Roof top mechanical equipment; and
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height, for 75 percent or more of their perimeter.

See also Net Building Area, Gross Building Area

Figure 910-20
Floor Area in Attics



Garage. A covered structure that is accessory to a use in a house, attached house, duplex, triplex, fourplex, manufactured dwelling, or houseboat, and that:

- Is designed to provide shelter for vehicles;
- Is connected to a right-of-way by a driveway; and
- Has an opening that is at least 8-feet wide.

Carports are considered garages. Floor area adjacent to the space designed to provide shelter for vehicles, if not entirely separated from the garage area by floor-to-ceiling walls, is considered part of the garage. A garage may be attached to or detached from another structure. See also Structured Parking.

Grade. The final elevation of the ground. ~~The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. This is the definition used in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.)~~

Commentary

Lot. Clarification is being added that a lot may be considered more than one type of lot. For example, a corner lot may also be a through lot. Moreover, an adjusted lot can be a corner lot, a through lot, or a flag lot.

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

Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site. A lot can be more than one type of lot:

- **Adjusted Lot.** A lot that has had one or more of its lot lines altered through ~~an approved property line adjustment or through~~ a deed, or other instrument relocating a property line, recorded with the appropriate county recorder prior to July 26, 1979, or through an approved property line adjustment. An adjusted lot may have equal or larger lot area than the original lot. An adjusted lot may have smaller lot area than the original lot, but must have a lot area that is more than 50% percent of the original lot area. Portions of an original lot that are 50% percent or less of the original lot area are defined as lot remnants. See Figures 910-17 and 910-18.
- **Corner Lot.** A lot that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or less, measured from the center line of the street, is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot. See Figure 910-4.
- **Flag Lot.** A lot with two distinct parts (see Figure 910-5):
 - The flag, which is the only building site; and is located behind another lot; and
 - The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.
- ~~**New Narrow Lot.** A lot that was created by a land division submitted after June 30, 2002, and:~~
 - ~~— Is in the R10 through R5 zone and does not meet the minimum lot width standard of 33.610.200.D.1; or~~
 - ~~— Is in the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.~~
- **Through Lot.** A lot that has frontage on two streets, and where the lot frontages do not intersect. See Figure 910-4.

Commentary

Non-conforming development

Provisions in 33.258 allow non-conforming development to be rebuilt when destroyed by accidental causes (e.g. fire). The qualification that non-conforming development excludes existing buildings that are over a certain size (when that size is prohibited) is confusing and not intended to prevent existing buildings that exceed FAR limits from being rebuilt. Therefore, this statement is deleted.

Residential Structure Types

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

Fourplex. A new definition of fourplex is being added because the single-dwelling zone Residential Infill Options will allow fourplexes (four units in one structure) on some R2.5, R5, and R7 lots.

Multi-Dwelling development. The example in the definition is removed because it creates confusion. The terms "house" and "duplex" are defined as structures located on their own lots. Therefore, the statement that a "duplex in front with either 1 or more single dwelling houses behind or 1 or more duplex units or multi-dwelling structures behind " is not technically accurate. The moment a separate primary unit in a separate building is added to a site with a house or duplex, the site is considered multi-dwelling development.

Multi-Dwelling Structure. The definition is being changed to reflect that triplexes and fourplexes are no longer defined as a multi-dwelling structure type, but remain their own distinct structure type, like "duplexes". This makes these residential structure types mutually exclusive and removes overlap.

Triplex. Triplexes are not a new residential structure type, but they had previously been considered a subset of multi-dwelling structures. They were redefined as their own structure type, but continue to be defined as three dwelling units in one structure on a lot.

Structured Parking. The revisions to the definition of "garage" added triplexes and fourplexes. Consequently, these residential structure types are being identified as not being associated with "Structured parking".

Nonconforming Development. An element of a development, such as a setback, height, or parking area, that was created in conformance with development regulations but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable development standards. ~~Nonconforming development includes development that is over a maximum allowed building size, as long as the development does not include a building size that is specifically prohibited by the current development standards.~~

Residential Structure Types

- **Accessory Dwelling Unit.** An additional second dwelling unit created on a lot with a primary dwelling unit, house, attached house, or manufactured home. The second unit is created auxiliary to, and is always smaller than the primary dwelling unit except when the accessory dwelling unit is in an existing basement house, attached house, or manufactured home. The accessory dwelling unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. Kitchen facilities for cooking in the unit are described in Section 29.30.160 of Title 29, Property and Maintenance Regulations. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.
- **Attached Duplex.** [no change]
- **Attached House.** [No change]
- **Duplex.** [No change]
- **Dwelling Unit.** [No change]
- **Fourplex.** A structure that contains four primary dwelling units on one lot. Each unit must share a common wall or common floor/ceiling with at least one other unit.
- **Group Living Facility.** [No change]
- **House.** [No change]
- **Houseboat Moorage.** [No change]
- **Manufactured Dwelling.** [No change]
- **Multi-Dwelling Development.** A grouping of individual structures where each structure contains 1 or more dwelling units. The land underneath the structures is not divided into separate lots. ~~A multi-dwelling development project may include an existing single dwelling detached building with 1 or more new detached structures located to the rear or the side of the existing house. It might also include a duplex in front with either 1 or more single dwelling houses behind or 1 or more duplex units or multi-dwelling structures behind.~~ The key characteristic of this housing type is that there is no requirement for the structures on the sites to be attached.
- **Multi-Dwelling Structure.** A structure that contains ~~three~~five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwelling includes structures commonly called garden apartments, apartments, and condominiums.
- **Single Room Occupancy Housing (SRO).** [No change]
- **Triplex.** ~~A multi-dwelling structure that contains three primary dwelling units on one lot. Each unit must share a common wall or common floor/ceiling with at least one other unit.~~

Structured Parking. A covered structure or portion of a covered structure that provides parking areas for motor vehicles. Parking on top of a structure—where there is gross building area below the parking, but nothing above it—is structured parking. The structure can be the primary structure for a Commercial Parking facility or be accessory to multi-dwelling residential, commercial, employment, industrial, institutional, or other structures. A structure that is accessory to a single-dwelling residential structure (including houses, attached houses, duplexes, triplexes, fourplexes, manufactured dwellings, or houseboats) is a garage and is not included as structured parking. See also Garage, Parking Area, and Underground Parking.

Commentary

33.930.050 Measuring Height

The changes to the measurement of building height are significant. They aim to close potential loopholes that have allowed buildings to be taller than desired. In the past, pushing the envelope on base zone height limits has not been an issue because new development was not maximizing development allowances on sites. Recently however, new development frequently maximizes the development to compensate for the increased land cost. It is relatively frequent for development to exceed the height limit by exposing the basement or building full-floor "dormers" to create a 4 story house. The amendments to this section are intended to ensure that the height limit keeps structures at $2\frac{1}{2}$ story in the single dwelling zones.

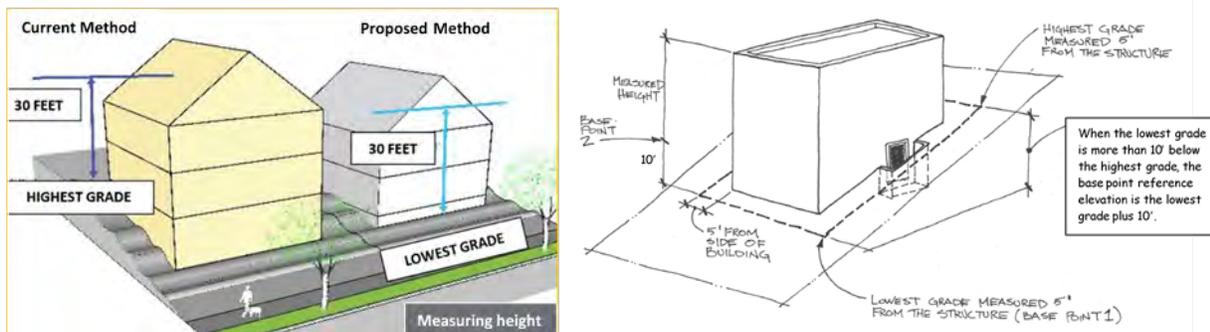
The new height measurement methodology maintains the current paradigm of measuring height between a base point and a top reference point determined by the type of roof.

Height is still measured from the finished grade—not the pre-development grade—as pre-development grade is difficult to verify once construction has begun, can create challenging design scenarios, and for sites with pre-existing development, raise questions about what "pre-development" grade is.

The most significant proposed change is switching from measuring from the *highest* point anywhere within a 5-foot distance from a building wall, to measuring from the *lowest* point along a perimeter line drawn 5 feet from the building wall. This ensures that the base point reference can't be artificially raised in one spot or along one side of a building to allow the entire building to be taller; the entire perimeter of the building would need to be raised. By using a perimeter line 5 feet from the building versus describing the entire area within 5 feet of the building, window wells and access stairs to basements can be excluded as the "lowest point" for calculating height provided these features do not extend beyond the 5-foot area.

An allowance is also provided for a 5-foot wide pedestrian only connection through the perimeter grade measurement line. If the lowest point is within this connection, the next lowest grade point is used. This is to provide connections between the street and basements on raised lots.

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



33.930 Measurements

930

33.930.050 Measuring Height

A. Measuring building height. The height of a building is the vertical distance between the base reference point and the highest roof-type reference point. The methods for establishing the base reference point are described in Paragraph A.1. Methods to establish the roof-type reference point are described in Paragraph A.2.

1. Base reference point.

a. In commercial/mixed use zones. In the commercial/mixed-use zones, when any portion of a building is within 25 feet of an existing or proposed sidewalk, the base reference point is determined using the method described in Subsubparagraphs A.1.a(1) and A.1.a(2). See Figure 930-25 and 930-26. If no portion of a building is within 25 feet of an existing or proposed sidewalk, the base reference point is determined using the method described in Subparagraph A.1.b.:

(1) Identify the lowest and highest grade of the sidewalk located within 25 feet of the building.

(2) Determine the base reference point:

- When the lowest grade of the existing or proposed sidewalk located within 25 feet of the building is not more than 10 feet below the highest grade of the sidewalk adjacent to the site within 25 feet of the building, the base reference point is the lowest grade of the sidewalk.
- When the lowest grade of the existing or proposed sidewalk located within 25 feet of the building is more than 10 feet below the highest grade of the sidewalk adjacent to the site within 25 feet of the building, the base reference point is the lowest grade of the sidewalk plus 10 feet.

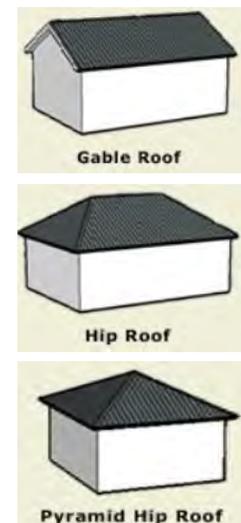
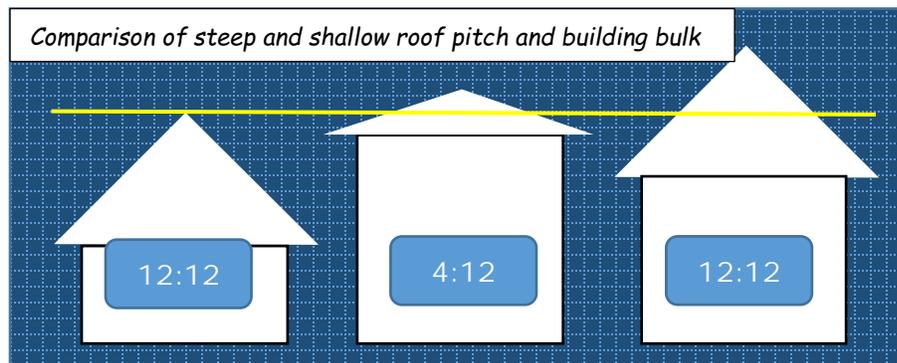
Commentary

Roof Type Reference Point

The other significant change is the requirement to use the roof-type reference point that yields the highest measurement. Currently the average height of the highest gable is most commonly used to determine building height. However, if there is a smaller gable roof with an average height that is higher than the larger roof (by virtue of using averages) but that roof is not above the ridgeline of the larger roof, then the lower reference for the larger roof is used. Or if there is a shed roof dormer on a gable roof, but the shed roof doesn't project above the gable, then the midpoint of the gable is currently used. With this change, the reference point for each roof would be compared to see which yields the highest measurement (see example on next commentary page).

The amendments also delete the differentiation between less steep roofs (<12:12 pitch) and very steep roofs (12:12 pitch and greater). Currently, the code differentiates measurement methods between gable and hip roofs with less than 12:12 pitch (measure to the midpoint), from those with 12:12 and greater roof pitch (measure to the peak). The code also requires that the measurement for pyramidal shaped roofs be to the peak of the roof, even though the difference between pyramidal and gable/hipped roofs is nearly imperceptible from the ground.

These changes treat these roof types the same by measuring to the midpoint in all cases. This allows for steeper pitched roofs that may be taller, but the building profile is typically less bulky than buildings with lower pitched roofs. This, along with FAR limits that count tall attic spaces will work together to reduce the overall building bulk.



b. In all other zones, the base reference point is determined using the method described in Subparagraphs A.1.b(1) and A.1.b(2). See Figure 930-7:

(1) Identify the lowest and highest grade exactly 5 feet from the building. To establish lowest and highest grade, draw a line exactly 5 feet from all sides of the building and identify the lowest and the highest grade along the line. Exclude from the identification of lowest grade pedestrian-only paths that are no more than 5 feet wide that provide access from the street to an entrance into the building. If the property line is less than 5 feet from any side of the building, the line must follow the property line for the segment where the property line is less than 5 feet from the building.

(2) Determine the base reference point:

- When the lowest grade is not more than 10 feet below the highest grade exactly 5 feet from the building, the lowest grade is the base reference point.
- When the lowest grade is more than 10 feet below the highest grade exactly 5 feet from the building, the base reference point is the lowest grade plus 10 feet.

2. Roof-type reference point. The methods to determine the roof-type reference point are described below and are shown in Figure 930-5. There may be multiple roof-type reference points on a building:

- Flat roof (pitch is 2 in 12 or less): Measure to the highest point of the roof except in the residential zones where the measurement is to the top of the parapet, or if there is no parapet, to the highest point of the roof.
- Mansard roof: Measure to the deck line.
- Gabled, hipped, gambrel, or pyramidal roof: Measure to the average height of the gable.
- Other roof types such as domed, shed, or vaulted shapes: Measure to the highest point.
- Stepped or terraced building: Measure to the highest point of any segment of the building.

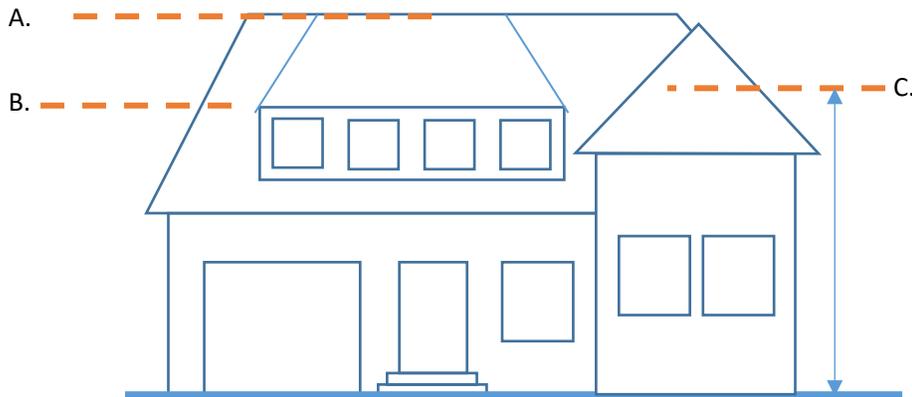
Commentary

Figure 930-5

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

Figure 930-6

This figure has been revised to incorporate the restructured height measurement language which no longer refers to "base point 1" and "base point 2"



Dormer shed roof (A.) this is not included in height calculation in single dwelling base zone, if it meets the standards of 33.110.220.C.2

Main gable roof (B.) even though the ridge is highest, its midpoint is not.

Small gable roof (C.) even though this roof ridgeline is lower than the larger gable, the midpoint of this roof is the highest roof reference point, therefore this point is used for height calculation.

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Figure 930-5
Measuring Height – Roof Types

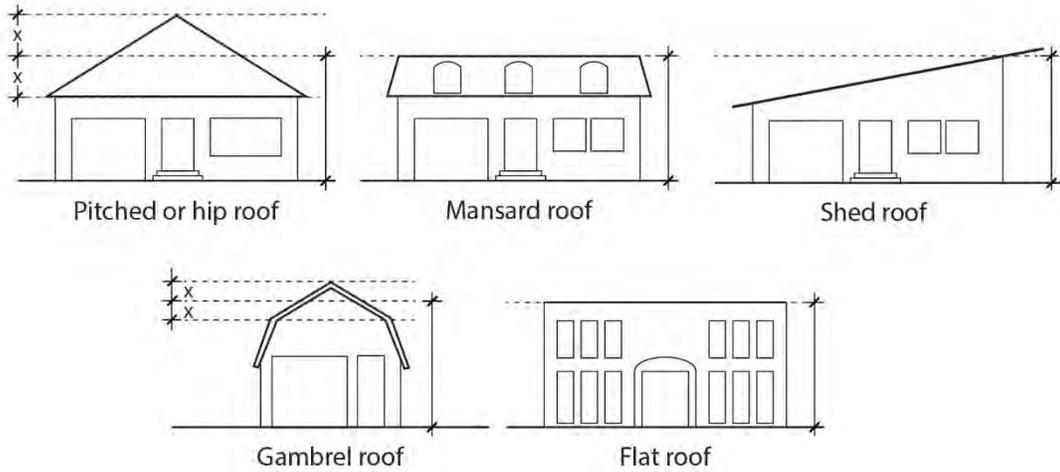
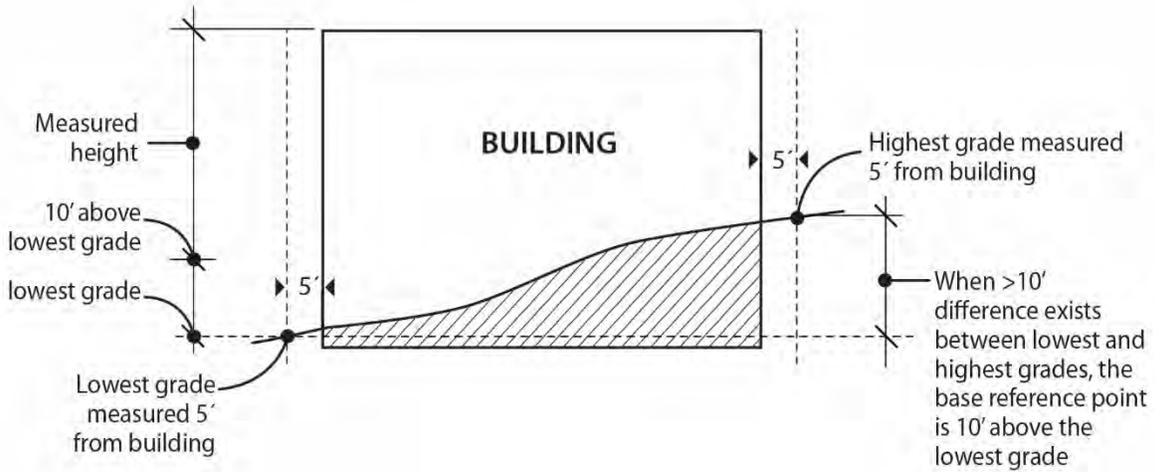


Figure 930-6
Measuring Height – Determining Base Reference Point



Commentary

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Figure 930-25
Measuring Height – Commercial/Mixed Use Zones

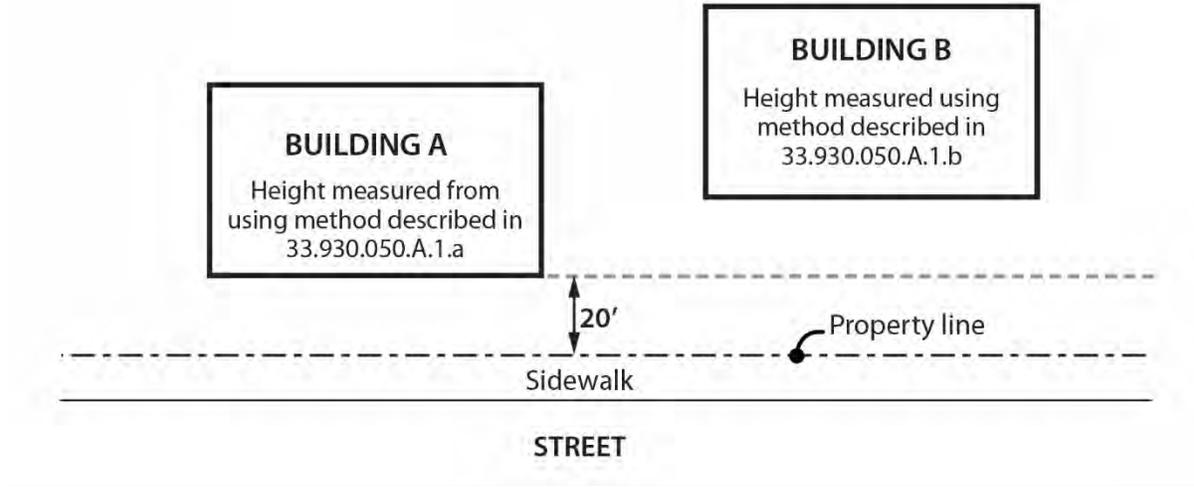
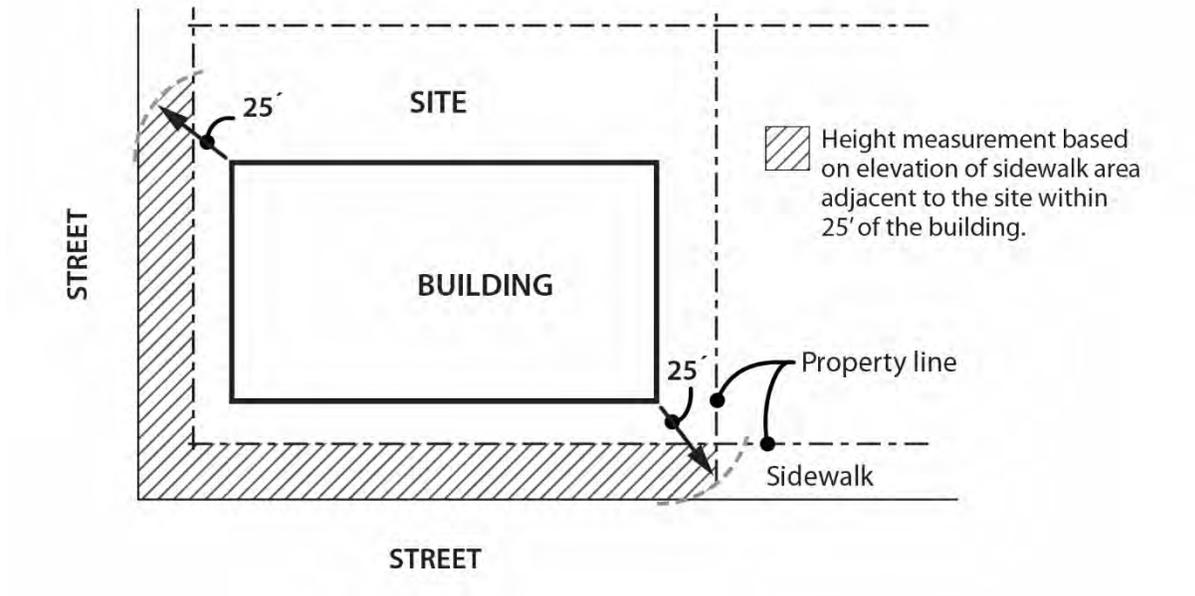


Figure 930-26
**Measuring Height – Sidewalk Area Used for Height Measurement
in Commercial/Mixed Use Zones**



Commentary

33.930.050 Measuring Height

A. Measuring building height. Height of buildings is generally measured as provided in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.) The height of buildings is the vertical distance above the base point described in Paragraphs A.1. or A.2., unless the site is in a commercial/mixed use zone, in which case the height of buildings is measured as described in Paragraph A.3. The base point used is the method that yields the greater height of building. Methods to measure specific roof types are shown below and in Figure 930-5:

- ~~Flat roof (pitch is 2 in 12 or less): Measure to the highest point of the roof except in the residential zones where the measurement is to the top of the parapet, or if there is no parapet, to the highest point of the roof.~~
 - ~~Mansard roof: Measure to the deck line.~~
 - ~~Gabled, hipped, or gambrel roof where roof pitch is 12 in 12 or less: Measure to the average height of the highest gable.~~
 - ~~Gabled or hipped roofs with a pitch steeper than 12 in 12: Measure to the highest point.~~
 - ~~Gambrel roofs where both pitches are steeper than 12 in 12: Measure to the highest point.~~
 - ~~Other roof shapes such as domed, shed, vaulted, or pyramidal shapes: Measure to the highest point.~~
 - ~~Stepped or terraced building: Measure to the highest point of any segment of the building.~~
1. ~~Base point 1. Base point 1 is the elevation of the highest adjoining sidewalk or ground surface within a 5 foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade. See Figure 930-6.~~
 2. ~~Base point 2. Base point 2 is the elevation that is 10 feet higher than the lowest grade when the sidewalk or ground surface described in Paragraph 1., above, is more than 10 feet above lowest grade. See Figure 930-7.~~
 3. ~~In the commercial/mixed use zones, the height measurement is based on the location of a building relative to a street lot line and the elevation of sidewalk area adjacent to the site, as follows:~~
 - a. ~~When any portion of a building is within 20 feet of a street lot line, the base point from which height is measured is described below. See Figure 930-25 and Figure 930-26:~~
 - (1) ~~Within 25 feet of the building, when the difference between the highest elevation and the lowest elevation of sidewalk is 10 feet or less, the base point is the highest elevation of the sidewalk; or~~
 - (2) ~~Within 25 feet of the building, when the difference between the highest elevation and the lowest elevation of sidewalk is more than 10 feet, the base point is a point 10 feet above the lowest elevation of the sidewalk.~~
 - b. ~~For all other buildings, or if no sidewalk exists or is proposed within 25 feet of the building, height is measured using the base points described in Paragraphs A.1. and A.2.~~

Commentary

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Figure 930-5
Measuring Height—Roof Types

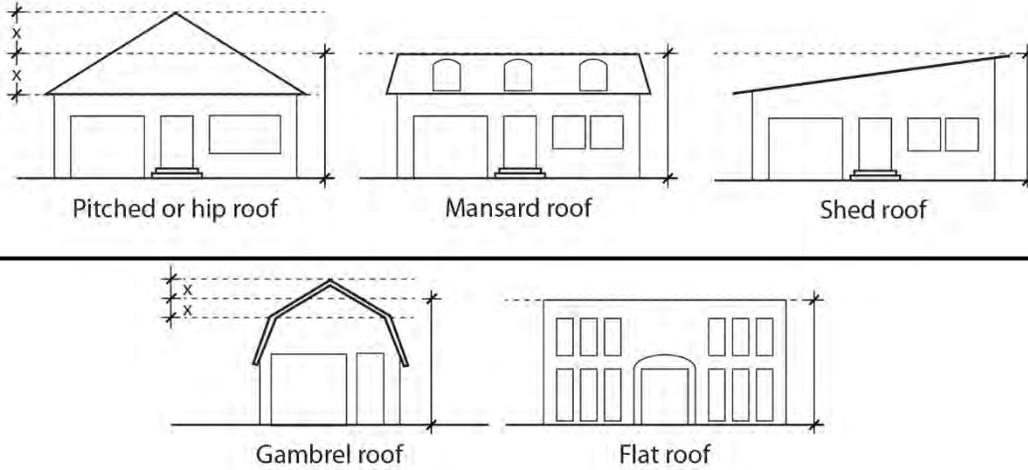
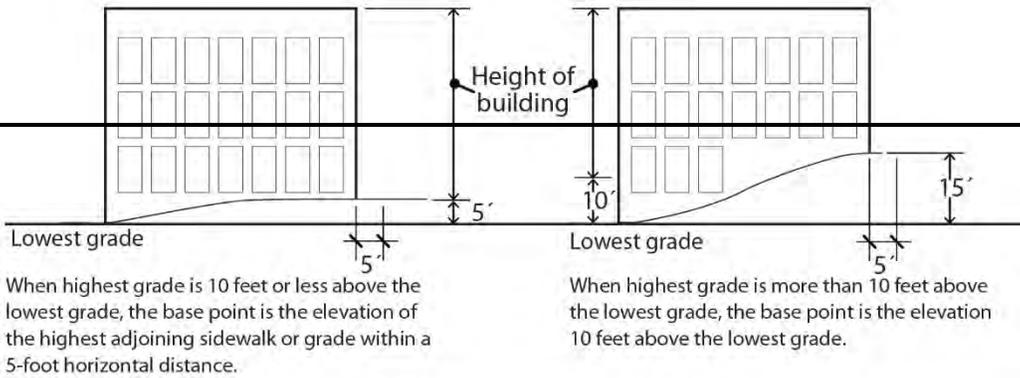


Figure 930-6 — **Figure 930-7**
Measuring Height—Base Point 1 — **Measuring Height—Base Point 2**



Commentary

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Figure 930-25
Measuring Height – Commercial/Mixed Use Zones

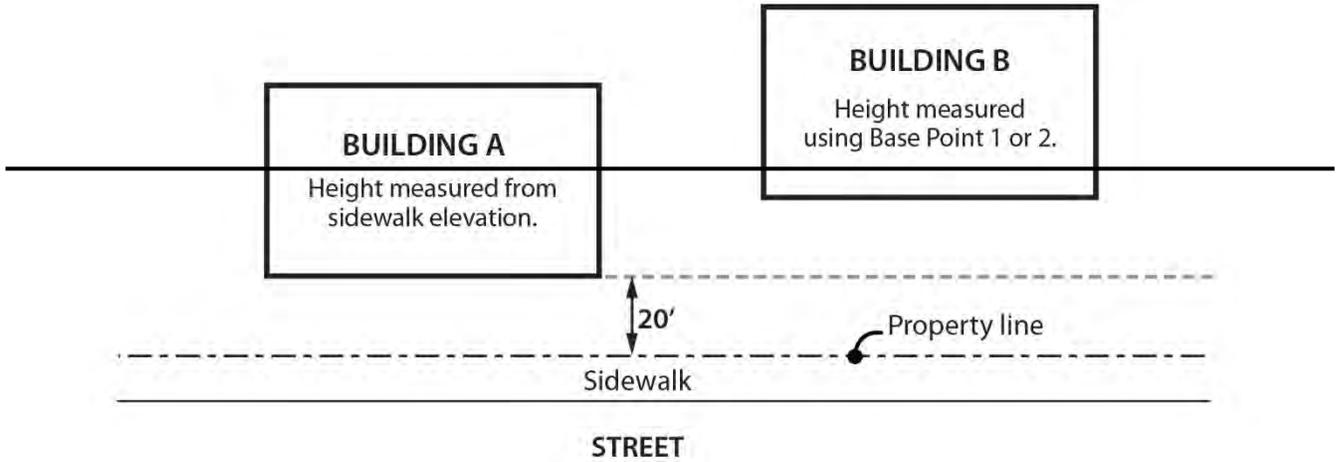
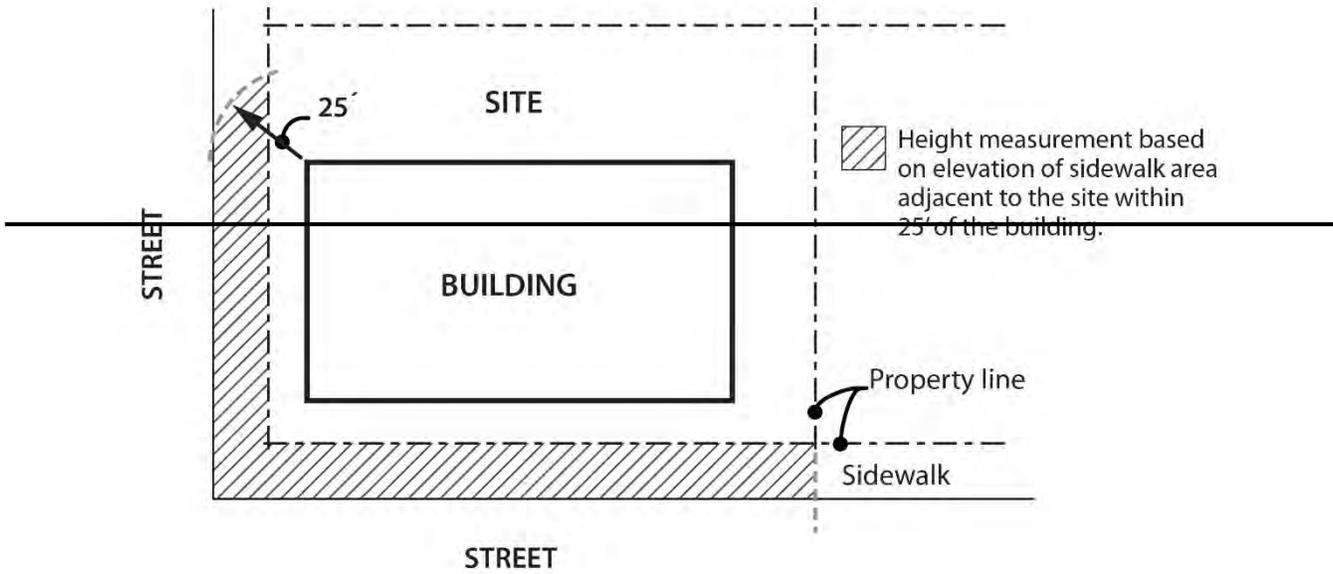


Figure 930-26
Measuring Height – Sidewalk Area Used for Height Measurement in Commercial/Mixed Use Zones



B. Measuring height of other structures. [No change]

Commentary

33.930.060 Determining Average Slope

The numbering for Subsection A was deleted as there is no longer a subsection B.

Figure 930-9 Calculating Average Slope

This figure was updated to show an irregular lot configuration, to clarify how measurements are made in these situations. The method was not changed.

33.930.060 Determining Average Slope

~~A. — Average slope used.~~ When calculating the slope of a lot an average slope is used based on the elevations at the corners of the lot. The average slope of a lot is calculated by subtracting the average elevation of the uphill lot line and the average elevation of the downhill lot line and dividing the sum by the average distance between the two lot lines. The average elevation of the uphill or downhill lot line is calculated by adding the elevations at the ends of the lot line and dividing by two. See Figure 930-9.

Figure 930-9
Calculating Average Slope

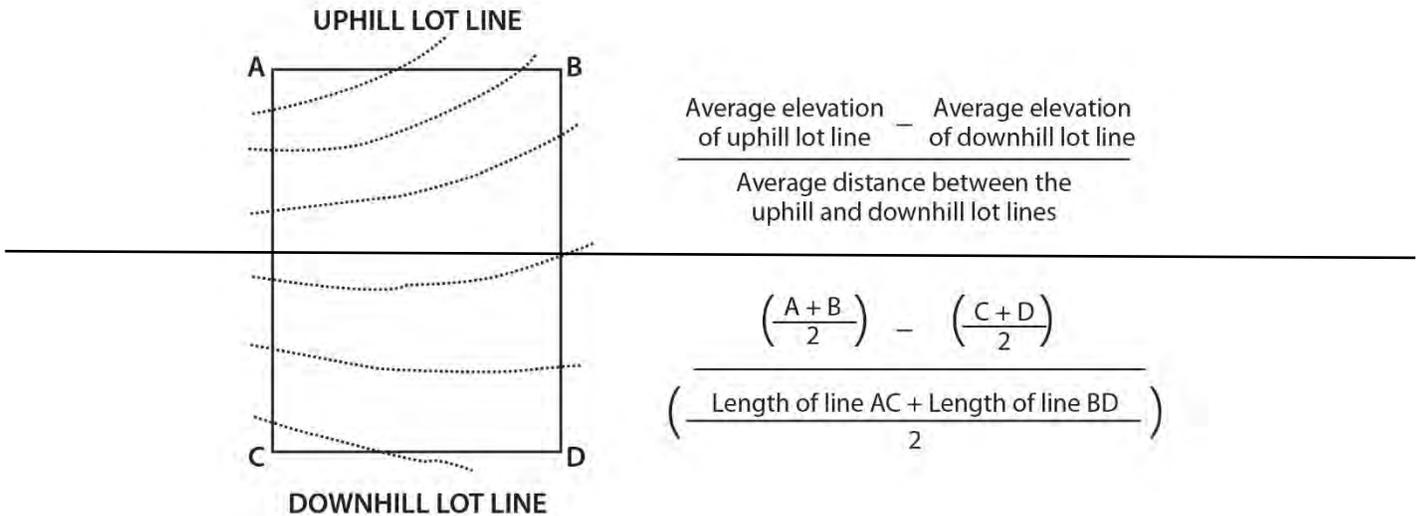
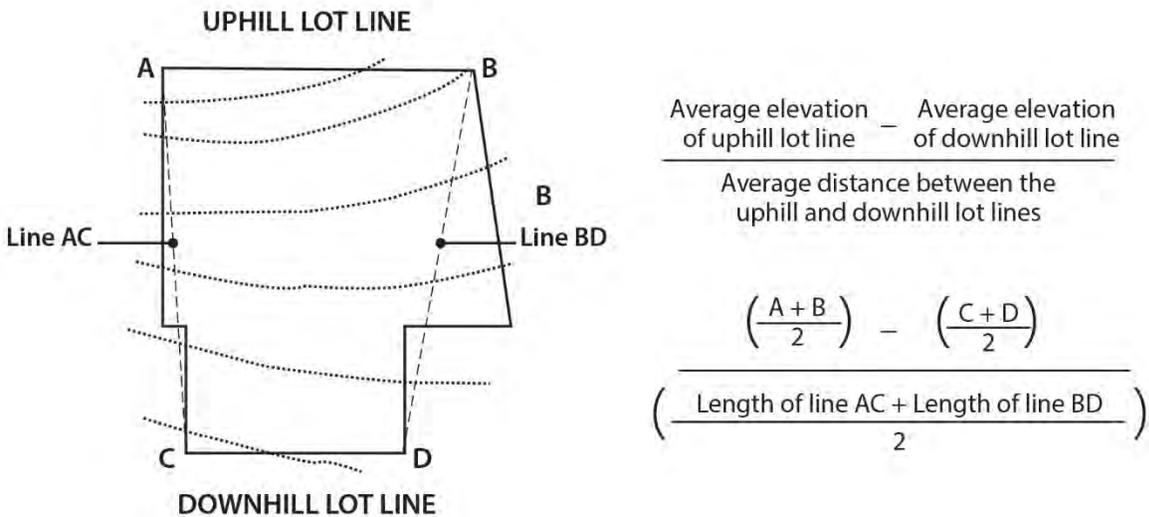


Figure 930-9
Calculating Average Slope



Commentary

33.930.100 Measuring Lot Widths

The Section title and Subsection B were changed to reflect that 33.930.103 addresses Lot Depths.

33.930.100 Measuring Lot Widths and ~~Depths~~

- A. Single-Dwelling zones.** In the single-dwelling zones, lot width is measured by placing a rectangle along the minimum front building setback line. Where the setback line is curved, the rectangle is placed on the line between the intersection points of the setback line with the side lot lines. See Figure 930-20.

The rectangle must have a minimum width equal to the minimum lot width specified for the zone in Chapters 33.610 and 33.611. The rectangle must have a minimum depth of 40 feet, or extend to the rear property line, whichever is less. The rectangle must fit entirely within the lot. See Figure 930-20.

- B. All other zones.** In all other zones, lot widths ~~and depths~~ are measured from the midpoints of opposite lot lines. See Figure 930-15.

Section 7: Comprehensive Plan Amendments

Chapter 10: Land Use Designations and Zoning

The following table compares the Comprehensive Plan Designation and Zoning Names for the single-dwelling and multi-dwelling zones, including pending changes proposed by the Better Housing by Design Project.

Replacing "single-dwelling" with a less specific "residential" designation reflects existing and new allowances for additional housing types beyond just a single house, for example accessory dwelling units, corner lot duplexes, as well as duplexes, triplexes and fourplexes in many areas of R2.5, R5, and R7 zones.

Comprehensive Plan Designation		Zoning Name and Symbol			
Current	Proposed	Current	Proposed	Short name Current/proposed	
Farm and Forest	Farm and Forest	Residential Farm/Forest	No change	RF	No change
Single Dwelling 20,000	Residential 20,000	Residential 20,000	No change	R20	
Single Dwelling 10,000	Residential 10,000	Residential 10,000	No change	R10	
Single Dwelling 7,000	Residential 7,000	Residential 7,000	No change	R7	
Single Dwelling 5,000	Residential 5,000	Residential 5,000	No change	R5	
Single Dwelling 2,500	Residential 2,500	Residential 2,500	No change	R2.5	
Multi Dwelling 3,000	Multi-Dwelling - Neighborhood	Residential 3,000	Residential Multi-Dwelling 1	R3	RM1
Multi Dwelling 2,000		Residential 2,000		R2	
Multi Dwelling 1,000	Multi-Dwelling - Corridor	Residential 1,000	Residential Multi-Dwelling 2	R1	RM2
High Density Multi-Dwelling	Multi-Dwelling - Urban Center	High Density Residential (2:1 FAR)	Residential Multi-Dwelling 3	RH	RM3
		High Density Residential (4:1 FAR)	Residential Multi-Dwelling 4		RM4
Central Residential	Central Residential	Central Residential	Central Residential	RX	RX

Chapter 10 - Land use designations and zoning

The Comprehensive Plan Map is one of the Comprehensive Plan's implementation tools. The map includes land use designations, which are used to carry out the Comprehensive Plan. The land use designation that best implements the goals and policies of the Plan is applied to each area of the city. This section contains general descriptions of the land use designations.

Each description includes:

- Type of place or Pattern Area for which the designation is intended.
- General use and intensity expected within the area. In some cases, alternative development or infill options allowed in single-dwelling residential zones (e.g. duplexes and attached houses on corner lots; accessory dwelling units) may allow additional residential units beyond the general density described below.
- Level of public services provided or planned.
- Level of constraint.

Policy 10.1, Land use designations. Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

1. **Open Space** [No change]
2. **Farm and Forest** This designation is intended for agricultural and forested areas far from centers and corridors, where urban public services are extremely limited or absent, and future investment to establish an urban level of public services is not planned. Areas within this designation generally have multiple significant development constraints that may pose health and safety risks if the land were more densely developed. The designation can be used where larger lot sizes are necessary to enable on-site sanitary or stormwater disposal. It also may be used in locations that may become more urban in the future, but where plans are not yet in place to ensure orderly development. Agriculture, forestry, and very low-density single-dwelling residential will be the primary uses. The maximum density is generally 1 ~~unit~~lot per 2 acres. The corresponding zone is RF.
3. **Single-Dwelling Residential — 20,000** This designation is intended for areas that are generally far from centers and corridors where urban public services are extremely limited or absent, and future investments in urban public services will be limited. Areas within the designation generally have multiple significant development constraints that may pose health and safety risks if the land were more densely developed. Very low-density single- dwelling residential and agriculture will be the primary uses. The maximum density is generally 2.2 ~~units~~lots per acre. The corresponding zone is R20.
4. **Single-Dwelling Residential — 10,000** This designation is intended for areas far from centers and corridors where urban public services are available or planned but complete local street networks or transit service is limited. This designation is also intended for areas where ecological resources or public health and safety considerations warrant lower densities. Areas within this designation generally have development constraints, but the constraints can be managed through appropriate design during the subdivision process. Single- dwelling residential will be the primary use. The maximum density is generally 4.4 ~~units~~lots per acre. The corresponding zone is R10.

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

5. ~~Single Dwelling Residential~~ **Residential — 7,000**. This designation is intended for areas that are not adjacent to centers and corridors, where urban public services are available or planned, but complete local street networks or transit service is limited. This designation is also intended for areas where ecological resources or public health and safety considerations warrant lower densities. Areas within this designation may have minor development constraints, but the constraints can be managed through appropriate design during the subdivision process. This designation may also be applied in areas where urban public services are available or planned, but the development pattern is already predominantly built-out at 5 to 6 units per acre. Single-dwelling residential will be the primary use, but other housing types are also allowed. The maximum density is generally 6.2 ~~units~~ lots per acre. The corresponding zone is R7.

6. ~~Single Dwelling Residential~~ **Residential — 5,000**. This designation is Portland’s most common pattern of single-dwelling development, particularly in the city’s inner neighborhoods. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints. Single-dwelling residential will be the primary use, but other housing types are also allowed. The maximum density is generally 8.7 ~~units~~ lots per acre. The corresponding zone is R5.

7. ~~Single Dwelling Residential~~ **Residential — 2,500**. This designation allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations. The maximum density is generally 17.4 ~~units~~ lots per acre. The corresponding zone is R2.5.

8. – 22. [No change]

Figure 10-1. Corresponding and Allowed Zones for Each Land Use Designation

LU Designation	Corresponding Zone(s)	Non-corresponding zone(s) that are allowed
Open Space	OS	none
Farm and Forest	RF	OS
Single Dwelling Residential Residential 20,000	R20	RF, OS
Single Dwelling Residential Residential 10,000	R10	R20, RF, OS
Single Dwelling Residential Residential 7,000	R7	R10, R20, RF, OS
Single Dwelling Residential Residential 5,000	R5	R7, R10, R20, RF, OS
Single Dwelling Residential Residential 2,500	R2.5	R5, R7, R10, R20, RF, OS

[No change to remainder of Figure 10-1]

Glossary

Accessory Dwelling Unit

The term accessory dwelling unit is used several times in the comprehensive plan to convey additional housing types that should be encouraged.

The Comprehensive Plan glossary notes that "Words not included in this Glossary are defined by their dictionary meaning, or in some cases, by their meaning in state or federal law."

The term Accessory Dwelling Unit was not previously defined in state law, but it subsequently has been:

ORS 197.312(5)(b): "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

This meaning is sufficient and does not conflict with the meaning in the Comprehensive Plan, so the redundancy is being deleted.

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

Glossary

The Comprehensive Plan uses clear, everyday language as much as possible. Words and terms in the Glossary have the specific meaning stated below when used in the Comprehensive Plan, unless the context clearly indicates another meaning. Words not included in this Glossary are defined by their dictionary meaning, or in some cases, by their meaning in state or federal law.

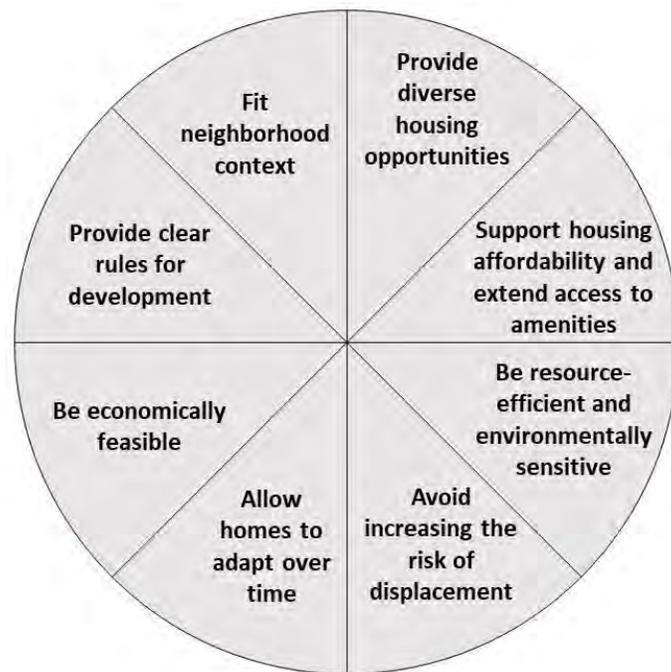
~~**Accessory dwelling unit (ADU):** A second dwelling unit on a lot with a house, attached house, or manufactured home. The second unit is created auxiliary to, and is always smaller than, the house, attached house, or manufactured home. The unit includes its own independent facilities including provisions for sleeping, cooking, and sanitation, and is designed for occupancy by one or more people independent of the primary dwelling unit.~~

Appendix A

Guidance from the Comprehensive Plan

This appendix lists the relevant 2035 Comprehensive Plan Goals and Policies that guide the proposals in the Residential Infill Project. Each objective also includes questions considered to assess and optimize project performance.

These objectives show the range of desired outcomes and highlight some inevitable tradeoffs between them. Some objectives work together, such as “Provide diverse housing opportunities” and “Support housing affordability and extend access to amenities.” Others may conflict with one another. The Residential Infill Project aims to identify potential impacts for each objective and balance positive and negative impacts on the whole.



Provide Diverse Housing Opportunities

Does the proposal help to produce housing types that accommodate diverse needs and preferences of future and current residents?

Portland’s demographics are changing, yet the city’s current housing supply is not necessarily well suited to accommodate this change. Portland’s average household size is decreasing, and the average age of the City’s total population is getting older. The current housing supply lacks the diversity needed to successfully respond to meet Portland’s changing housing needs.

Approximately 56 percent of Portland’s housing supply is made up of houses. Another 39 percent is multi-dwelling buildings. The middle housing types envisioned by this project (duplexes, triplexes and additional accessory dwelling units) are in short supply in Portland, accounting for roughly 5 percent of the housing stock. Increasing housing opportunities increases individual housing choice and thus positions the city to more effectively respond to these changes.

Limiting the size of new houses and encouraging smaller units in the form of duplexes, triplexes and ADUs will better respond to Portland’s shrinking average household size, while the predominant, larger-unit housing stock in single-dwelling neighborhoods can continue to accommodate larger families.

Moreover, as additional units are built, requirements for some to be “visitable” will ensure that they are more age-friendly and better accommodate people with limited or impaired mobility. More types of housing in more neighborhoods give residents options to stay in their neighborhood as their housing needs change and allows older adults to age among their familiar resources and social networks within their communities.

Supporting Policies:

Policy 3.4 All ages and abilities. Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

Policy 3.32 Housing. Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.

Policy 3.36 Housing. Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

Policy 3.39 Growth. Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

Policy 3.42 Diverse residential areas. Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

Policy 4.5 Pedestrian-oriented design. Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Goal 5.A: Housing diversity. Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

Goal 5.C: Healthy connected city. Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland's projected share of regional household growth.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.8 Physically-accessible housing. Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

Policy 5.9 Accessible design for all. Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, through the use of Universal Design Principles.

Policy 5.11 Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

Policy 5.19 Aging in place. Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

Policy 5.21 Access to opportunities. Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under- represented populations and an existing supply of affordable housing.

Policy 5.23 Higher-density housing. Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

Policy 5.29 Permanently-affordable housing. Increase the supply of permanently- affordable housing, including both rental and homeownership opportunities.

Policy 5.31 Household prosperity. Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.43 Variety in homeownership opportunities. Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

Policy 5.53 Responding to social isolation. Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

Support Housing Affordability and Extend Access to Amenities

Does the proposal help to reduce the cost of housing for homeowners and renters by increasing the availability of housing citywide that is affordable to a wide spectrum of household types and sizes? Would the approach promote equity and environmental justice by reducing disparities, minimizing burdens, affirmatively furthering fair housing, proactively fighting displacement and improving socio-economic opportunities for under-served and under-represented populations?

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

The proposed rules promote additional housing rental and purchase opportunities in areas that are highly desirable to many residents due to good access to services and amenities. Allowing additional, smaller housing units in these service- and amenity-rich areas could increase housing supply and choice citywide at a lower price point, thereby helping to reduce long-term pressure from Portland's current imbalance between supply and demand.

Areas of the city where these additional, smaller units can be created are well-served by transit and close to support services, jobs, retailers and other amenities. While rents and house prices may be comparatively lower outside these well-served areas, savings would likely be offset by increased transportation costs to access needed goods and services in other areas¹. Locating more housing in amenity-rich areas can reduce income disparities by giving more people access to these goods and services while limiting cost burdens due to transportation.

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

Supporting Policies:

Policy 4.17 Demolitions. Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Goal 5.A: Housing diversity. Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

¹ The annual cost to own and drive a sedan in 2015 ranged from \$6,700 to \$10,600, according to AAA. That is the equivalent of \$550 to \$880 per month. <https://publicaffairsresources.aaa.biz/wp-content/uploads/2015/04/Your-Driving-Costs-2015-Brochure.pdf>

Goal 5.B: Equitable access to housing. Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

Goal 5.D: Affordable housing. Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.

Policy 5.3 Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.10 Coordinate with fair housing programs. Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

Policy 5.11 Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

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

Policy 5.23 Higher-density housing. Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

Policy 5.25 Housing preservation. Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.

Policy 5.29 Permanently-affordable housing. Increase the supply of permanently- affordable housing, including both rental and homeownership opportunities.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.31 Household prosperity. Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 5.38 Workforce housing. Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.41 Affordable homeownership. Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

Policy 5.42 Homeownership retention. Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

Be Resource-Efficient and Environmentally Sensitive

Does the approach encourage the development and preservation of compact, resource- and energy-efficient homes? Does it support the use of technologies, techniques and materials that result in less environmental impact over the life cycle of the structure? Does it better utilize surplus capacity in existing public infrastructure?

The proposed rules support resource efficiency in four key ways. First, they limit the maximum allowed size of houses, resulting in less material consumption and construction waste. Second, they encourage retention and reuse of existing houses, thereby reducing waste going to landfills. Third, they allow for multiple smaller, less energy- and material-intensive dwelling units to be built on lots normally occupied by single houses, thereby efficiently accommodating more households. Fourth, the approach encourages attached houses, whose shared walls require less energy for heating and cooling than detached houses.

In areas where infrastructure is sufficient and surplus capacity exists, the proposed rules make better use of infrastructure by allowing additional dwelling units within the same size building allowed for new single-dwelling houses. In areas where surplus capacity does not exist, focusing public infrastructure and service investment in and around centers and corridors is a key strategy of the 2035 Comprehensive Plan. These planned investments will attain a greater benefit to more households and more efficiently deliver services where additional households are located.

Supporting Policies:

Goal 3.B: A climate and hazard resilient urban form Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.

Goal 4.C: Human and environmental health. Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

Goal 7.C: Resilience. Portland’s built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

Policy 3.5 Energy and resource efficiency. Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

Policy 3.6 Land efficiency. Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.

Goal 4.D: Urban resilience Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

Policy 4.17 Demolitions. Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.19 Resource efficient and healthy residential design and development. Support resource efficient and healthy residential design and development. See other related policies later in this chapter and in Chapter 5: Housing.

Policy 4.60 Rehabilitation and adaptive reuse. Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Policy 4.69 Reduce carbon emissions. Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.

Policy 4.73 Design with nature. Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

Policy 4.74 Flexible development options. Encourage flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.50 High-performance housing. Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

Policy 7.4 Climate change. Update and implement strategies to reduce carbon emissions and impacts, and increase resilience through plans and investments and public education.

Policy 9.22 Public transportation. Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are not made by walking or bicycling.

Policy 7.5 Air quality. Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders. Coordinate with the Oregon Department of Environmental Quality to incorporate up-to-date air quality information and best practices into planning and investment decisions.

Policy 7.6 Hydrology. Improve, or support efforts to improve, watershed hydrology, through plans and investments, to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

Policy 7.14 Natural hazards. Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

Policy 7.26 Improving environmental conditions through development. Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

Policy 7.54 Floodplain restoration. Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

Policy 7.56 Reduced natural hazards. Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

Policy 9.58 Off-street parking. Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices.

Avoid Increasing the Risk of Displacement

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

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

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

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

Supporting Policies:

Policy 2.3 Extend benefits. Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.

Policy 2.4 Eliminate burdens. Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

2.4.a. Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

2.4.b. Use plans and investments to address disproportionate burdens of previous decisions.

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

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

Policy 3.3 Equitable development. Guide development, growth, and public facility investment to reduce disparities; encourage equitable access to opportunities, mitigate the impacts of development on income disparity, displacement and housing affordability; and produce positive outcomes for all Portlanders.

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

Policy 3.9 Growth and development. Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with particular attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

Goal 5.B: Equitable access to housing. Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

Goal 5.C: Healthy connected city. Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

Goal 5.D: Affordable housing. Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.

Policy 5.3 Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.10 Coordinate with fair housing programs. Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

Policy 5.11 Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

Policy 5.12 Impact analysis. Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.15 Gentrification/displacement risk. Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.16 Involuntary displacement. When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

Policy 5.20 Coordinate housing needs in high-poverty areas. Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and investments with housing programs.

Policy 5.21 Access to opportunities. Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under-represented populations and an existing supply of affordable housing.

Policy 5.22 New development in opportunity areas. Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.

Policy 5.23 Higher-density housing. Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

Policy 5.31 Household prosperity. Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

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

Policy 5.38 Workforce housing. Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.41 Affordable homeownership. Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

Policy 5.42 Homeownership retention. Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

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

Policy 5.51 Healthy and active living. Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

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

Goal 7.D: Environmental equity. All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

Policy 7.2 Environmental equity. Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

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

Allow Homes to Adapt Over Time

Does the proposal yield additional housing that can be adapted over time to accommodate changing household needs, abilities and economic conditions and help older adults “age in place”? Does it provide flexibility within the building envelope for future additions?

Allowing more accessory dwelling units (ADUs) could benefit homeowners seeking to leverage their home’s equity and gain supplemental rental income, make space for other family members or friends, or create opportunity to downsize into an ADU while renting the primary house to a larger household. Similarly, allowing opportunities for internal conversions within existing houses to create multiple units could add additional value and longevity to older, larger houses, while giving greater flexibility to meet changing household needs.

Some Portlanders have expressed concerns that restrictions on future additions could result in disinvestment and lead to more demolition of older houses. In response, the proposed rules include an allowance for a modest expansion of existing houses beyond the proposed limits on house scale, balancing concerns about house scale while adding flexibility for future additions and remodels.

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

Supporting Policies:

Policy 3.4 All ages and abilities. Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.7 Adaptable housing. Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

Policy 5.8 Physically-accessible housing. Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

Policy 5.9 Accessible design for all. Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, through the use of Universal Design Principles.

Policy 5.19 Aging in place. Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

Policy 5.53 Responding to social isolation. Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

Be Economically Feasible

Does the proposal allow for a reasonable return on investment for homeowners and developers, allowing the market to produce needed new housing to sufficiently accommodate the city's growing population? Does it catalyze desired development while minimizing undesired development and demolition of existing sound housing?

The proposal does not prescribe any specific architectural styles (modern, traditional, etc.) or mandate design uniformity, as such regulation can unnecessarily increase complexity and costs to housing.

An economic feasibility analysis on the proposals confirms that the proposed house size reductions and additional housing allowances would provide a reasonable return on investment and would not stifle the market from producing new housing units. This analysis found that existing single-dwelling zoned houses will maintain their value specifically *because of* these proposed recommendations. Longer term value increases for existing larger single-dwelling zoned houses might occur, as all new R2.5, R5 and R7 zoned houses will be subject to the newly proposed limits on scale.

The economic analysis also concludes that proposed rules for housing choice will advance the project goal of increasing the supply of different housing types. The analysis conducted for the alternative housing prototypes indicates that they would be more attractive than large-lot, new single-dwelling construction and could be delivered to home owners at lower costs than the large single-dwelling prototype.

A commonly heard concern that emerged from 2016 public feedback on the Residential Infill Project Concept Report centered on the potential for increased house demolitions. While demolitions will continue to occur in response to ongoing market pressures or as the consequence of deferred maintenance – *regardless of whether proposed new zoning code rules are adopted* – the proposal includes additional allowances and incentives to encourage home reinvestment. The retention and adaptive reuse of historic resources may increase by additional flexibility such as increasing building area allowances and wider arrangements of housing units that are allowed otherwise. Placing specific limits that restrict redevelopment/removal of these resource properties reinforces the comprehensive plan policies related to protecting historic resources while simultaneously promoting housing diversity goals.

In addition, the economic feasibility analysis forecasts a general reduction in one-for-one redevelopment scenarios, resulting from the proposed limits on house size. However, the analysis also predicts that proposed housing opportunity allowances will result in an increase in housing production of duplex, triplex, and accessory dwelling units over the long term at a price point lower than is currently being delivered with new, larger house construction. Additionally, there are far more buyers seeking a lower-price entry housing type than the number of buyers that can afford the larger single-family houses that are currently being delivered in the market.

Supporting Policies:

Policy 3.39 Growth. Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

Policy 4.57 Economic viability. Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

Policy 5.3 Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 9.60 Cost and price. Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

Provide Clear Rules for Development

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

Clear and consistent rules are imperative to help expedite the preparation of architectural plans and reduce delays in permit reviews. The proposed rules make strategic changes to existing, already well-understood, clear and objective development requirements relating to building heights and setbacks. While the introduction of a proposed floor area ratio (FAR) tool is a new standard for Portland's single-dwelling zones, it has been used in Portland's Zoning Code governing Central City and commercial zones for many years.

The proposed FAR approach is not unique to Portland, with several other U.S. cities already applying this tool (See Appendix C). Reasonable floor area allowances for additions to and conversions of existing homes, as well as incentives to encourage ADUs and detached garages, while providing a high degree of flexibility requires a more innovative approach in these zones than what is possible through tweaks to existing bulk tools (height, building coverage, and setbacks).

Supporting Policies:

Goal 1.D. Implementation tools

Portland's Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public's current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.

Policy 8.9 Internal coordination. Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

Policy 8.29 System development. Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

Policy 10.3 Amending the Zoning Map.

10.3.c. When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed. A legislative Zoning Map amendment may not be to a zone that is not allowed.

10.3.e. An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

Policy 10.4 Amending the Zoning Code. Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

10.4.a. Promote good planning:

1. Effectively and efficiently implement the Comprehensive Plan.
2. Address existing and potential land use problems.
3. Balance the benefits of regulations against the costs of implementation and compliance.
4. Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

10.4.b. Ensure good administration of land use regulations:

1. Keep regulations as simple as possible.
2. Use clear and objective standards wherever possible.
3. Maintain consistent procedures and limit their number.
4. Establish specific approval criteria for land use reviews.
5. Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
6. Emphasize administrative procedures for land use reviews while ensuring appropriate community engagement in discretionary decisions.
7. Avoid overlapping reviews.

10.4.c. Strive to improve the code document:

1. Use clear language.
2. Maintain a clear and logical organization.
3. Use a format and layout that enables use of the document by lay people as well as professionals.
4. Use tables and drawings to clarify and shorten the document.
5. Identify and act on regulatory improvement suggestions.

Fit Neighborhood Context

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

The proposed approach aims to significantly limit the potential for new houses to overwhelm neighboring properties. While new residential construction may be larger or taller than nearby, older homes, the proposed rules will decrease the scale of new homes to a fraction of the size allowed today. The size limits offer greater certainty that the scale of new homes and additions will better complement their neighborhood context.

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

Changes to how building height is measured will restrict grade manipulation to achieve taller buildings as well as limit the visual impact of excessively tall facades. Where lots slope up from a street, this new measurement method ensures that the two- to two-and-a-half story height relationship between the street and the house is maintained.

Additional development standards are also proposed to improve how narrow lot houses transition these areas of change to better conform with the established pattern of existing development on wider lots. Proposed allowances for modest additions encourage home reinvestment. Sites with historic resources are afforded increased flexibility and additional incentives for adaptive reuse.

Flexibility and more streamlined reviews for cottage cluster development will promote innovative site design and featured open spaces that provide more privacy, sunlight, open space and preservation of a site's natural features.

Zoning and development standards are only one of many ingredients that define a neighborhood. In addition to the architecture of its homes and the people who inhabit them, the context of a neighborhood also concerns the spaces in between – the natural environment, open space, plants, access to sunlight, and more. Street layout, topography, existing vegetation and mix of residential, commercial and open space also have a strong influence. In addition, a neighborhood's historical narrative, such as influences from major infrastructure or institutional investments or changing socio-economic compositions, also define the distinct attributes of different neighborhoods.

Supporting Policies:

Policy 2.9 Community analysis. Collect and evaluate data, including community- validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.

Policy 3.2 Growth and stability. Direct the majority of growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland's residential neighborhoods.

Policy 3.9 Growth and development. Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with particular attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

Policy 3.42 Diverse residential areas. Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

Policy 3.89 Inner Neighborhoods infill. Fill gaps in the urban fabric through infill development on vacant and underutilized sites and in the reuse of historic buildings on adopted inventories.

Policy 3.91 Inner Neighborhoods residential areas. Continue the patterns of small, connected blocks, regular lot patterns, and streets lined by planting strips and street trees in Inner Neighborhood residential areas.

Policy 3.96 Eastern Neighborhoods corridor landscaping. Encourage landscaped building setbacks along residential corridors on major streets.

Policy 3.98 Western Neighborhoods village character. Enhance the village character of the Western Neighborhoods’ small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.

Goal 4.A: Context-sensitive design and development New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

Goal 4.B: Historic and cultural resources. Historic and cultural resources are identified, protected, and rehabilitated as integral parts of an urban environment that continues to evolve.

Policy 4.1 Pattern areas. Encourage building and site designs that respect the unique built natural, historic, and cultural characteristics of Portland’s five pattern areas described in Chapter 3: Urban Form.

Policy 4.3 Site and context. Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

Policy 4.6 Street orientation. Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.11 Access to light and air. Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban- scale development.

Policy 4.12 Privacy and solar access. Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 4.16 Scale and patterns. Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

Policy 4.46 Historic and cultural resource protection. Within statutory requirements for owner consent, identify, protect, and encourage the use and rehabilitation of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

Policy 4.48 Continuity with established patterns. Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

Policy 4.60 Rehabilitation and adaptive reuse. Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

Policy 4.73 Design with nature. Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

Policy 4.74 Flexible development options. Encourage flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

Policy 9.12 Growth strategy. Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

MEMO

DATE: December 5, 2018

TO: Planning and Sustainability Commission

FROM: Morgan Tracy, Residential Infill Project Manager
Tyler Bump, Senior Economic Planner

CC: Joe Zehnder, Director
Sandra Wood, Principal Planner

SUBJECT: Residential Infill Project Economic Analysis for the Revised Proposed Draft

On December 11, 2018 the Planning and Sustainability Commission (PSC) will discuss the revised economic analysis for the Residential Infill Project. Attached is the analysis provided by Johnson Economics. This memo summarizes the analysis and provides key findings.

Background

In April 2018, staff released the Residential Infill Project *Proposed Draft*. The *Draft* included Appendix B: *Economic Analysis of Proposed Changes to the Single Dwelling Zone Development Standards*, conducted by Johnson Economics.

The analysis was based on proposed changes to R7, R5 and R2.5 zone standards with new limitations on floor area and additional housing type allowances in the new 'a' overlay zone.

In September 2018, the PSC directed staff to revise the proposal by incrementally increasing floor area limits for additional units, allowing more housing types, in more locations in the affected zones.

In November 2018, Johnson Economics conducted an update to the *Economic Analysis of Proposed Changes to the Infill Development Standards* that reflects increases in floor area allowances and allowing more housing types in a broader geographic area consistent with direction from the PSC.



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Economic Analysis Summary

Both analyses were conducted over a 20-year development horizon. The following table summarizes the results:

	Summary of Analysis Results	
	Staff Proposal, April 2018	Revised Proposal, Sept 2018
\$ investment	-\$1.5 Billion (-30%)	+\$817 Million (15%)
New units	+1,713 (31%)	+24,450 (179%)
Replaced units (house is replaced by 1 or more units)	-1,498 (-22%)	+117 (8%)
Total Additional Units	+215 (2%)	+24,333 (198%)
Average rent	\$3,000 (-35%)	\$1,800 (-56%)

Key findings:

- Increasing allowable units without increasing FARs provides a small market incentive to build an alternative to a single house (in the form of being able to offer individually lower priced, smaller units). This result is borne out in the staff's April 2018 proposal.
- Increasing FARs with the number of units provides a more significant incentive to build housing types other than a single house. This is seen in the September 2018 revised proposal.
- Staff's April 2018 proposal:
 - Significantly reduced the number of replaced units (22% reduction). This is primarily a function of lower FARs limits.
 - Provided a modest increase to the total number of units (215 total units) and reduced construction investment (by 30 percent) over the 20-year time horizon.
 - Resulting units were smaller (e.g. 1,000 sf triplex units and 1,250 sf duplex units) and consequently, less expensive in comparison to a single house (e.g. 2,500 sf).



- The resulting rents (e.g. average of \$3000 per unit) are not low enough to expect that new construction would be built as a rental product.
- The September 2018 revised proposal:
 - Significantly increases the unit production (by nearly 200 percent) and increases construction investment by 15 percent.
 - Marginally increases the number of replaced units.
 - With the housing type allowances for three and four units, the resulting unit sizes were further reduced (e.g. 1,100 sf triplex units and 875 sf fourplex units).
 - These reductions in unit size bring the average rent near to the market rate for new apartment construction (e.g. average of \$1800 per unit).

About the Economic Model:

The economic analysis is based on a **predictive model** that looks at the real market value of parcels against a series of housing prototype proformas to determine the relative likelihood that a parcel will develop.

For example, when the real market value (RMV) of a parcel is less than the residual land value (RLV) of a development type, then that parcel is assumed to develop. These results are then aggregated up into a total. These results are compared against a baseline (the no change scenario). The model is especially sensitive to achievable sales/rental pricing which is a function of market conditions and specific geographies, and allowable floor area.

The following table lists the relevant inputs that were used in the model to conduct both analyses:

	Comparison of Relevant Economic Model Inputs	
	Staff Proposal, April 2018	Revised Proposal, September 2018
Floor Area Ratios*	R7 = 0.4; R5 = 0.5; R2.5 = 0.7 Corner triplex = +.15	R7 = 0.4; R5 = 0.5; R2.5 = 0.7 2 nd unit = +.10 More than 2 units = +.20
Housing types**	Duplex Triplex	Duplex Triplex Fourplex
Geography	~66% of affected zones	~92% of affected zones

* The modeling did not account for bonus FARs (affordability or house retention incentives)

** Accessory dwelling units were not specifically factored in the model



The analysis did not look specifically at **accessory dwelling unit (ADU)** potential. There are two reasons for this: First, for the purposes of evaluating the revised proposal, the model considered development costs per square foot, number of units, and total allowable square footage. Because the allowable FAR in the proposal is tied to the number and not type of units, the model made no distinction between different development configurations. In other words, it doesn't distinguish between three units in a triplex and three units in a house with two ADUs. Second, ADUs created by homeowners are largely built using home equity sources of financing and are sensitive to other factors that the model cannot readily predict.

Therefore, **the production of ADUs would be in addition to the units included in this analysis.** Current ADU projections, based on 2010-2016 trends, assume 5,000 more ADUs between 2017 and 2035, or about 280 per year. Both staff's April 2018 proposal and September 2018 revised proposal include allowances to double ADU entitlements.

We look forward to our conversation on December 11.





MEMORANDUM

DATE: November 29, 2018

To: Tyler Bump
BUREAU OF PLANNING AND SUSTAINABILITY

FROM: Jerry Johnson
JOHNSON ECONOMICS LLC

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

The City of Portland Bureau of Planning and Sustainability continues to refine the Residential Infill Project, and this analysis provides an updated to previous work completed by Johnson Economics on the project from March 2018. A number of changes have been made since the previous draft standards, including changes in allowable FAR, the number of units allowed in the structure, and a change in zoning of some parcels.

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

Units	Allowed Housing Type	R7	R5	R2.5
Minimum Lot Size (1-2 Units)		4,200 SF	3,000 SF	1,600 SF
1	Single Family Home	Base FAR: 0.4	Base FAR: 0.5	Base FAR: 0.7
2	Duplex or Single Family Home + ADU	Base FAR: 0.5 W/Bonus: 0.6	Base FAR: 0.6 W/Bonus: 0.7	Base FAR: 0.8 W/Bonus: 0.9
Minimum Lot Size (3+ Units)		5,000 SF	4,500 SF	3,200 SF
3	Triplex, Duplex +ADU, or House +2 ADUs	Base FAR: 0.6 W/Bonus: 0.7	Base FAR: 0.7 W/Bonus: 0.8	Base FAR: 0.9 W/Bonus: 1.0
4	Fourplex			
Current Allowed FAR		1.1 FAR	1.35 FAR	1.75 FAR

The changes allow for more units on individual parcels, and modest increases in allowed FAR as the number of units increases. The bonus FAR is available if at least one of the units is affordable at 80% MFI, or an existing home is converted to multiple units. Both of these conditions favor multi-unit development solutions for redevelopment.

The geographic coverage for the residential infill project has also changed.

While the FAR reductions are significant, the current allowed size of structure for the three residential zones is likely well above what would be expected in the market, as homes in these size ranges represent a small percentage of housing stock. The revised allowable home sizes will likely restrict final home sizes below what the market may



support, particularly for single family homes, and we would expect new development to largely develop close to the new limits.

The new proposal includes a rezone of a number of parcels from R5 to R2.5, which has a significant impact on allowable density under the proposal, with fourplexes now allowed at up to 1.0 FAR on a 3,200 square foot lot.

In summary, the most recent proposed changes to the code increase allowable density in terms of units, and the FAR and bonus structure provides incentives for greater unit counts at redevelopment. The net impact is expected to be a greater proportion of redevelopment being multiple-unit properties, providing greater net unit yield and lower average price points as a result.



I. PROTOTYPES

As with our previous analyses, Johnson Economics modeled the economic feasibility of a series of prototypical development types. A total of 11 development prototypes were evaluated, five representing current zoning standards with an additional 6 under the revised standards. Under the new proposed standards, the allowable square footage is reduced due to lower allowable FAR, while the number of allowed units is increased. By allowing for multiple residential structures on the site, a developer is able to produce housing at a lower overall price point which broadens the potential market for the housing. While the lower price point will reduce market risk, these units are likely to be largely rental product.

The following are summary pro formas for these development forms. The assumed pricing levels in these examples was included as an example, with actual pricing varied based on a series of eleven discrete pricing bands identified in the study area. The number of pricing bins was reduced as the geographic coverage of the new proposal is more limited although including a greater number of parcels, with less pricing variability between areas.



EXAMPLE OF DEVELOPMENT PROTOTYPES, RENTAL RESIDENTIAL ANALYSIS

		Current Zoning Assumptions					New Zoning Assumptions					
		Rental_Middle_SFR	Rental_Middle_Skinny	Rental_Middle_Duplex	Rental_Middle_4-Plex_2	Rental_Middle_Triplex	Rental_Middle_SFR_2	Rental_Middle_Skinny_2	Rental_Middle_Duplex_2	Rental_Middle_4-Plex_2	Rental_2.5-4-Plex_2	Rental_Middle_Triplex_2
PROGRAM	Property Assumptions											
	Site Size (SF)	5,000	2,500	4,500	4,500	4,500	4,200	4,200	4,200	4,500	3,800	4,500
	Density	8.71	17.42	19.36	38.72	29.04	10.37	10.37	20.74	38.72	45.85	29.04
	Unit Count	1	1	2	4	3	1	1	2	4	4	3
	Ave Unit Size	2,000	1,850	1,710	788	990	2,100	2,940	1,260	731	713	1,050
	Efficiency Ratio	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Building Square Feet	2,750	1,850	3,420	3,150	2,970	2,100	2,940	2,520	2,925	2,850	3,150
	Stories	2	3	2	2	2.0	2.0	2.0	2.0	2.0	2.0	2.0
	Bldg Footprint	1,375	617	1,710	1,575	1,485	1,050	1,470	1,260	1,463	1,425	1,575
	FAR	0.55	0.74	0.76	0.70	0.66	0.50	0.70	0.60	0.65	0.75	0.70
	Parking Ratio/Unit	1.5	1.0	1.0	0.5	1.0	1.5	1.0	1.0	0.5	1.0	1.0
	Total Parking Spaces	1.5	1.0	2.0	2.0	2	1.5	1.0	2.0	2.0	2.0	2.0
	Parking SF/Space - Surface											
	Parking SF/Space - Structure											
	Parking Spaces - Surface	-	1.0	-	-	-	-	1.0	-	-	-	-
	Parking Spaces - Structure	2.0	-	2.0	2.0	2.0	1.5	-	2.0	2.0	2.0	2.0
	Structured Parking %	100%	0%	100%	100%	100%	100%	0%	100%	100%	100%	100%
	Cost Assumptions											
	Base Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	
Base Parking Costs/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
PROPERTY VALUATION	Income Assumptions											
	Base Income/Sf/Mo.	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Achievable Pricing	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95
	Parking Charges/Space/Mo	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122
	Expenses											
	Vacancy/Collection Loss	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
	Operating Expenses	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Operating Expenses	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%
	Reserve & Replacement	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
	Valuation											
Capitalization Rate	5.50%	5.50%	6.00%	6.00%	6.00%	5.50%	5.50%	6.00%	5.50%	5.50%	6.00%	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Capitalization Rate	5.50%	5.50%	6.00%	6.00%	6.00%	5.50%	5.50%	6.00%	5.50%	5.50%	6.00%	
SUPPORTABLE PROPERTY VALUE	Cost											
	Cost/Construct w/o prkg.	\$508,750	\$342,250	\$632,700	\$582,750	\$549,450	\$388,500	\$543,900	\$466,200	\$541,125	\$527,250	\$582,750
	Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$30,000	\$0	\$40,000	\$40,000	\$40,000	\$40,000
	Estimated Project Cost	\$548,750	\$342,250	\$672,700	\$622,750	\$589,450	\$418,500	\$543,900	\$506,200	\$581,125	\$567,250	\$622,750
	Income											
	Annual Base Income	\$64,350	\$43,290	\$80,028	\$73,710	\$69,498	\$49,140	\$68,796	\$58,968	\$68,445	\$66,690	\$73,710
	Annual Parking	\$2,928	\$0	\$2,928	\$2,928	\$2,928	\$2,196	\$0	\$2,928	\$2,928	\$2,928	\$2,928
	Gross Annual Income	\$67,278	\$43,290	\$82,956	\$76,638	\$72,426	\$51,336	\$68,796	\$61,896	\$71,373	\$69,618	\$76,638
	Less: Vacancy & CL	\$3,364	\$2,165	\$4,148	\$3,832	\$3,621	\$2,567	\$3,440	\$3,095	\$3,569	\$3,481	\$3,832
	Effective Gross Income	\$63,914	\$41,126	\$78,808	\$72,806	\$68,805	\$48,769	\$65,356	\$58,801	\$67,804	\$66,137	\$72,806
	Less Expenses:											
	Operating Expenses	\$20,453	\$13,160	\$25,219	\$23,298	\$22,018	\$15,606	\$20,914	\$18,816	\$21,697	\$21,164	\$23,298
	Reserve & Replacement	\$1,917	\$1,234	\$2,364	\$2,184	\$2,064	\$1,463	\$1,961	\$1,764	\$2,034	\$1,984	\$2,184
	Annual NOI	\$41,544	\$26,732	\$51,225	\$47,324	\$44,723	\$31,700	\$42,482	\$38,221	\$44,073	\$42,989	\$47,324
	Property Valuation											
Return on Cost	7.57%	7.81%	7.61%	7.60%	7.59%	7.57%	7.81%	7.55%	7.58%	7.58%	7.60%	
Threshold Return on Cost	6.33%	6.33%	6.90%	6.90%	6.90%	6.33%	6.33%	6.90%	6.33%	6.33%	6.90%	
Residual Property Value	\$108,075	\$80,384	\$69,696	\$63,105	\$58,710	\$82,685	\$127,745	\$47,724	\$115,679	\$112,420	\$63,105	
RPV/SF	\$21.61	\$32.15	\$15.49	\$14.02	\$13.05	\$19.69	\$30.42	\$11.36	\$25.71	\$29.58	\$14.02	



EXAMPLE OF DEVELOPMENT PROTOTYPES, OWNERSHIP RESIDENTIAL ANALYSIS

		Current Zoning Assumptions					New Zoning Assumptions					
		Condo_Middle_SFR	Condo_Middle_Skinny	Condo_Middle_Duplex	Condo_Middle_4-Plex_2	Condo_Middle_Triplex	Condo_Middle_SFR_2	Condo_Middle_Skinny_2	Condo_Middle_Duplex_2	Condo_Middle_4-Plex_2	Condo_2.5-4-Plex_2	Condo_Middle_Triplex_2
PROGRAM	Property Assumptions											
	Site Size (SF)	5,000	2,500	4,500	4,500	4,500	4,200	4,200	4,200	4,500	3,800	4,500
	Density	9	17	19	39	29	10	10	21	39	46	29
	Unit Count	1	1	2	4	3	1	1	2	4	4	3
	Ave Unit Size	2,000	1,850	1,710	788	990	2,100	2,940	1,260	731	713	1,050
	Building Square Feet	2,750	1,850	3,420	3,150	2,970	2,100	2,940	2,520	2,925	2,850	3,150
	Stories	2	3	2	2	2	2	2	2	2	2	2
	Bldg Footprint	1,375	617	1,710	1,575	1,485	1,050	1,470	1,260	1,463	1,463	1,575
	FAR	0.55	0.74	0.76	0.70	0.66	0.50	0.70	0.60	0.65	0.75	0.70
	Parking Ratio/Unit	1.50	1.00	1.00	0.50	1.00	1.50	1.00	1.00	0.50	1.00	1.00
	Total Parking Spaces	2	1	2	2	2	2	1	2	2	2	2
	Parking SF/Space - Surface	350	350	350	350	350	350	350	350	350	350	350
	Parking SF/Space - Structure	350	350	375	350	375	350	350	-	-	-	-
	Parking Spaces - Surface	-	1	-	-	-	-	1	-	-	-	-
	Parking Spaces - Structure	2	-	2	2	2	2	-	2	2	2	2
	Structured Parking %	100%	0%	100%	100%	100%	100%	0%	100%	100%	100%	100%
	Cost Assumptions											
	Base Construction Cost/SF	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Construction Cost/SF	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204
Base Parking Costs/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
INCOME												
Income Assumptions												
Sales Price/SF	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Achievable Pricing	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	
Parking Charges/Space	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	
Expenses												
Sales Commission	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	
SUPPORTABLE PROPERTY VALUE												
Cost												
Cost/Construct w/o prkg.	\$559,625	\$376,475	\$695,970	\$641,025	\$604,395	\$427,350	\$598,290	\$512,820	\$595,238	\$579,975	\$641,025	
Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$30,000	\$0	\$40,000	\$40,000	\$40,000	\$40,000	
Estimated Project Cost	\$599,625	\$376,475	\$735,970	\$681,025	\$644,395	\$457,350	\$598,290	\$552,820	\$635,238	\$619,975	\$681,025	
Income												
Gross Income - Units	\$763,620	\$513,708	\$949,666	\$874,692	\$824,710	\$583,128	\$816,379	\$699,754	\$812,214	\$791,388	\$874,692	
Gross Income - Parking	\$43,750	\$0	\$43,750	\$43,750	\$43,750	\$32,813	\$0	\$43,750	\$43,750	\$43,750	\$43,750	
Gross Sales Income	\$807,370	\$513,708	\$993,416	\$918,442	\$868,460	\$615,941	\$816,379	\$743,504	\$855,964	\$835,138	\$918,442	
Less: Commission	(\$32,295)	(\$20,548)	(\$39,737)	(\$36,738)	(\$34,738)	(\$24,638)	(\$32,655)	(\$29,740)	(\$34,239)	(\$33,406)	(\$36,738)	
Effective Gross Income	\$775,075	\$493,160	\$953,679	\$881,704	\$833,721	\$591,303	\$783,724	\$713,763	\$821,725	\$801,732	\$881,704	
Property Valuation												
Return on Sales	29.26%	30.99%	29.58%	29.47%	29.38%	29.29%	30.99%	29.11%	29.36%	29.32%	29.47%	
Threshold Return on Cost	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	
Residual Property Value	\$74,353	\$52,360	\$93,316	\$85,674	\$80,580	\$56,826	\$83,209	\$67,844	\$79,306	\$77,184	\$85,674	
RPV/SF	\$14.87	\$20.94	\$20.74	\$19.04	\$17.91	\$13.53	\$19.81	\$16.15	\$17.62	\$20.31	\$19.04	



II. PREDICTIVE DEVELOPMENT MODELING

Description of Model

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

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

Pricing Gradients

The analysis used the achievable pricing gradients developed in our March 2018 work. While these have not been changed, we recognize that pricing has continued to trend upwards for ownership housing product, while rental housing product has seen less escalation.

The model was broken down into eleven separate pricing bins, which have similar achievable price points. The table to the right shows the pricing bins, the number of parcels in that bin, as well as the average residential rent per square foot and the average sales price per square foot in that bin. A total of 118,528 parcels were evaluated, which represented all parcels zoned either R7, R5, or R2.5 in the study area. The average achievable rent assumption was \$1.91 per square foot, while the average achievable sales price was \$273 per square foot.

Pricing Bin	# of Parcels	Residential Rent/SF	Sales Price/SF
1	7,525	\$1.47	\$209
2	19,516	\$1.54	\$219
3	8,776	\$1.64	\$234
4	6,889	\$1.75	\$249
5	11,326	\$1.85	\$263
6	17,059	\$1.95	\$278
7	15,700	\$2.05	\$292
8	13,824	\$2.17	\$309
9	13,043	\$2.32	\$330
10	4,570	\$2.61	\$372
11	300	\$2.72	\$387
Total/Avg.	118,528	\$1.91	\$273



Model Output

Our predictive development model was run for two scenarios, reflecting current and proposed development standards. The results showed an expected aggregate increase in the level of construction investment but yielding a sharply higher number of predicted new residential units in the study area. The output reflects a modest increase in the level of redevelopment, but a greater unit density, expected net unit yield, and lower price point per unit on properties that do redevelop.

The predicted net development yield from residential development/redevelopment in the study area was 12,281 units over the next twenty years under the current zoning, increasing to 36,614 units under the proposed new zoning. The construction of these units will entail the loss of existing residential capacity (demolition of existing structures where present), which is reflected in the net unit estimates. The impact on rental residential pricing was highly significant, with average rents dropping by 56% as compared to the default scenario (current zoning), which reflects a change in unit size as opposed to reduced rents per square foot.

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

	Predicted Development Yield				
	Construction Investment	New Units	Replaced Units	Net Units	Average Rent
BASELINE					
New Construction	\$5,233,460,967	13,665	(1,384)	12,281	\$4,159
NEW ZONING					
New Construction	\$6,105,186,215	38,115	(1,501)	36,614	\$1,823
NET IMPACT					
Total	\$871,725,248	24,450	-117	24,333	-\$2,336
% Change	17%	179%	8%	198%	-56%

The number of new units predicted is quite high, and market support for that many units in these configurations may limit the study area's ability to support this level and type of development over a planning period.

When output is broken down by pricing bin, the impact on pricing is spread broadly, with redevelopment favoring higher density solutions providing smaller units at lower price points. As with our previous analysis, the lowest priced neighborhoods have no predicted redevelopment under either the baseline or new zoning scenario.



SUMMARY OF RENTAL ANALYSIS RESULTS AT THE PRICING BIN LEVEL

Pricing Bin	# of Parcels	Residential Rent/SF	Sales Price/SF	Baseline		New Zoning		Net Change		
				Units	Avg. Rent	Units	Avg. Rent	Units	Avg. Rent	% Price
1	7,525	\$1.47	\$209	0	\$0	0	\$0	0	\$0	0%
2	19,516	\$1.54	\$219	0	\$0	0	\$0	0	\$0	0%
3	8,776	\$1.64	\$234	235	\$3,178	641	\$1,683	406	(\$1,496)	-47%
4	6,889	\$1.75	\$249	192	\$3,396	537	\$1,799	345	(\$1,597)	-47%
5	11,326	\$1.85	\$263	331	\$3,618	1,001	\$1,902	670	(\$1,715)	-47%
6	17,059	\$1.95	\$278	567	\$3,854	2,396	\$1,758	1,829	(\$2,096)	-54%
7	15,700	\$2.05	\$292	1,639	\$4,008	6,280	\$1,873	4,641	(\$2,135)	-53%
8	13,824	\$2.17	\$309	1,179	\$4,224	5,381	\$1,667	4,202	(\$2,557)	-61%
9	13,043	\$2.32	\$330	5,755	\$4,046	13,467	\$1,777	7,712	(\$2,269)	-56%
10	4,570	\$2.61	\$372	3,685	\$4,568	8,213	\$1,977	4,528	(\$2,590)	-57%
11	300	\$2.72	\$387	82	\$4,679	199	\$2,082	117	(\$2,598)	-56%
Total/Avg.	118,528	\$1.91	\$273	13,665	\$4,159	38,115	\$1,823	24,450	(\$2,336)	-56%

Under the assumptions used, rental residential largely outbid ownership residential solutions in the current pricing environment. Over the study period, the relationship between rental and ownership residential units will likely change, with ownership units shifting to the highest and best use solution.

III. SUMMARY

Our analysis indicates that the proposed changes in entitlements would likely result in a modest increase in redevelopment activity in terms of construction investment but yield a significantly higher number of units through the development of multi-unit development forms.

The predicted marginal increase in unit capacity associated with the changes is significant, but the level of development may be limited by market factors and demand. The large number of units in a multi-unit configuration are likely to be disproportionately rental, and the market for this type of rental unit as well as investors interested in holding these types of income properties is limited. Nonetheless, our analysis indicates that the proposed changes will support an increase in residential yield as well as a reduction in average pricing for new units under the proposed changes.

Ownership Residential

Ownership residential solutions under the proposed new codes would be expected to be limited, particularly for multiple-unit development projects. This is due to challenges in developing condominium units in the current environment. While smaller condominium units would likely be well received by the market due to their lower price point, few developers are interested in producing and selling condominiums. This is largely attributable to construction defect litigation risk, in which purchasers can sue the developer and members of his team (architects, contractors, product manufacturers).

Construction defects can range from complex foundation and framing issues which threaten the structural integrity of buildings, to aesthetic issues such as improperly painted surfaces and deteriorating wood trim around windows and doors. In the State of Oregon, there is a ten-year statute of limitations on construction defect claims. As condominium developments have homeowner’s associations (HOA), the suits typically use the HOA as a class to



pursue to the claim. Pursuit of these claims was widespread during the last cycle, during which a large number of new condominium units were constructed.

Insurance rates have climbed significantly for condominium construction, which is typically carried by the developer as well as members of the team. Due to the vagaries of this type of litigation, developers and contractors now must buy 10-year trailing insurance before they commence construction, as that is the period during which can be sued. This additional insurance adds significantly to the cost of construction.

These factors have largely deterred developers from initiating new condominium projects due to concern regarding the cost, risk, and time burden entailed by construction defect litigation. If one was to be built, the costs associated with the cost of insurance and increased risk would need to be reflected in higher pricing. One way to reduce this risk is to sell units with fee-simple ownership of the property, where the unit includes the underlying land. This type of ownership is typically found in townhomes. While generating a lower density yield than three- and four-plex solutions, this type of development would likely be favored by a developer looking to construct and sell ownership residential units. While our model may indicate a multi-unit plex solution as representing the highest and best use from a return perspective, townhome development entails less risk and may be a more favored program solution for ownership residential.

Floor Area Ratio (FAR) in Single Family Zoning

The following is a report on the use of floor area ratios (FARs) in single family zones, prepared by Dyett & Bhatia, Urban and Regional Planners, June 2016.



City of Portland Residential Infill Project



Use of Floor Area Ratios (FARs) in Single Family Zoning



Prepared by
DYETT & BHATIA
Urban and Regional Planners

June 2016

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I Introduction

As part of Dyett & Bhatia's work on Portland's Residential Infill Project, City staff requested a written report of research analyzing different cities' codification of square footage limits through floor area ratios (FARs) in single-family zoning districts. FARs have been used in Portland's downtown and in commercial and mixed-use zones in the City, and they may be an appropriate tool to control bulk and mass in the single-family neighborhoods. However, in SAC meetings, some questions have been raised about how they would be implemented and whether they might not be too complicated. City staff noted that FARs are well understood when they apply to box-shaped buildings on flat sites, but shifting to an FAR approach in the single dwelling zones raises some implementation concerns because of the wide variety of house forms and lot topography.

Of particular interest to the Bureau of Planning & Sustainability are the specific zoning code provisions and implementation approaches as they relate to describing the measurement of FAR in single dwelling house proposals. Topics that were called out as warranted specific attention included:

- Area within roof forms when or if they are counted (attics, under gables, dormers);
- Basements (especially daylight basements or basements on sloping lots);
- Garages (when or if they are counted, tuck-under garages vs. at grade vs. detached);
- Porches, balconies, and decks (how are they defined or distinguished from other floor area);
- Double height rooms (foyers, cathedral ceilings);
- Bay windows; and
- Stairwells.

Nine cities were selected for the FAR analysis, with a pre-condition being that they had set an FAR for single-family homes. We sought a range of planning climates, geographies and perspectives on regulations. We also wanted to include some cities that have recently fine-tuned their FAR regulations or are in the process of doing so. Key characteristics of the case study cities and their 2015 population follow:

- **Atlanta (pop. 464,000):** This southern city has a strong planning tradition in a community committed to preserving the City neighborhoods' identity by preserving the unique character of established neighborhoods and supporting revitalization efforts that will increase housing opportunities and neighborhood stability. The City also is committed to preserving single-family residential neighborhoods and ensuring infill development that preserves neighborhood character. Atlanta has a diverse population,

which is aging in place, supportive state planning, and strong environmental protection policies. Its approach to single family FAR controls is fairly traditional, cleanly drafted, and effective. Its controls are straight-forward and easily administered, with no discretionary review and a well-conceived set of exemptions – items excluded from FAR calculations.

- **Beverly Hills (pop. 35,000):** The City has dealt with mansionization at a different scale, in that the “target” house size is now 10,000 square feet for a family to feel they have “arrived” and can be recognized in Beverly Hills society. The City Council, being fairly conservative, has not wanted to reduce its FARs to control house size, but instead adopted standards for architectural modulation, setbacks, and upper-story setbacks to reduce visible mass. Basement space and light wells also have been big planning issues and are addressed in the zoning controls. Their regulations are instructive in showing how a community deals with bulk and mass at the high end of the price scale.
- **Boston (pop. 667,000):** Under the aegis of the Boston Redevelopment Authority, planning in Boston is very neighborhood oriented; the City deals with gentrification in its older single family neighborhoods with a “light touch”, and been fairly conservative in its zoning. Their FAR controls are another example of a clean, straightforward approach to controlling single family home size without discretionary review or design standards.
- **Burbank (pop. 105,000):** Home to the entertainment and high tech industries, Burbank was a fairly sleepy community until it began to face pushback from neighborhoods dealing with teardowns and large homes in established neighborhoods as “new money” moved in. An Interim Development Control Ordinance was adopted to reduce FARs and set some other limits on new houses while permanent zoning is being put in place. How this interim zoning was structured and what some of the changes in FAR controls are may provide some lessons for Portland.
- **Chicago (pop. 2.7 million):** Mayor Dailey initiated a comprehensive zoning reform program about 15 years ago, which included a complete overhaul of the residential regulations and resulted in adoption of FAR controls for single family homes. This ordinance represents “best practices” in doing zoning for a large and diverse city with a strong tradition of residential architecture and limited support for design review and discretionary development controls on new homes. It also represents a “light touch” that has been quite effective.
- **Los Angeles (pop. 3.9 million):** The City Council adopted a Base Mansionization Ordinance in 2008, which was followed by a Base Hillside Ordinance shortly thereafter. Technical guidance materials also were prepared that may be instructive for Portland’s coding efforts. These ordinances were effective in dealing with bulk and mass through FAR controls and other standards, but loopholes and some generous exceptions prompted the City Council to initiate a set of amendments to the FAR controls that are now under public review.
- **Mill Valley (pop. 14,400):** A smaller Bay Area community with limited land, beautiful hillsides, and a tradition of craftsmen architecture. Their zoning has long regulated single family houses with FARs and recent Code amendments initiated because of community concerns about big houses in the hills may offer some insights, particularly in dealing

with defining “covered” floor area, basements and garages, cathedral ceilings, and grading.

- **Minneapolis (pop. 411,000):** A city with a history of strong neighborhood planning and innovative zoning; older single family housing stock, and a well-developed process for design review. Minneapolis also has a long tradition of small area planning, stemming from the work in the 1960s on interconnected urban villages. The planning initiatives in recent years have focused on infill and transit-oriented development, urban gardens, live work/shared space, urban design, and zoning. The FAR controls for single-family homes are clean and straight-forward, involving minimal discretion. They are effective in doing the job they were designed to do.
- **New York City (pop. 8.6 million):** The Mayor’s recently adopted affordable housing program included an extensive set of far-reaching Code amendments (1,000+ pages), including minor adjustment to FAR controls for single-family homes. New York City is known for its fine-grained zoning that deals with social issues as well as economic and environmental considerations. How the new zoning has responded to the pressures in the diverse neighborhoods facing gentrification seemed worthy of study.

Our findings are presented in three sections:

- Defining floor are and measuring FAR
- Base FARs and FAR Bonuses
- Special situations (hillsides and large lots)

The appendix to this report includes relevant code language from the zoning regulations adopted for each on these cities. In a couple of instances, we also found summary materials and guidelines, but in most of the cities surveyed, such guidance was not readily available. We also interviewed planning staff in some of the cities to explore how the regulations have worked and refinements under consideration. Their observations helped us draft our findings and suggestions for Portland to consider as it moves forward with this project.

2 Defining Floor Area & Measuring FAR

DEFINING FLOOR AREA

Based on our review of zoning codes in the selected jurisdictions, the “best practice” is to have an inclusive definition of floor area based on total visible building mass. Do not use the definition to make policy about what to include or exclude in calculating the floor area ratio (FAR), as these clarifications then are buried in the ordinance. Having a separate set of rules for measurement, as Portland does, is preferable. The simplest definition is just to say:

Floor Area. The total horizontal enclosed area of all the floors below the roof and within the outer surface of the walls of a building or other enclosed structure.

Chicago among others is more inclusive in defining floor area and specifically lists what is included, as follows:

- Floor area of any floor located below *grade* or partially below *grade* when more than one-half the floor-to-ceiling height of the below-*grade* (or partially-below-*grade*) floor is above *grade* level, provided that below-*grade* or partially below-*grade* floors with a clear height of less than 6 feet 9 inches are not counted as floor area;
- Elevator shafts and stairwells on each floor;
- Floor area used for mechanical equipment, except equipment located on the roof and mechanical equipment within the building that occupies a commonly owned contiguous area of 5,000 square feet or more;
- Those portions of an *attic* having clear height (head-room) of 6 feet 9 inches or more;
- Mezzanines;
- Enclosed porches;
- Floor area devoted to *non-accessory parking*;
- Parking provided in excess of the maximum *accessory parking* limits, provided that each such parking space will be counted as 350 square feet of floor area; and
- Floor area within a *principal building* that is occupied by *accessory uses*.

Delving more deeply into the codes in each of the jurisdictions reveals some specific differences in approach, such as how to deal with attic space, basements, covered porches, and high ceilings. Some of these are highlighted below with our recommendations; details are in the appendix.

Area within roof forms when or if they are counted

Most jurisdictions include floor area in attics, under peak roofs, whether or not it is habitable, meaning does the attic have the minimum floor to ceiling clearance set by the Uniform Building Code (UBC) for a habitable room. The Senior Planner in Los Angeles pointed out that dormers are easily added, and they do not want to track whether this would put a house over an FAR limit. So they ignore ceiling height.

- Chicago sets a minimum height of 6 feet 9 inches to be counted, but no minimum area. This is less than the current UBC standard of 7 feet, down from a previous 7.5 foot standard.
- Mill Valley is more specific: if attic space has 7 foot headroom with minimum horizontal dimensions of 6 feet by 8 feet, then it is counted toward FAR.
- Minneapolis refers to headroom clearance as set by the building code in determining whether to count attic space, but does not include a specific number in the zoning regulations.
- New York City is more nuanced, counting some attics with only 5 feet of headroom (in R2A and R2X zoning districts, among others) and others with 8 feet of headroom (R1 and R2 zoning districts).

Mill Valley's approach might be worth a closer look, as it recognizes the value of attic space and sets out specific parameters on when to count it; they have gone a bit further than Chicago.

Basements

Most jurisdictions exclude basements from FAR calculations based on a Building Code definition or something similar. Usually this translates to a rule that the basement has to be below a finished first floor that is no more than 2.5 or 3 feet above grade for at least 50 percent of its perimeter (or for the whole perimeter, as in Beverly Hills, Burbank and Mill Valley, among others).

- Burbank and New York City includes basement space within the definition of floor area because it is used. However, in hillsides, you get the "walk-in" basement problem, and are really giving away space that contributes to overall building mass.
- New York City has a separate definition for cellar space and allows that space to be excluded unless it's used for dwelling purposes.
- The Burbank Assistant Director cautioned against using the term "habitable space" for basements as it invites arguments about whether a below grade interior space, such as an unfinished room below a garage slab, should be excluded or included.
- The Mill Valley Senior Planner said that when they had the basement exclusion and only required a portion of the perimeter to be completely underground, "it was a real nightmare". Since changing the rule, Mill Valley is much happier with the results as building bulk in the hillsides has been reduced.
- Mill Valley also allows "raw space" as found under a garage or carport in a hillside home to be converted to habitable space with the following rule: "*During the improvement of an*

existing single-family dwelling, any enclosed but undeveloped volumes may be converted to habitable space and shall not be restricted to the maximum adjusted floor area as determined by Section 20.16.040(A)(2); provided that the conversion of the existing space does not change the existing height, bulk, mass or footprint of the structure and only if minimal excavation or modification of the existing grade is required.”

- Los Angeles specifically addresses the issue of daylight access to basements and allows the basement exclusion from floor area even with 2 light wells, provided they are not visible from a public right-of-way, they do not project more than 3 feet from the exterior walls of the basement, and they are not wider than 6 feet. This is similar to rules adopted in upper-income communities on the San Francisco Peninsula where tight FAR controls may the option of a family room that is below grade a viable alternative.
- Los Angeles also excludes basement space only if the upper surface of the floor or roof above does not exceed 2 feet in height above natural or finished grade, whichever is lower.

Burbank’s approach – count everything, but deal with garage space separately – may make sense as a starting point because such space does contribute to overall mass, even is partially below-grade.

Garages

Most jurisdictions exclude garage space for required parking; some do this with a general rule, while others state a specific amount of floor area that is excluded (300 square feet in New York City, 400 square feet in Beverly Hills, Burbank and Los Angeles, and 500 square feet in Mill Valley and in New York City if two spaces are provided).

- Boston exempts all garage space, whether at grade or underground.
- Chicago counts garage space if it’s for parking more than the minimum number of required spaces. This was intended in part to be a disincentive for the three-and four-car garages being built.
- Minneapolis counts garage space if attached to single family and two-family homes.
- Beverly Hills has the most developed concepts for garage entrance locations (see Section 10-3-114) and, notably, does not allow sloped garage entries to tuck-under or partially below-grade or subterranean garages in the front yard setback area. The idea being to move the entry to a below-grade garage back into the lot. Limits on garage width also are set (40 percent of the lot width or 24 feet, whichever is less).

On balance, we think some for of exemption for garage space may make sense, with additional attention to underground and tuck-under garages. Burbank is currently considering not only a garage proscenium width, but also restrictions on apron width and curbcuts for drives, along with a rule that a garage door for a third space be offset at least two feet from the front of a two-garage garage entrance.

Porches, balconies, and decks

If porches, balconies, and decks are generally open, they are typically excluded, but if they are enclosed on two or three sides, then the floor area is counted in a FAR calculation.

- Burbank counts all covered porches as floor area.
- Chicago counts enclosed porches.
- Los Angeles exempts porches and breezeways with an open lattice roof, and gives a partial exemption (250 square feet) for porches, patios and breezeways with a solid roof if they are open on two sides.
- New York City excludes floor space in open or roofed porches and breezeways provided not more than 50 percent of the space is enclosed.

Of the cities surveyed, Los Angeles may be the best model, with its partial exemption.

Double height rooms

The issue of cathedral ceilings for family rooms and foyers has been approached in several ways:

- **Allow an Unlimited Exemption.** Beverly Hills does not limit interior space with high floor to ceiling heights.
- **Allow a Limited Exemption.** Los Angeles has allowed an exemption for only a certain amount of space (100 square feet) to have floor-to-ceiling heights over 14 feet.
- **Requiring Double-Counting.** Burbank requires interior space greater than 12 feet to count as a second story, meaning the floor area is double-counted. Los Angeles is considering a similar rule in its amendments to the Base Mansionization Ordinance, but they would set an allowable ceiling height of 14 feet.
- **Assign a 50% Premium to Foyer or Cathedral Ceiling Space.** Mill Valley uses this option, meaning the floor area in rooms where the interior space exceeds 14 feet is multiplied by 1.5. Mill Valley also has some specific rules for top floor space related to roof pitch.

Mill Valley offers a good model, with its 50 percent premium, but if there is SAC support, you could require double-counting as this is more-effective in controlling overall building bulk.

Bay windows

In generally, floor area created by a bay window only is counted if it is a floor-to-ceiling bay, but not if it is a traditional bay window with a shelf or bench for seating. The best way to do this is to set a minimum vertical distance for the bay window to be above the floor, such as 30 inches. However, many of the zoning ordinances reviewed did not address this topic explicitly.

Stairwells

Stairwells usually are counted once, not twice, but some jurisdictions do count this space at each level.

ESTABLISHING AN “ADJUSTED” FLOOR AREA FOR FAR CALCULATIONS

Several jurisdictions establish specific rules for determining floor area as the basis for determining compliance with FAR standards. This is done by stating, first, that the floor area of a building is the sum of the gross horizontal areas of all floors of a home and other enclosed structures, measured from the outside perimeter of the exterior walls and/or the centerline of interior walls, and then listing what is included and excluded in these calculations.

Interestingly, Mill Valley allows exclusion for enclosed but undeveloped volumes, which could be utilized in the future as floor area if they have minimum horizontal dimensions of 8 feet by 10 feet and 7 foot headroom. The Burbank Assistant Planning Director cautions against this approach, preferring to count all interior floor area, whether or not it is habitable and be a bit more generous with the FAR (Mill Valley sets a 0.35 base FAR, while Burbank’s is 0.40, which can go up to 0.45 if certain features are included in the home design (e.g. wider side yards, upper-story setbacks, so the second floor is smaller than the ground floor).

DETERMINING THE FLOOR AREA RATIO

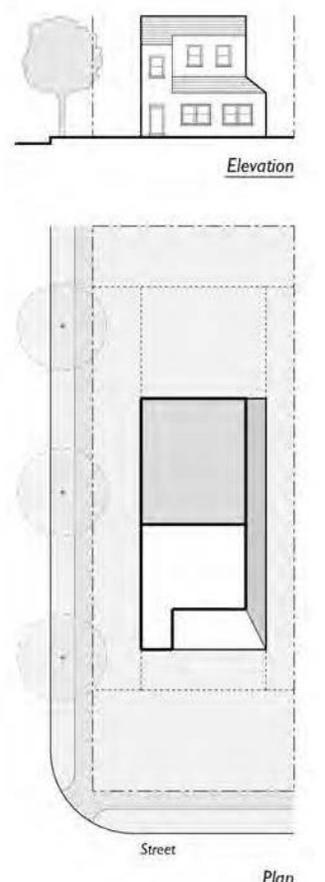
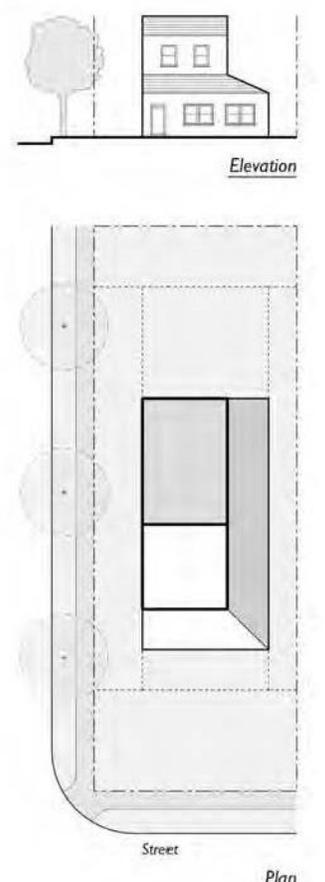
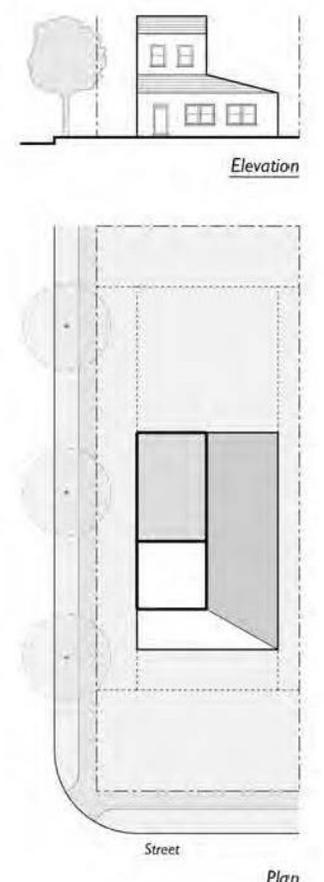
The floor area ratio (FAR) is the ratio of the floor area, excluding areas specifically noted, of all principal and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

The diagram on the following page shows how Burbank illustrates different FARs in combination with standards intended to reduce visible bulk.

VERIFICATION OF EXISTING CONDITIONS

Los Angeles has a counter handout on procedures they follow for verification of existing residential floor area, including when “as-built” plans are required (any project involving more than 1,000 square feet of construction or demolition of more than 50 percent of perimeter walls).

Comparison of FAR on a Typical Burbank Lot (50' x 150')

 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>
<p>FAR = 0.45</p>	<p>FAR = 0.40</p>	<p>FAR = 0.35</p>
<p>Total Floor Area = 3,375 sf</p>	<p>Total Floor Area = 3,000 sf</p>	<p>Total Floor Area = 2,625 sf</p>
<p>2nd Story Floor Area = 75% of 1st Story Floor Area</p>	<p>2nd Story Floor Area = 56% of 1st Story Floor Area</p>	<p>2nd Story Floor Area = 56% of 1st Story Floor Area</p>
<p>Conforms to section 10-1-803 of the current Zoning Code with the eight feature listed to achieve a 0.45 FAR.</p>	<p>Reduces 2nd story floor plate by 375 square feet.</p>	<p>Further reduces the 1st and 2nd story floor plate to yield an FAR of 0.35.</p>

3 Base FARs and FAR Bonuses

BASE FARs IN SURVEYED CITIES

The table below summarizes the base FAR in the cities studied, with notes on the right-hand column about typical lots size and some other notable provisions. These FARs are substantially less than the typical FARs calculated for the SAC discussions by DECA.

<i>City</i>	<i>Base FAR in Single Family Zones</i>	<i>Comments</i>
Atlanta	R-4A: 0.50 R-4B: 0.75	R-4A zone has 7,500 sq. ft. lots R-4B zone has 2,800 sq. ft. lots
Beverly Hills	Central Area: 1,500 sq. ft. plus 0.40	Additional floor area allowed with a Central Area Permit.
Boston	R-5: 0.50 S-3: 0.30	R-5 zone has 5,000 sq. ft. lots S-3 zone has 9,000 sq. ft. lots
Burbank	R-1: 0.40	Typical lot: 7,500 sq. ft. Bonus of 0.05 for lots over 10,000 sq. ft. for certain features
Los Angeles	R-1: 0.50 R-S: 0.45	R-1 zone has 5,000 sq. ft. lots R-S zones has 7,500 sq. ft. lots
Mill Valley	RS: 0.35 if under 8,000 sq.ft.	If lot is 8-12,000 sq.ft.: house size is 2,000 sq. ft. plus 0.10; over 12,000 sq.ft. 3,000 sq.ft. plus 0.5 up to maximum of 7,000 sq.ft. gross floor area. One-time allowance of 100 sq. ft. for existing homes.
Minneapolis	R-1: 0.5	May be increased to match FARs of 50% of the homes within 100 feet of the lot; one time allowance of 500 sq. ft. for existing homes
New York City	R1: 0.50	Minimum lot area: 5,700 to 9,500 sq. ft.

Interestingly, in Atlanta, the R-4B zoning district is intended specifically as an alternative single-family zone for affordable housing that is centrally located and accessible to public transit, jobs and social services. Areas with this zoning were formally zoned for multi-family residential uses and the City’s objective is to transit these areas to single-family development pattern meeting the affordability goals specified.

FAR BONUSES

Nonresidential FAR bonuses are often granted for affordable housing, community benefits, dedication of right-of-way or other off-site improvements, urban gardens and green roofs, but for single family home, there are fewer bonuses that make sense. Bonuses that have been offered in the cities studied include:

- **Single story homes.** Los Angeles gives a 20 percent floor area bonus for home that stay within an 18-foot height “envelope”. As an alternative, in Studio City, Los Angeles gives an FAR bonus if the maximum height is reduced by 20 percent under a “menu” approach to FAR options.
- **Reduced second story size and setbacks.** Burbank allows up 0.05 additional FAR with a second story setback 10 feet at the front elevation for 75 percent of the width and 5 feet on at least one side elevation. The second story floor area cannot exceed 75 percent of the floor area of the first floor.
- **Front façade setbacks.** Los Angeles allows a 20 percent floor area bonus for an upper-story front setback that is at least 20 percent of the building depth.
- **Increased side yards.** Los Angeles allows a 20 percent floor area bonus when the combined width of the side yards is 25 percent of the lot width, provided no single yard is less than 10 percent of the lot width.
- **Minimal grading.** Los Angeles offer a 20 percent floor area bonus if the grading does not exceed 10 percent of the lot area, expressed in cubic yards, or 1,0000 cubic yards, whichever is less. By contrast, Mill Valley just sets a 300 cubic yard standard.
- **Green building.** Los Angeles offers a 20 percent floor area bonus (30 percent if the lot is less than 5,000 square feet), for a home that substantially complies with the “certified” level or higher, as set by the U.S. Green Building Council LEED program. The City Council has proposed eliminating this bonus, as they would prefer to see green building requirements established for all homes.
- **General Articulation Option.** For Studio City, Los Angeles offers a floor area bonus if all sides of a building façade are relieved by one or more variations that, in total, are no less than 20 percent of the façade and have a minimum average depth of 9 inches. These may include façade details, such as recessed windows, insets, pop-outs, or window trim. For existing homes and additions, only new exterior walls and existing walls that are altered are required to have the articulation. The precise FAR bonus is determined by a “menu” approach, with different FAR bonus increments for specific zoning districts.

The Burbank FAR bonus for larger lots is being reconsidered by the City Council because of concerns about house size.

4 Special Situations

HILLSIDES

Hillsides present a special situation for FAR controls because of bulk and mass is more visible. Larger homes on upslope lots also can loom over downslope lots and intrude into a neighbor's privacy. Increasing side setbacks and decreasing front setbacks also can help, as can height limits that distinguish an upslope from a downslope condition. The easiest way to regulate bulk though may be to establish a rule for reduced FAR as a function of slope.

- In Los Angeles, for example, the maximum FAR in the RS zoning district (0.45) drop to 0.4 in the 15-30 percent slope band, 0.35 in the 30-45 percent slope band, 0.30 in the 45-60 percent slope band, and 0.25 percent for lots with a slope band of 60+ percent.
- Burbank is considering a similar rule in its Neighborhood Compatibility Project.

LARGE LOTS

Two jurisdictions have “bent line” rules to address FAR on larger lots. The concept is straightforward: the amount of floor area that can be added on larger lots is proportionally less than on a standard-size lot. This rule also does not reward lot mergers, the purchase of an adjacent lot with a “teardown”, for example, with twice the floor area of the standard lot.

In Burbank, the bent line rule is presented in a table format:

Maximum Residential Floor Area Based on Lot Size and Allowable Floor Area Ratio (FAR)		
<i>Lot Size (Sq. Ft.)</i>	<i>Maximum FAR</i>	<i>Maximum Residential Floor Area (Sq. Ft.)</i>
7,500 or less	0.4	3,000
7,501 – 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500	3,000 to 4,350
Over 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500 but less than 15,000; and 0.2 for lot area over 15,000	Over 4,350, as determined by the applicable maximum FARs

In Mill Valley, the maximum floor area is determined as follows:

- Lots with less than 8,000 square feet of effective lot area: 35% of the effective lot area.
- Lots with 8,000 to 20,000 square feet of effective lot area: 10% of the effective lot area plus 2,000 square feet.
- Lots with more than 20,000 square feet of effective lot area: five percent of the effective lot area plus 3,000 square feet, to a maximum of 7,000 square feet.

Appendix D

Catalog of 2015 New Single-Family House Permits in the R2.5 Zone

City staff analyzed City of Portland data for all new one and two family residential construction permitted in the R2.5 zone in 2015. Omitted from this analysis was data for construction on lots that had been proposed in the 2035 Comprehensive Plan for new zoning designation from R5 to R2.5 (four permits) and all permits that applied only to the construction of an accessory dwelling unit (ADU) in the R2.5 zone (sixty-one permits).

Data was obtained from Plan Review Sheets developed for each permit by the Bureau of Development Services (BDS) and the Portland Zoning Code. Floor area information was obtained using Multnomah County Assessor data available at portlandmaps.com. As calculating or documenting floor area ratio (FAR) is not currently required by Zoning Code in Portland's residential zones (single- or multi-dwelling), FAR was estimated by dividing the combined segment type square footage for all floors including basements, attics and attached garages (defined in the analysis as "livable floor area") by the lot size. "Gross building floor area," which includes the livable floor area and square footage for all other segment types, such as detached garages, concrete, covered porches and covered patios. City staff compared segment type information with architectural plans submitted by permit applicants to identify any significant inconsistencies.

All photos were taken by City staff.

R2.5 Zone New Construction Permits in 2015

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

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

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

BUILDING HEIGHT: Average = 25.9 ft
ALLOWED BUILDING HEIGHT: Average = 34.3 ft
FRONT SETBACK: Average = 13.4 ft; Min Req: 10 ft
ALLOWED BUILDING COVERAGE: Average = 1,649 sf
BUILDING COVERAGE: Average = 1,362 sf (82.6%)

 45 of 51 Included Garages (40 Attached)	 9 Attached Primary Dwelling Units
 8 of 51 Included ADUs (All Attached)	

1 of 53

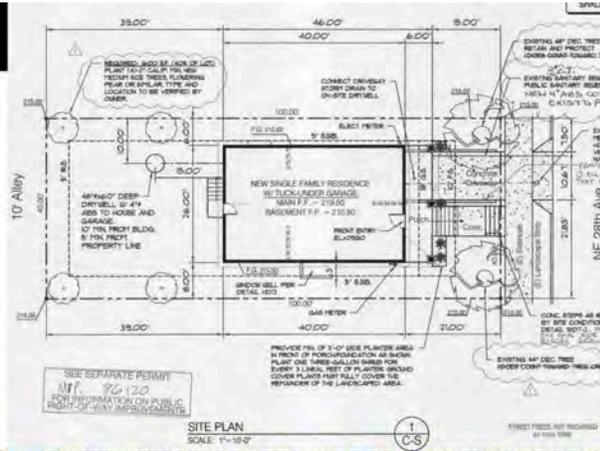


DATA SUMMARY

5217 NE 28th Ave. Concordia

R2.5ah (Standard Lot)

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,761 sf
Height	28 ft
Front/Rear Setback	11.5 ft / 35 ft
Side Setbacks	8 ft / 6 ft
Lot Coverage (Max)	1,204 sf (1,875 sf)
Front Facade	667 sf



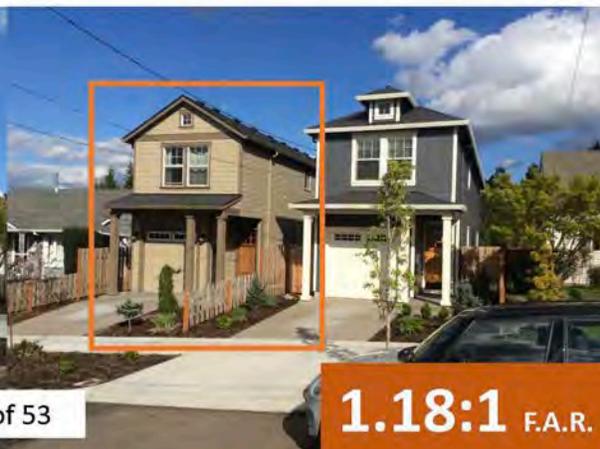
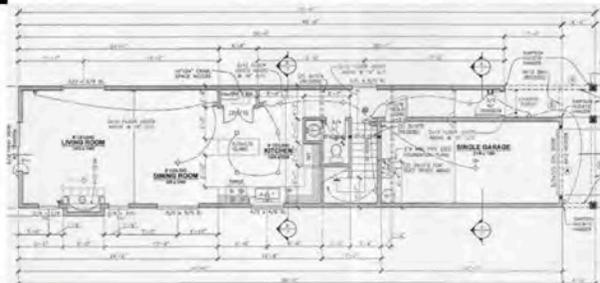
2 of 53

0.69:1 F.A.R.

4214 NE 81st Ave. Beaumont-Wilshire

R2.5h

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	2,942 sf
Height	22 ft
Front/Rear Setback	15 ft / 15 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,095 sf (1,250 sf)
Front Facade	333 sf



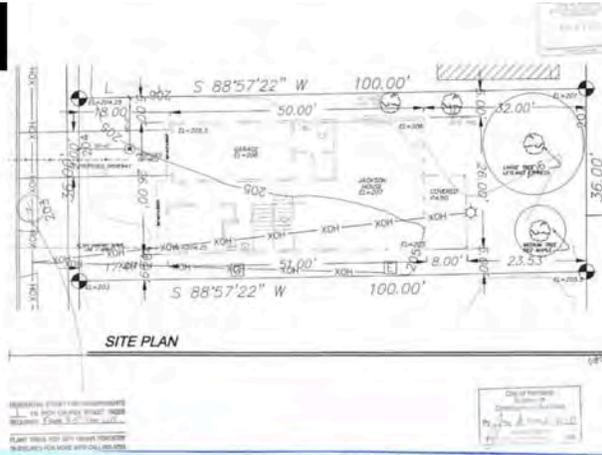
3 of 53

1.18:1 F.A.R.

4626 N Rodney Ave. King

R2.5a

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	4,632 sf
Height	21 ft
Front/Rear Setback	15.5 ft / 23.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,696 sf (1,725 sf)
Front Facade	507 sf



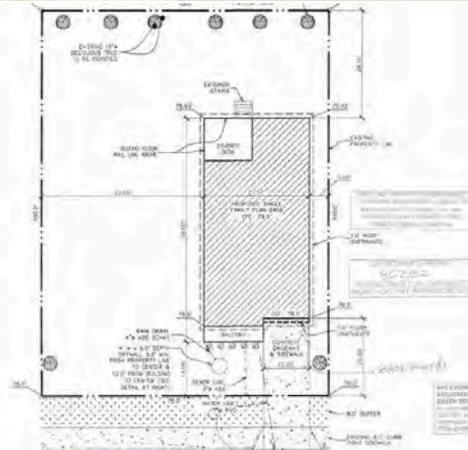
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1.29:1 F.A.R.

8226 SE 19th Ave. Sellwood-Moreland

R2.5ad

Lot Size/Width	3,250 sf / 37.5
Gross Floor Area	2,727 sf
Height (Max)	29 ft (30 ft)
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	42.5 ft / 5 ft
Lot Coverage (Max)	1,535 sf (2,625 sf)
Front Facade	627 sf



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0.84:1 F.A.R.

9114 N Macrum Ave. St. John's

R2.5

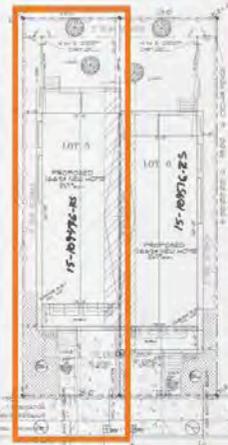
Lot Size/Width	2,141 sf / 33 ft
Gross Floor Area	2,013 sf
Height	21 ft
Front/Rear Setback	10 ft / 10.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	811 sf (1,070.5 sf)
Front Facade	706 sf



3625 NE 14th Ave. Sabin

R2.5

Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,113 sf
Height	26 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 0 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	400 sf



3631 NE 14th Ave. Sabin

R2.5

Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,097 sf
Height	26 ft
Front/Rear Setback	12 ft / 24.5 ft
Side Setbacks	0 ft / 5 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	400 sf



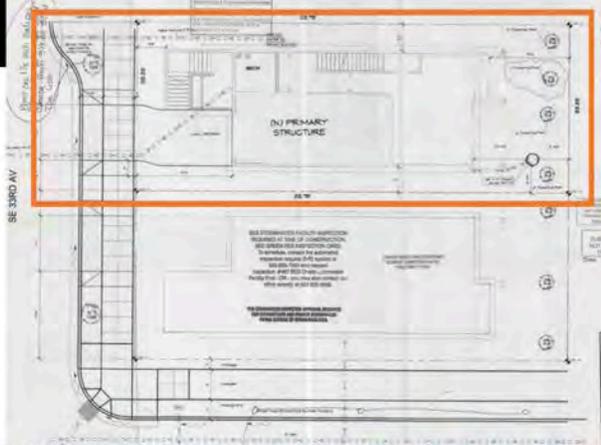
8 of 53

1.25:1 F.A.R.

1356 SE 33rd Ave. Sunnyside

R2.5

Lot Size/Width	2,791 sf / 33.33 ft
Gross Floor Area	3,257 sf
Height	34.5 ft
Front/Rear Setback	10 ft / 15 ft
Side Setbacks	5.3 ft / 5 ft
Lot Coverage (Max)	1,320 sf (1,395 sf)
Front Facade	780 sf



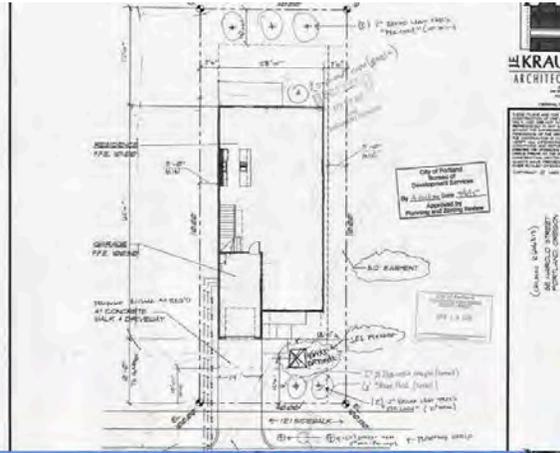
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1.17:1 F.A.R.

6115 SE Harold St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	4,400 sf / 40 ft
Gross Floor Area	3,172 sf
Height	27.5 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,708 sf (2,025 sf)
Front Facade	682



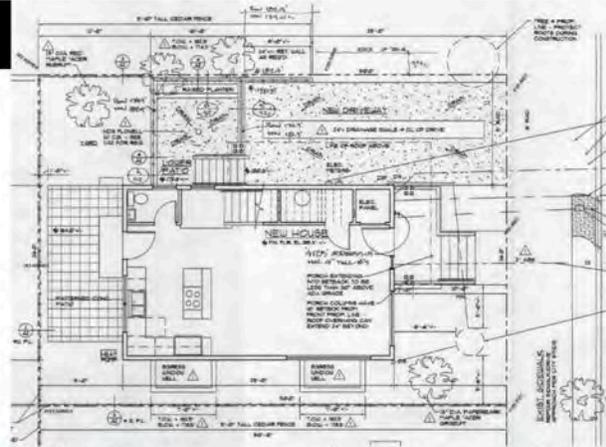
10 of 53

0.72:1 F.A.R.

4125 NE 7th Ave. A/B King

R2.5a

Lot Size/Width	1,850 sf / 36 ft
Gross Floor Area	1,762 sf
Height	27 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 8 ft
Lot Coverage (Max)	558 sf (900 sf)
Front Facade	530 sf



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0.95:1 F.A.R.

3722 SE 26th Ave. Creston-Kenilworth

R2.5

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	2,283 sf
Height	22 ft
Front/Rear Setback	16 ft / 15 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,206 sf (1,250 sf)
Front Facade	255 sf



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0.91:1 F.A.R.

2080 SE Ivon St. Hosford-Abernethy

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,916 sf
Height	32.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	15 ft / 65 ft
Lot Coverage (Max)	1,046 sf (2,250 sf)
Front Facade	960 sf/920 sf (side)



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1.17:1 F.A.R.

6565 SE 76th Ave. Brentwood-Darlington

R2.5a

Lot Size/Width	2,534 sf / 25 ft
Gross Floor Area	1,875 sf
Height	23.3 ft
Front/Rear Setback	14 ft / 19 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,035 sf (1,267 sf)
Front Facade	280 sf



14 of 53

0.74:1 F.A.R.

5032 N Vanderbilt St. Portsmouth

R2.5

Lot Size/Width	3,666 sf / 33.34 ft
Gross Floor Area	2,477 sf
Height	23.5 ft
Front/Rear Setback	15 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,477 sf (1,750 sf)
Front Facade	403 sf



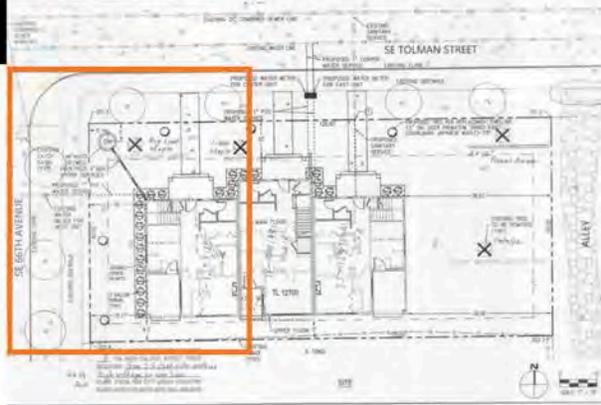
15 of 53

0.68:1 F.A.R.

6624 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	39 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf



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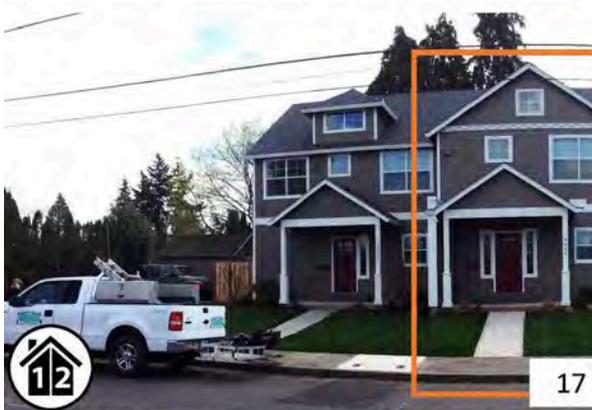
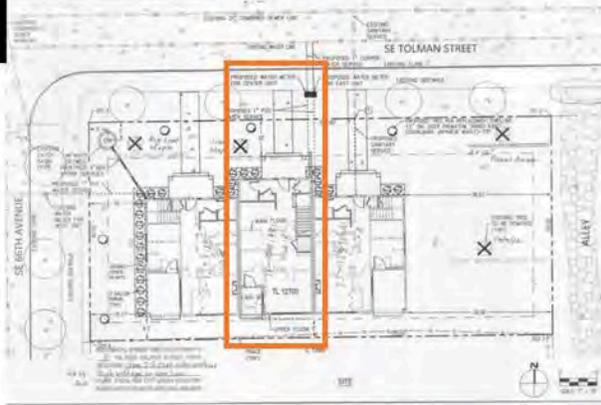
0.64:1 F.A.R.

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

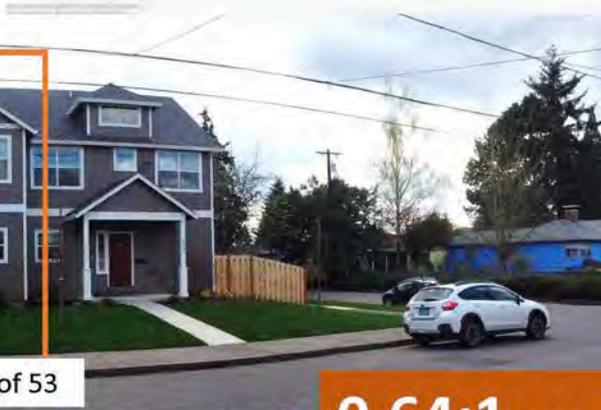
6616 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,547 sf
Height	27 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	0 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf



17 of 53



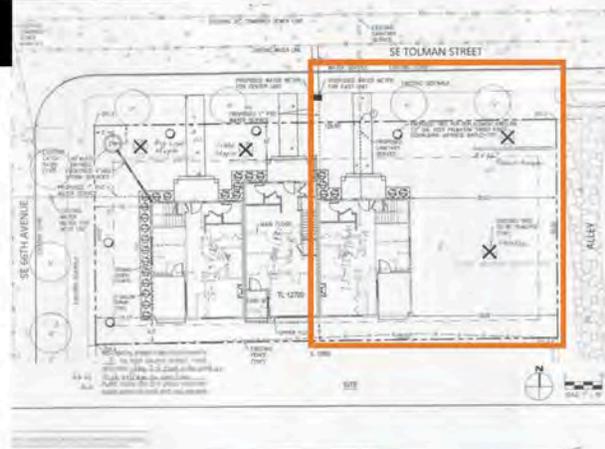
0.64:1 F.A.R.

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

6606 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	0 ft / 15 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf/ 933 sf (side)



18 of 53

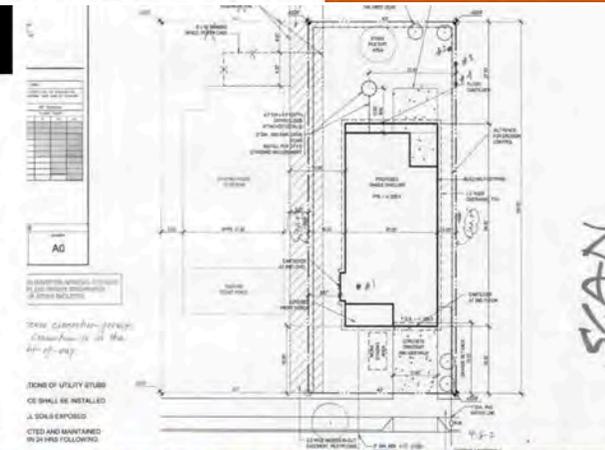
Note: Lot size, coverage, facade and FAR calculations apply to entire site.

0.64:1 F.A.R.

4924 SE 76th Ave. Foster-Powell

R2.5a

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,581 sf
Height	26.3 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	8.7 ft / 5 ft
Lot Coverage (Max)	1,363 sf (1,875 sf)
Front Facade	493 sf



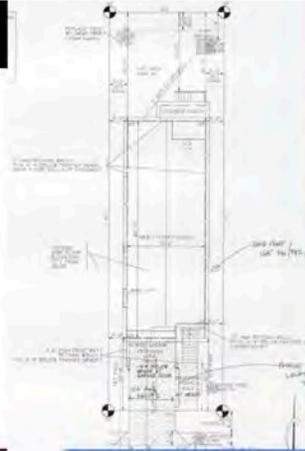
19 of 53

0.66:1 F.A.R.

3722 SE Taylor St. Sunnyside

R2.5

Lot Size/Width	3,465 sf / 31.5 ft
Gross Floor Area	3,752 sf
Height	31.5 ft
Front/Rear Setback	20 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,360 sf (1,674 sf)
Front Facade	660 sf



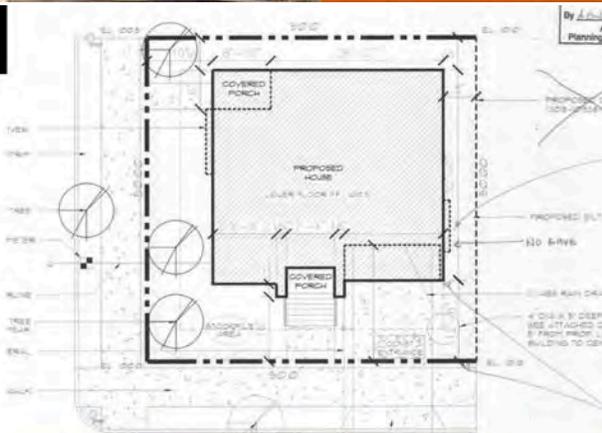
20 of 53

1.08:1 F.A.R.

5232 NE 9th Ave. A/B King

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,443 sf
Height	32 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	9 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,250 sf)
Front Facade	966 sf / 813 sf (side)



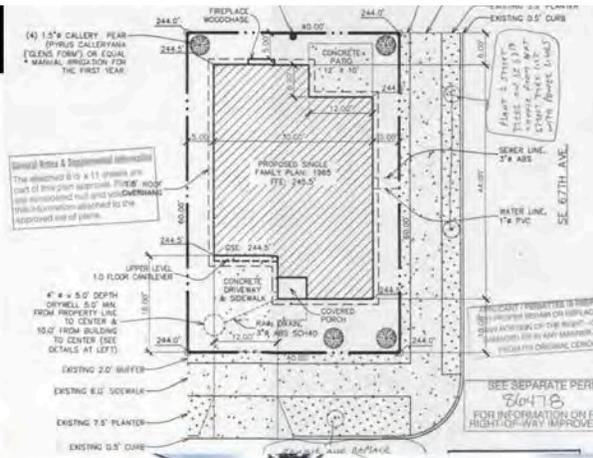
21 of 53

1.38:1 F.A.R.

6706 SE Ramona St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,239 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	633 sf/847 sf (side)



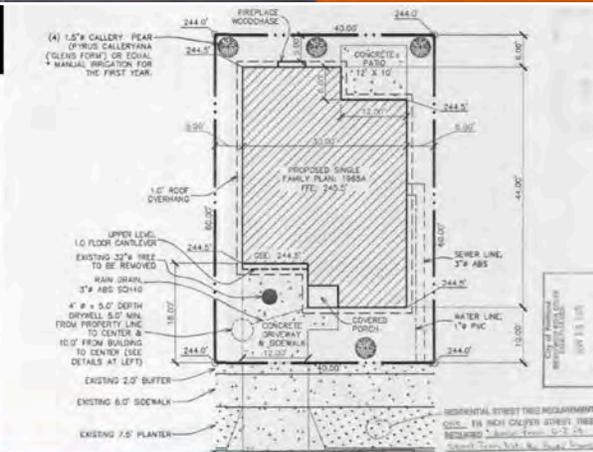
22 of 53

0.93:1 F.A.R.

6712 SE Ramona St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,310 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	633 sf



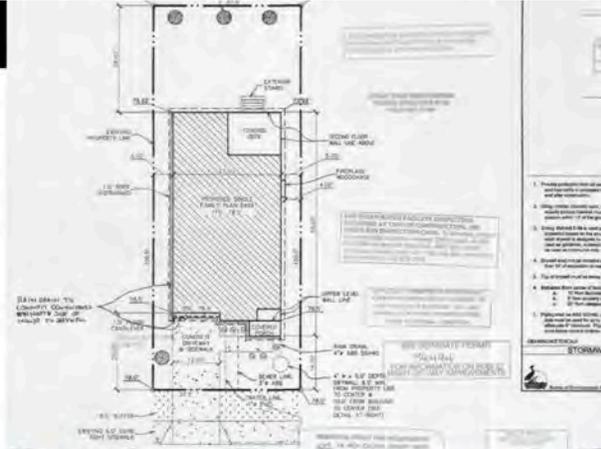
23 of 53

0.96:1 F.A.R.

8218 SE 19th Ave. Sellwood-Moreland

R2.5ad

Lot Size/Width	3,750 sf / 37.5 ft
Gross Floor Area	2,980 sf
Height	29 ft
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,505 sf (1,781 sf)
Front Facade	633 sf



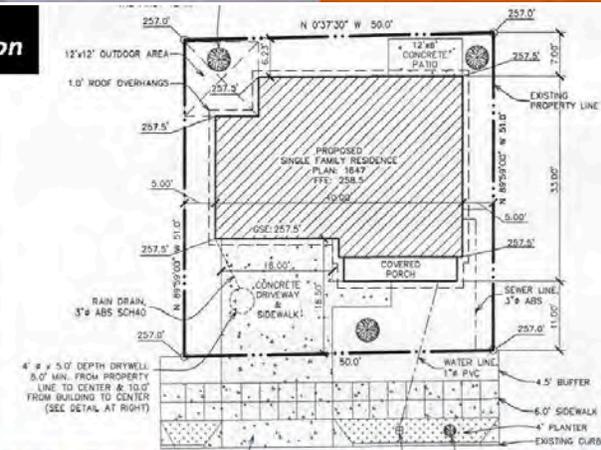
24 of 53

0.79:1 F.A.R.

6525 SE 62nd Ave. Brentwood-Darlington

R2.5a

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,116 sf
Height	21.5 ft
Front/Rear Setback	11 ft / 6.3 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,056 sf (1,275 sf)
Front Facade	746 sf



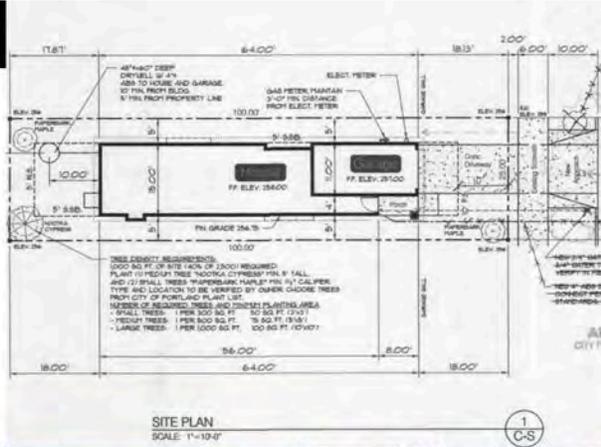
25 of 53

0.85:1 F.A.R.

3403 NE 74th Ave. Roseway

R2.5h

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,922 sf
Height	21.8 ft
Front/Rear Setback	10 ft / 17.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	972 sf (1,250 sf)
Front Facade	366 sf



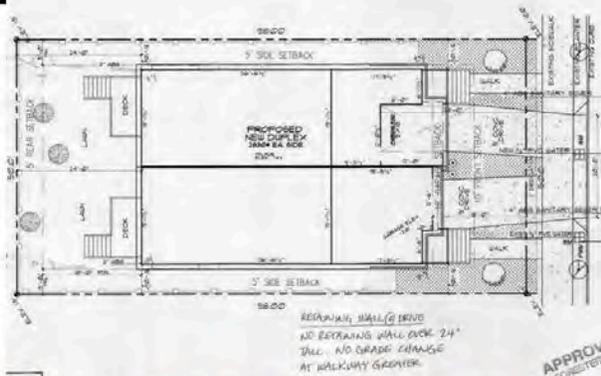
26 of 53

0.77:1 F.A.R.

5241/5247 NE 15th Ave. Vernon

R2.5ah

Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	6,440 sf
Height	31 ft
Front/Rear Setback	15 ft / 24 ft
Side Setbacks	10.9 ft / 10.9 ft
Lot Coverage (Max)	2,249 sf (2,250 sf)
Front Facade	1,026 sf



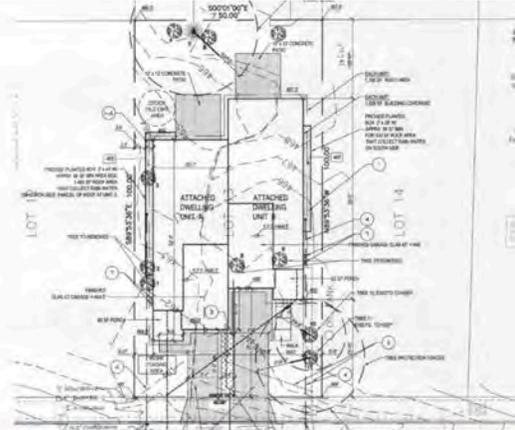
27 of 53

1.29:1 F.A.R.

8558/8566 SW 20th Ave. Markham

R2.5

Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	3,988 sf
Height	25.5 ft
Front/Rear Setback	15 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	2,054 sf (2,250 sf)
Front Facade	860 sf



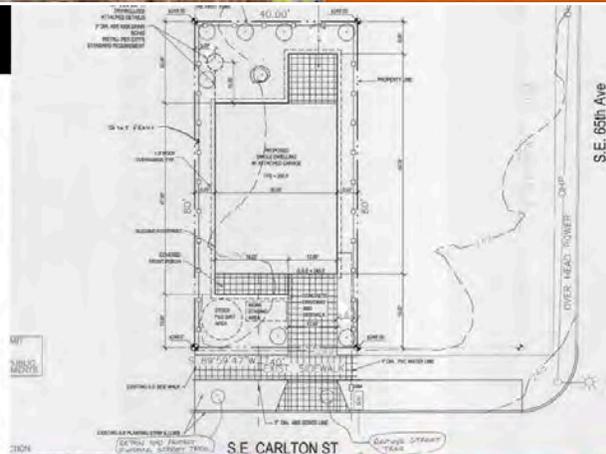
28 of 53

0.80:1 F.A.R.

6423 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	526 sf



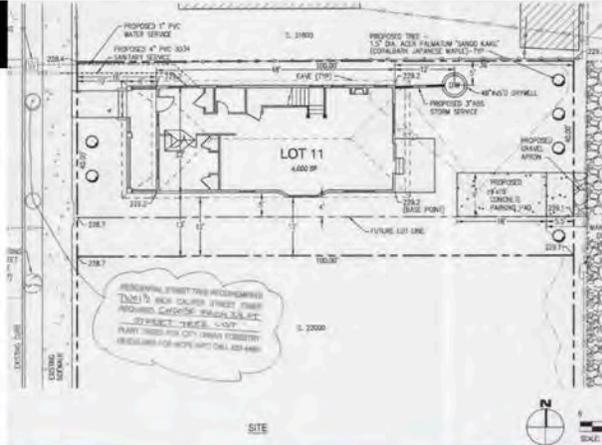
29 of 53

0.82:1 F.A.R.

4400 SE 65th Ave. Foster-Powell

R2.5a

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,625 sf
Height (Max)	25.3 ft (26 ft)
Front/Rear Setback	16 ft / 36 ft
Side Setbacks	5 ft / 13 ft
Lot Coverage (Max)	1,110 sf (1,575 sf)
Front Facade	533 sf



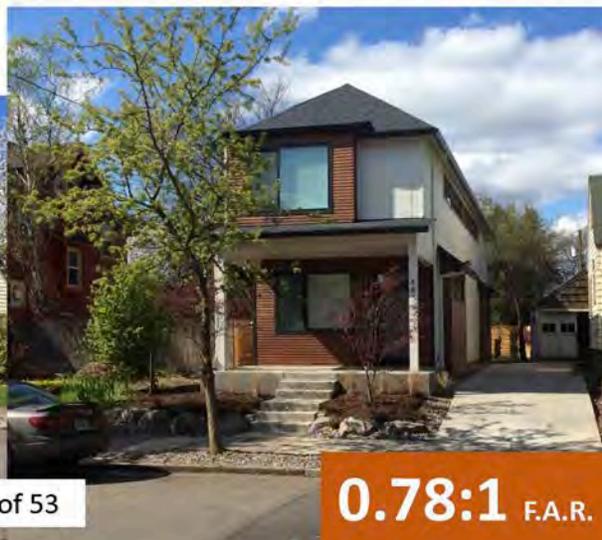
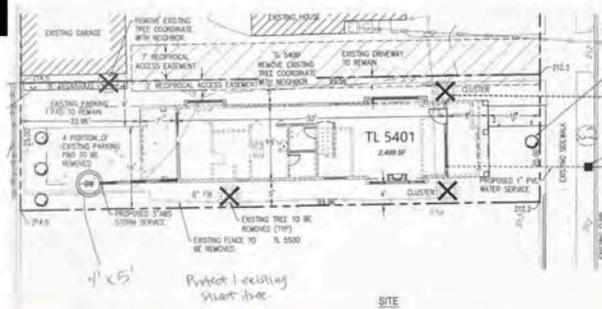
30 of 53

0.66:1 F.A.R.

4835 NE Rodney Ave. Humboldt

R2.5a

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,959 sf
Height	22.5
Front/Rear Setback	18 ft / 30 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	990 sf (1,250 sf)
Front Facade	340 sf



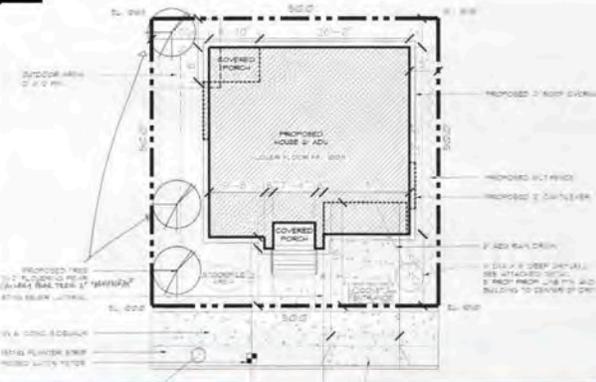
31 of 53

0.78:1 F.A.R.

2068 SE Ivon St. A/B *Hosford-Abernethy*

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,443 sf
Height	31.9 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	9 ft / 5 ft
Lot Coverage (Max)	1,187 sf (2,250 sf)
Front Facade	933 sf



6336 SE Carlton St. *Mt. Scott-Arleta*

R2.5a

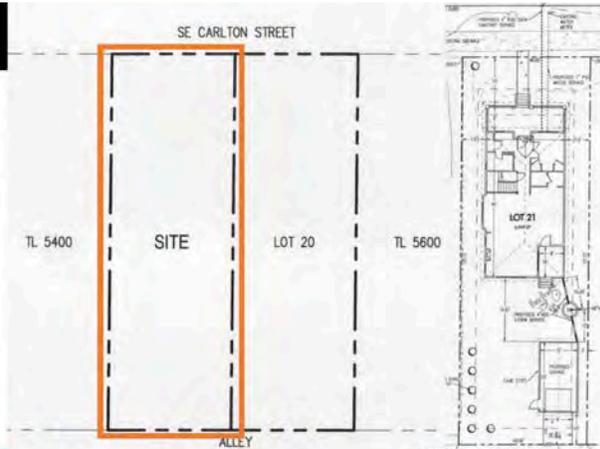
Lot Size/Width	4,800 sf / 40 ft
Gross Floor Area	2,779 sf
Height	31 ft
Front/Rear Setback	15 ft / 20 ft
Side Setbacks	7.5 ft / 7.5 ft
Lot Coverage (Max)	1,614 sf (2,175 sf)
Front Facade	764 sf



6316 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	4,800 sf / 40 ft
Gross Floor Area	2,779 sf
Height	31 ft
Front/Rear Setback	15 ft / 10 ft
Side Setbacks	7.5 ft / 7.5 ft
Lot Coverage (Max)	1,614 sf (2,175 sf)
Front Facade	500 sf



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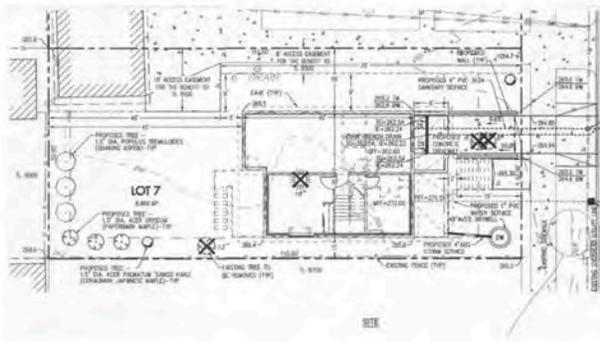


0.58:1 F.A.R.

2725 NE 62nd Ave. Rose City Park

R2.5h

Lot Size/Width	5,500 sf / 50 ft
Gross Floor Area	4,401 sf
Height	32 ft
Front/Rear Setback	15 ft / 45 ft
Side Setbacks	5 ft / 15 ft
Lot Coverage (Max)	1,459 sf (2,325 sf)
Front Facade	893 sf



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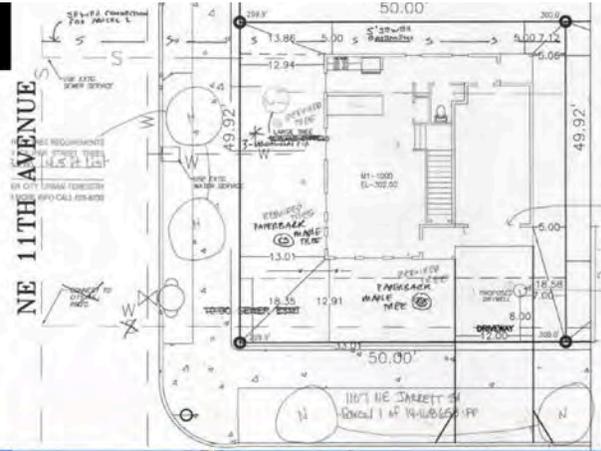


0.80:1 F.A.R.



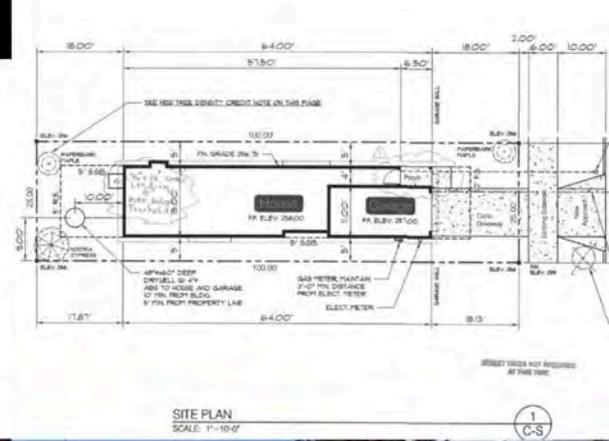
1107 NE Jarrett St. *Vernon*

R2.5ah	
Lot Size/Width	2,496 sf / 50 ft
Gross Floor Area	1,898 sf
Height	22 ft
Front/Rear Setback	13 ft / 5 ft
Side Setbacks	5 ft / 12.9 ft
Lot Coverage (Max)	1,150 sf (1,248 sf)
Front Facade	606 sf/606 sf (side)



3393 NE 74th Ave. *Roseway*

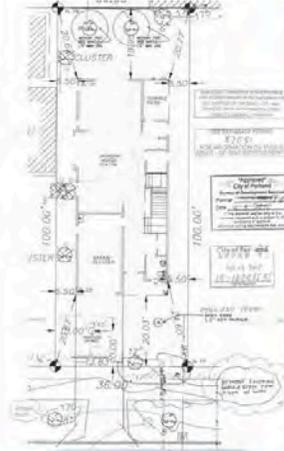
R2.5h	
Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,926 sf
Height	21.7 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	974 sf (1,250 sf)
Front Facade	300 sf



4231 SE Yamhill St. Sunnyside

R2.5

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.5 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.5 ft / 5.5 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	486 sf



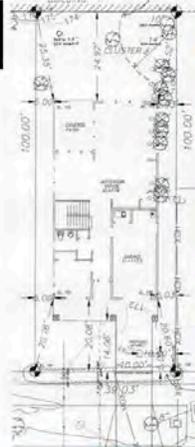
38 of 53

0.80:1 F.A.R.

4235 SE Yamhill St. Sunnyside

R2.5

Lot Size/Width	3,300 sf / 39 ft
Gross Floor Area	3,903 sf
Height	22 ft
Front/Rear Setback	14.1 ft / 24.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,769 sf (1,838 sf)
Front Facade	466 sf



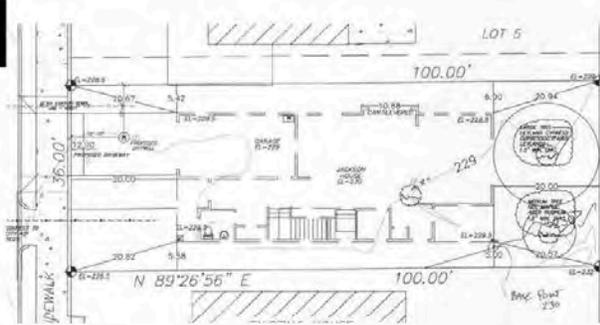
39 of 53

0.85:1 F.A.R.

4816 NE 12th Ave. King

R2.5ah

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.8 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.4 ft / 5.6 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	446 sf



SITE PLAN



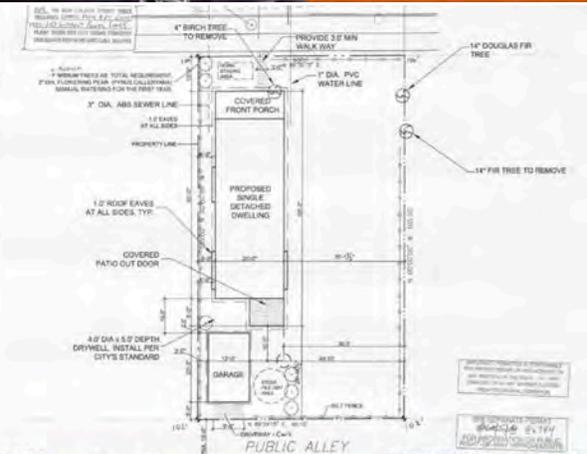
40 of 53

0.80:1 F.A.R.

6108 SE Steele St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,155 sf / 30 ft
Gross Floor Area	2,593 sf
Height	22.5 ft
Front/Rear Setback	10 ft / 27 ft
Side Setbacks	35.1 ft / 5 ft
Lot Coverage (Max)	1,534 sf (2,445 sf)
Front Facade	386 sf



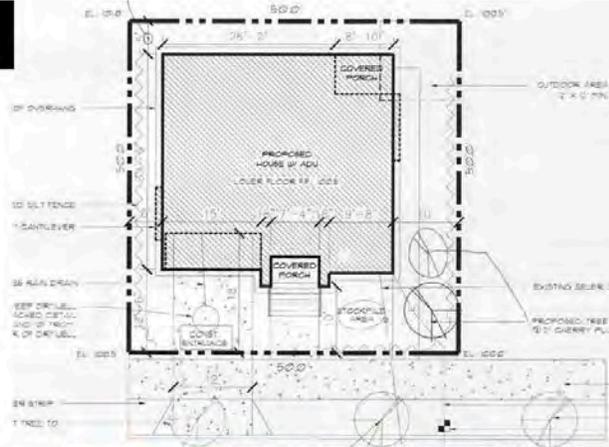
41 of 53

0.82:1 F.A.R.

1414 SE Franklin St. A/B Brooklyn

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,264 sf
Height	32 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,187 sf (1,250 sf)
Front Facade	960 sf



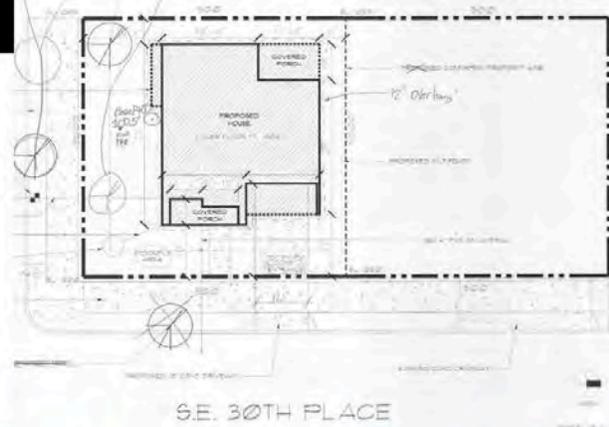
42 of 53

1.31:1 F.A.R.

235 SE 30th Pl. Kerns

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,868 sf
Height	33 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	15 ft / 5 ft
Lot Coverage (Max)	1,046 sf (1,250 sf)
Front Facade	907 sf



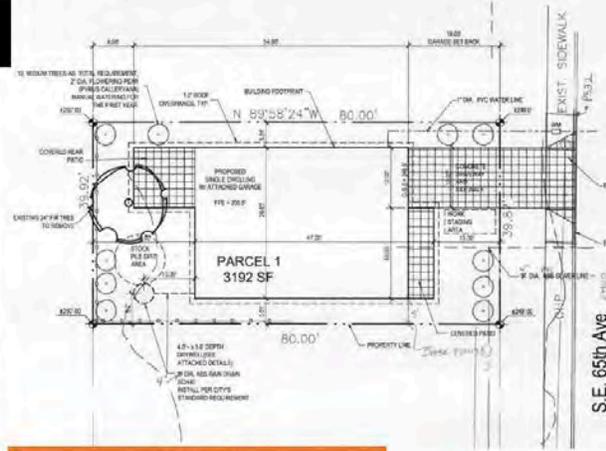
43 of 53

1.15:1 F.A.R.

6161 SE 65th Ave. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,192 sf / 40 ft
Gross Floor Area	2,603 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 20 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,572 sf)
Front Facade	506 sf



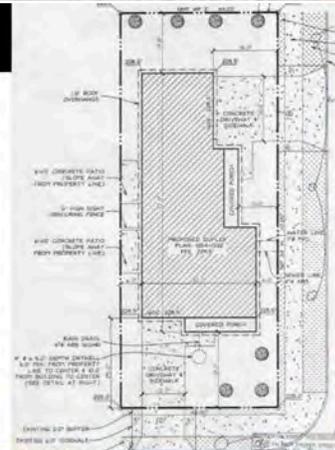
44 of 53

0.82:1 F.A.R.

7879 SE Raymond St. Foster-Powell

R2.5a

Lot Size/Width	4,840 sf / 44 ft
Gross Floor Area	3,455 sf
Height	21.7 ft
Front/Rear Setback	21 ft / 17 ft
Side Setbacks	6 ft / 6 ft
Lot Coverage (Max)	1,894 sf (2,190 sf)
Front Facade	520 sf/1,346 sf (side)



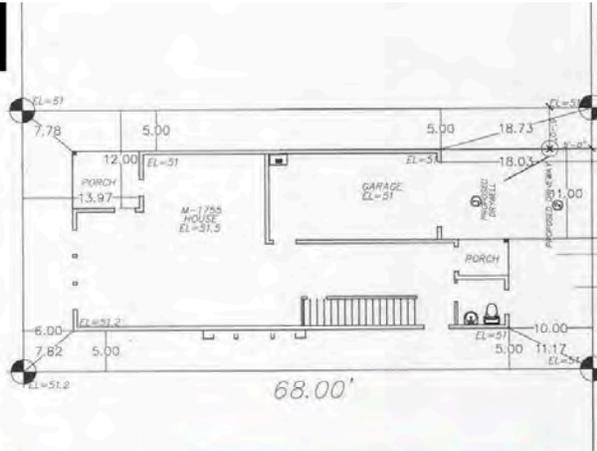
45 of 53

0.71:1 F.A.R.

3361 SE 16th Ave. Brooklyn

R2.5

Lot Size/Width	2,176 sf / 32 ft
Gross Floor Area	2,174 sf
Height (Max)	21.6 ft (33 ft)
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,068 sf (1,088 sf)
Front Facade	426 sf



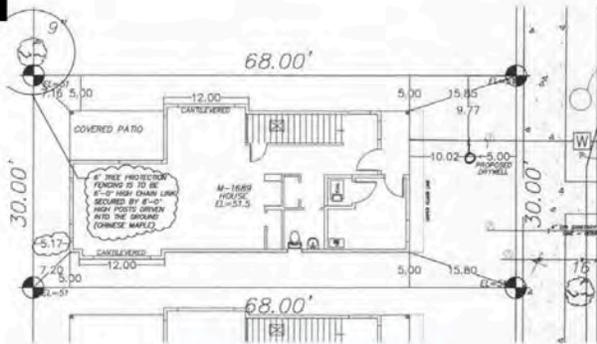
46 of 53

1.00:1 F.A.R.

3357 SE 16th Ave. Brooklyn

R2.5

Lot Size/Width	2,040 sf / 30 ft
Gross Floor Area	1,923 sf
Height (Max)	21 ft (30 ft)
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,024 sf (1,024 sf)
Front Facade	373 sf



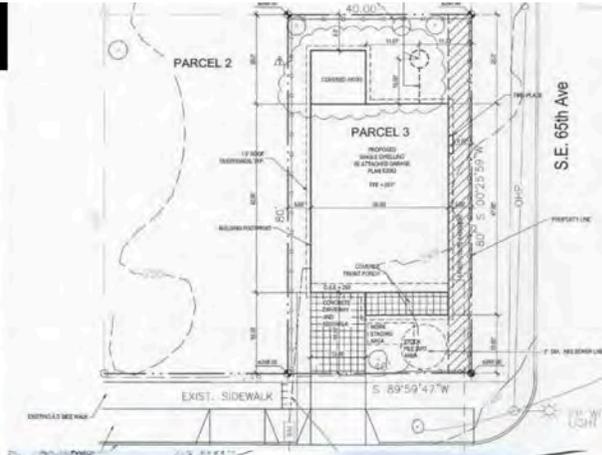
47 of 53

0.94:1 F.A.R.

6445 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	25 ft
Front/Rear Setback	13 ft / 8 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	580 sf/793 sf (side)



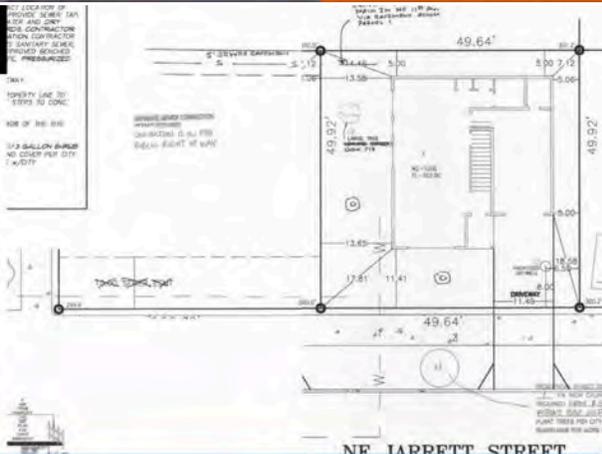
48 of 53

0.82:1 F.A.R.

1115 NE Jarrett St. Vernon

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	1,934 sf
Height	22.5 ft
Front/Rear Setback	11.5 ft / 5 ft
Side Setbacks	13.5 ft / 5 ft
Lot Coverage (Max)	931 sf (1,250 sf)
Front Facade	586 sf



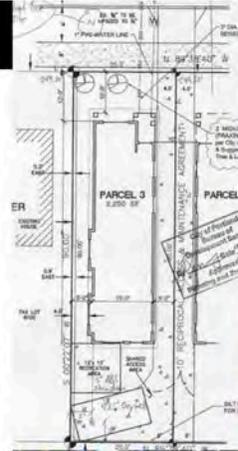
49 of 53

0.77:1 F.A.R.

9020 SE Yamhill St. Montavilla

R2.5a

Lot Size/Width	2,250 sf / 25 ft
Gross Floor Area	1,687 sf
Height (Max)	20.8 ft (22.5 ft)
Front/Rear Setback	10 ft / 24 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	860 sf (1,125 sf)
Front Facade	293 sf



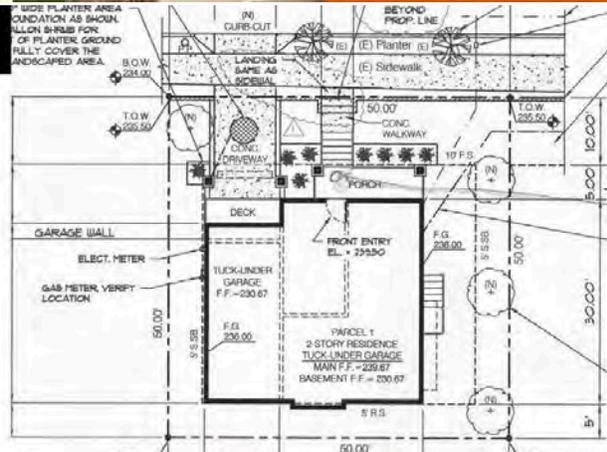
50 of 53

0.75:1 F.A.R.

1260 NE Wygant St. King

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,487 sf
Height	29 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	10 ft / 5 ft
Lot Coverage (Max)	1,114 sf (1,250 sf)
Front Facade	813 sf



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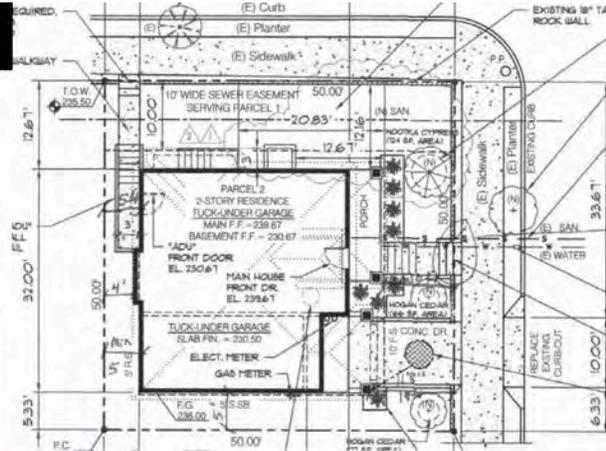
0.99:1 F.A.R.



4729 NE 13th Ave. A/B King

R2.5ah

Lot Size/Width	2,504 sf / 50 ft
Gross Floor Area	2,406 sf
Height	28.6 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 12 ft
Lot Coverage (Max)	1,114 sf (1,252 sf)
Front Facade	793 sf



R2.5 Zone New Construction Permits in 2015

Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr/SW	Parking	Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr/Sb	Parking
2	5217 NE 28th Av	Detached	0.69	28.0	4000	40.0	4000	11.5	Tuck Under	27	5241/5247 NE 15th Av	Attached	1.29	31.0	5000	50.0	5000	15.0	Main Floor
3	4214 NE 81st Av	Detached	1.18	22.0	2500	25.0	2500	15.0	Main Floor	28	8558/8566 SW 20th Av	Attached	0.80	25.5	5000	50.0	5000	15.0	Main Floor
4	4626 NE Rodney Av	Detached	1.29	21.0	3600	36.0	3600	15.5	Main Floor	29	6423 SE Carlton Av	Detached	0.82	22.1	3200	40.0	3200	13.0	Main Floor
5	8226 SE 19th Av	Detached	0.84	29.0	3250	37.5	3250	14.0	Main Floor	30	4400 SE 65th Av	Detached	0.66	25.3	4000	40.0	4000	16.0	Detached
6	9414 N Macrum Av	Detached	0.94	21.0	2141	33.0	2141	10.0	Main Floor	31	4835 NE Rodney Av	Detached	0.78	22.5	2500	25.0	2500	18.0	Parking Pad
7	3625 NE 14th Av	Attached	1.26	26.0	2475	25.0	2475	18.0	Tuck Under	32	2088 SE Ivon St A/B	Detached	1.38	31.9	2500	50.0	2500	10.0	Main Floor
8	3631 NE 14th Av	Attached	1.25	26.0	2475	25.0	2475	12.0	Tuck Under	33	6336 SE Carlton St	Detached	0.58	31.0	4800	40.0	4800	15.0	Detached
9	1356 SE 33rd Av	Detached	1.17	34.5	2791	33.3	2791	10.0	Main Floor	34	6316 SE Carlton St	Detached	0.58	32.0	4800	40.0	4800	15.0	Tuck Under
10	6115 SE Harold St	Detached	0.72	27.5	4400	40.0	4400	18.0	Main Floor	35	2725 NE 62nd Av	Detached	0.80	32.0	5500	50.0	5500	15.0	Main Floor
11	4125 NE 7th Av A/B	Detached	0.95	27.0	1850	36.0	1850	10.0	Parking Pad	36	1107 NE Jarrett St	Detached	0.76	22.0	2496	50.0	2496	13.0	Detached
12	3722 SE 26th Av	Detached	0.91	22.0	2500	25.0	2500	16.0	Main Floor	37	3393 NE 74th Av	Detached	0.77	21.7	2500	25.0	2500	18.0	Main Floor
13	2080 SE Ivon St	Detached	1.17	32.5	2500	50.0	2500	10.0	Main Floor	38	4231 SE Yamhill St	Detached	0.80	21.5	3600	36.0	3600	20.0	Main Floor
14	6565 SE 76th Av	Detached	0.74	23.3	2534	25.0	2534	14.0	Main Floor	39	4235 SE Yamhill St	Detached	0.85	22.0	3903	39.0	3903	14.1	Main Floor
15	5032 N Vanderbilt St	Detached	0.68	23.5	3666	33.3	3666	15.0	Detached	40	4816 NE 12th Av	Detached	0.80	21.8	3600	36.0	3600	20.0	Main Floor
16	6624 SE Tolman St	Attached		27.0				14.0	Parking Pad	41	6108 SE Steele St	Detached	0.82	22.5	3155	30.0	3155	10.0	Detached
17	6616 SE Tolman St	Attached		27.0				10.0	Parking Pad	42	1414 SE Franklin St A/B	Detached	1.31	32.0	2500	50.0	2500	10.0	Main Floor
18	6606 SE Tolman St	Attached		27.0				14.0	Parking Pad	43	235 SE 30th Pl	Detached	1.15	33.0	2500	50.0	2500	10.0	Main Floor
	SE Tolman St		0.64		7500	125.0	7500			44	6161 SE 65th Av	Detached	0.82	22.1	3192	40.0	3192	13.0	Main Floor
19	4924 SE 76th Av	Detached	0.65	26.3	4000	40.0	4000	18.0	Main Floor	45	7879 SE Raymond St	Detached	0.71	21.7	4840	44.0	4840	21.0	Main Floor
20	3722 SE Taylor St	Detached	1.08	31.5	3465	31.5	3465	20.0	Main Floor	46	3361 SE 16th Av	Detached	1.00	21.6	2176	32.0	2176	10.0	Main Floor
21	5232 NE 9th Av A/B	Detached	1.38	32.0	2500	50.0	2500	10.0	Main Floor	47	3357 SE 16th Av	Detached	0.94	21.1	2040	30.0	2040	10.0	None
22	6706 SE Ramona St	Detached	0.93	27.5	2400	40.0	2400	10.0	Main Floor	48	6445 SE Carlton St	Detached	0.82	25.0	3200	40.0	3200	13.0	Main Floor
23	6712 SE Ramona St	Detached	0.96	27.5	2400	40.0	2400	10.0	Main Floor	49	1115 NE Jarrett St	Detached	0.77	22.5	2500	50.0	2500	11.5	Main Floor
24	8218 SE 19th Av	Detached	0.79	29.0	3750	37.5	3750	14.0	Main Floor	50	9020 SE Yamhill St	Detached	0.75	20.8	2250	25.0	2250	10.0	Parking Pad
25	6525 SE 62nd Av	Detached	0.85	21.5	2500	50.0	2500	11.0	Main Floor	51	1260 NE Wygant St	Detached	0.99	29.0	2500	50.0	2500	10.0	Tuck Under
26	3403 NE 74th Av	Detached	0.77	21.8	2500	25.0	2500	10.0	Tuck Under	52	4729 NE 13th Av A/B	Detached	0.96	28.6	2504	50.0	2504	10.0	Tuck Under

Appendix E

“Visitability” Best Practices

To inform how best to develop new code that advances universal design principles and provide better housing opportunity for people of all ages and abilities, City staff consulted with Residential Infill Project Stakeholder Advisory Committee member Alan DeLaTorre, Ph.D, Research Associate with the Institute of Aging at Portland State University (PSU). City staff sought a broader base of knowledge beyond Alan’s contributions and information gained from prior Phase I outreach to the Portland Commission on Disability and at the 2016 Age-Friendly Housing workshop.

Alan recommended collaborating on a strategy for advancing “visitability,” an increasingly-used term used to describe a base level of housing accessibility. There are three main principles of visitability – at least one zero-step entrance, wide doorways and hallways for clear passage, and at least one bathroom on the main floor of a house that can be used, without accommodation from others, by a person in a wheelchair or using another type of mobility device. The collaborative effort aimed to identify how best to create incentives or requirements for some or all of these features.

The team assembled a two-part focus group to inform its analysis. One focus group represented consumers and users, the other group consisted of designers and builders. Notes taken during these discussions are included in this Appendix. Focus group participants are shown below.

Visibility Focus Group Facilitator: Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging

Visitability Focus Group #1

Robert Freeman – Robert Freeman Architecture

Brenda Jose – Portland Commission on Disability, Unlimited Choices

Thalia Martinez-Parker – REACH Community Development, Inc.

Julia Metz – Portland Community Reinvestment Initiative, Inc.

Michael Mitchoff – Portland Houseworks

Garlynn Woodsong – Woodsong Property Renovation Partners, LLC

Visitability Focus Group #2

Nikole Cheron – City of Portland, Office of Equity and Human Rights

Larry Cross – Portland Commission on Disability

Marie Cushman – Portland resident

Susan Cushman – United Cerebral Palsy of Oregon and SW Washington

Myra Sicilia – Portland Commission on Disability, Sakura Counseling

Joe Wykowski – Community Vision

Alan also collaborated with a team of undergraduate students from his age-friendly design class, who assisted in the focus groups and developed a nationwide inventory of visitability best practices.

Visitability Research

Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging

Alex Freeman – Portland State University

Matthew Wadleigh – Portland State University

Visitability Best Practicesⁱ

September, 2017

By Alan DeLaTorre, PhD. – Portland State University, Institute on Aging
Alex Freeman and Matthew Wadleigh, Portland State University



Visitability...refers to single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. – Visitability.org

Introduction

The City of Portland's growth is projected to include nearly 123,000 new households by 2035 and approximately 240,000 of those households are expected to be housed in the City's single-dwelling zones.ⁱⁱ According to Metro's population projections, from 2010-2035, the greater Portland region is expected to grow by 27.5%; however, the population aged 65+ is expected to grow by 98.1%, which is markedly higher than all other age cohorts.ⁱⁱⁱ

To accommodate increases to both the overall number and proportion of older adults, it is critically important that the City of Portland increases the supply of housing that allows older adults – as well as people with disability, parents with strollers, cyclists, etc. – housing that meets their day-to-day needs, as well as the long-term opportunity to age in their home and community.

Visitability

"Visitability" is a growing national trend in home design. Some variations exist in the ways in which visitability is described such as VisitAble Housing Canada which details "enhanced Visitability" that goes beyond basic features and addresses accessible bathrooms and kitchens, parking, adaptability, etc.^{iv} Visitability.org provides the most commonly used definition:^v

Single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements:

1. One zero-step entrance.
2. Doors with 32 inches of clear passage space.
3. One bathroom on the main floor you can get into in a wheelchair.

Note: in addition to "visitability" terms such as "accessibility," "usability," "age-friendly housing," "universal design," and other terms are used to describe housing that meets the needs of a person with a disability, mobility impairment, or other functional need. For the purpose of this report, we focus on visitability and closely related items.

Method

As part of this Capstone project, two students working under the direction of the course instructor reviewed existing literature pertaining to visitability and efforts in the United States and Canada that incorporated visitable features and approaches into local policies and programs. To begin, a document from the IDeA Center at the University of Buffalo and AARP's Public Policy Institute that detailed 59 U.S. local visitability initiatives and policies was reviewed.^{vi} To supplement those initiatives and policies an Internet search was conducted to identify additional efforts that were underway before determining 10 initiatives that were considered best practices – considerations were made for a range of regulatory, incentive-based, and voluntary programs, as well as policies that were incorporated into local zoning and/or building code and those that were implementable.

Best practices

The review of the literature and existing efforts in the U.S. led to identifying six municipalities that addressed visitability through regulatory approaches, including (note: [Details, including links to policy documents can be found in a developed spreadsheet^{vii}](#)):

- Austin, TX
- Bolingbrook, IL
- Dublin City, CA
- Pima County, AZ
- Pine Lake, GA
- San Antonio, TX

In addition to those municipalities, four local governments were identified with incentive-based and voluntary approaches, including (note: [details of those programs can be found here](#)):

- Escabana, MI
- Irvine, CA
- Monroeville, PA
- Montgomery County, MA

ⁱ This document was prepared for the Bureau of Planning and Sustainability, by Portland State University faculty (Dr. Alan DeLaTorre, Institute on Aging, College of Urban and Public Affairs) and students (Alex Freeman & Matthew Wadleigh) from the University Studies Capstone course titled *Creating Age-friendly Communities*.

ⁱⁱ City of Portland (2017). *Residential Infill Project*. Retrieved from: <https://www.portlandoregon.gov/bps/67728>. The Residential Infill Project in Portland has sought to address myriad concerns related to Portland's changing demographics and housing stock, including size of housing, demolitions, affordability, housing choice, and meeting the needs of the future populations.

ⁱⁱⁱ Lycan, R. (2016). Population Forecasts for the Portland Metro Region: Disparities between Metro's Metroscope Model and the Demographers' Forecasts. Retrieved from: https://www.pdx.edu/ioa/sites/www.pdx.edu.ioa/files/Metroscope_Demographers_2.pptx

^{iv} VisitAble Housing Canada (n.d.). VisitAble Housing Canada – Winnipeg Task Force. Retrieved from: <http://visitablehousingcanada.com/wp-content/uploads/2016/03/Winnipeg-TF-Accessibility-Continuum-Chart.pdf>.

^v Visitability.org (2017). Visitability – what is it? Retrieved from: <http://www.visitability.org/>.

^{vi} IDeA Center & AARP Public Policy Institute (2014). Local Visitability Initiative & Policies. Retrieved from: <http://idea.ap.buffalo.edu/visitability/reports/existingcitylaws.htm>.

^{vii} Visitability spreadsheet developed by PSU students/faculty as part of the course *Creating Age-friendly Communities*: <https://docs.google.com/spreadsheets/d/1HnPLvD6vVxuRA256nlt7KsytvAN9Y2P4JPqLQQ9tHI/edit#gid=858828875>

Residential Infill Project — Visitability Focus Groups

Thursday, May 25, 2017 - Portland State University, Room 410

Facilitated by Alan DeLaTorre, Ph.D. - Portland State University, Institute on Aging

“Visitability” refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements: (1) has at least one zero-step entrance; (2) has doors with at least 32 inches of clear passage space; and (3) has at least one bathroom on the main floor that can be used, without accommodation from others, by a person in a wheelchair or other mobility device.

Focus Group #1 (11:00 am to Noon) - Questions for Designers/Builders:

- 1. How common is it for new construction to have visitable features, as defined above? What about remodels and renovations?** Is there a market trend towards more visitability and/or accessibility for all users and abilities ('universal design')?
- 2. In addition to the three visitability features mentioned above, what other visitability features do you feel lead to more accessible, age-friendly housing?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
- 3. What are the barriers to including more visitability and accessible features in new and remodeled houses?** For example: cost, consumer preference, floorplan constraints, difficulties in providing zero-step entrances etc.
- 4. What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
- 5. What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
- 6. With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
- 7. How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
- 8. Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Are there other site constraints that impede providing a visitable unit?

Focus Group #2 (12:30 pm to 1:30 pm) - Questions for Consumers/Users:

- 1. Please discuss the relevance of these three visitability features with respect to your own day-to-day experiences. Can these three features be prioritized?**
- 2. In addition to the three visitability features mentioned above, what other visitability features do you feel should be included in the zoning and/or building code?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
- 3. What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
- 4. With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
- 5. How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
- 6. What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
- 7. Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Have you experienced other site constraints that impede providing a visitable unit?

Residential Infill Project—Visitability Focus Groups

Focus Group #1: Consumer/User Group (11:00 – noon)

Focus Group #2: Designer/Builder Group (12:30-1:30 pm)

Thursday, May 25, 2017 – Portland State University, Room 410

Facilitated by Alan DeLaTorre, PSU Institute on Aging

City of Portland, Bureau of Planning & Sustainability: Julia Gisler and Todd Borkowitz

Why these focus groups?

- City Council directed staff to explore requirements and bonus for age-friendly housing as we develop zoning standards for new development in single-dwelling zones as part of the Residential Infill Project. We are focusing on what we have control over – the Zoning Code but we can also facilitate discussions with other bureau – like BDS who have jurisdiction over Building Code implements and the Housing Bureau who administers housing programs.
- We can approach zoning regulations two ways 1) mandatory requirements. Example: in triplex require at least one unit to have a zero-step entrance and 2) Incentives- not a requirement but builder gets a bonus in units, extra height, etc.
- We need to keep in mind that zoning regulations can add cost and complexity to housing.
- We will be looking at trade-offs in design: 1) Tuck under garages reduce impact of the garage on front of house and many think they look better but elevates the finished floor and makes access more challenging. 2) Desire to separate living space from public realm for privacy and safety often results in finished floor above grade level. 3) paving increases ease of access but reduces pervious surface for vegetation and stormwater infiltration. 4) on-site parking disrupts the sidewalk, takes away an on-street parking space and creates more vehicle/pedestrian conflict points.

Working Definition of Visitability: Refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets the following three basic requirements (visitability.org).

- At least one zero-step entrance
- Doors with 32 inches of clear passage space
- One bathroom on the main floor you can get into in a wheelchair.

Focus Group #1: Consumers/Users

Myra Sicilia (Counselor & Portland Commission on Disability), Marie Cushman (resident), Susan Cushman (United Cerebral Palsy), Larry Cross (Portland Commission on Disability), Nikole Cheron (City of Portland, OEHR), Joe Wykowski (Community Vision)

How important are visitability features with respect to your day-to-day experiences?

Entrances:

- These three features are very important and used every day if I want to get around. Of course, the zero step (with appropriate clearance) is the first criteria to getting into the home.
- It is stigmatizing to not be able to get into other's houses for visiting.

- I carry a portable ramp in my car but it has limited use. Portable ramps can be unsafe. They should never be used for access of more than 5 steps – 2 steps maximum is the most comfortable.

Doors/Hallways:

- 36" is really more comfortable and becoming more necessary as wider wheelchairs are being built to accommodate our increasing obese population.
- Pocket doors offer great opportunities. They are easy to open/close and take up less space.

Bathrooms:

- Provide reasonable space in bathrooms to accommodate personal assistants.
- Should have at least a 5-foot turning radius of a t-shaped floor design.
- Wheel chair baths with no threshold are preferred ("open" bathroom floor plan with "roll-in" showers and no-slip surfaces); minimal/no additional cost of roll-in showers; hold up much better than conventional shower/tubs.
- Two grab bars at either side of toilet are preferred.
- Cabinets beneath sink limit usability of both sink and cabinets; cabinets in bathrooms are still important.
- Single water mixers on shower are easier to control than one each for hot and cold water.
- Opinions on grab bars varied; some see blocking as a waste and that grab bars should always just be designed in to a bathroom; others saw horizontal (i.e. at 30 inches high) and vertical blocking at key locations to allow future adaptability as important. Grab bars come in a variety of designs and aid more than just people with disabilities. Don't mandate grab bars but at least allow for their ready installation later.
- Low toilets are bad; no preferences indicated for toilet bowl length.
- Towel racks could double as grab bars and should also have a strong backing.
- ADA guidelines for baths should be considered minimum for any visitable residential bathroom; NKBA offers a guidebook with great kitchen/bath guidelines.
- At least an accessible ½ bath (sink/toilet) on the ground floor.

Other considerations:

- Lower door handles might be useful [some disagreed].
- Integrate visitability features into design; they should not look like add-ons.
- All wheelchairs (like electric assist) are not meant to be lifted by others; design accordingly; also, others may not understand a person in a wheelchair's personal needs, so it's best to plan spaces for the independent wheelchair user without the assumption that they will be assisted by others.
- Open floor plans are popular and offer the most adaptability/flexibility over time; rooms separated by doors may be a matter of preference but door functionality will determine whether rooms will work; there is no benefit to a bedroom that is too small to be functional for a person with a disability.

- Public areas (kitchens, living rooms, etc.) should be located at the main 'public' entry to a house; private areas (bedrooms, etc.) should be away from it.
- Cabinet doors are often a hassle; best to have door-free cabinets.

Comments on visitability features in other areas:

Kitchens:

- Probably the main space for socialization with visitors.
- Range tops that pull out are good.
- "Reachable" cabinets are functional cabinets.
- 30-inch high countertops are ideal and most practical; "bar seating" is way too high.
- Open kitchen design is critical; avoid long aisle, dead-end kitchens.
- Side access to appliances is extremely difficult for many people with disabilities to use; head-on access is highly preferred.
- Back burners are difficult to reach. A row of burners is preferred to front/back burners.
- Appliances, drawers and cabinets should be easy to open.
- Microwaves are important for many people with disabilities and should be at a usable height. Never placed above the stove top.

Laundry rooms:

- Should be on the main floor.
- Washer/dryer should be side-by-side.

Yards:

- Because Portland has only 3-4 months of sunny weather each year; focus should be on visitable areas inside a house.
- Focus on creating a quality and usable route to/from the housing unit.
- Consider making the back entrance as the primary entrance if visitability to it is more practical.
- Use combinations of ramps and railings; even in flat areas, railings offer balance for people who have various challenges with walking; always include a railing for even one or two steps.
- Avoid wood ramps as they're always slippery. Consider hard surfaces.
- Drainage of all surfaces is often overlooked. Use porous surfaces (like permeable concrete) to avoid water buildup.
- Accessible garden space can provide many benefits for people with disabilities.
- Gravel is terrible, even in parking strips; grass is generally easier for people with disabilities to maneuver.
- Small steps are often used for design purposes where a sloping path could be used and would be accessible.
- Designs should allow ramps to be built later when needed in the future.
- Steep slopes are difficult and terrifying; ramps are not too stigmatizing and can be well designed into the landscape; ensure that slopes have flat landing surfaces.

Parking areas:

- Dedicated parking is not a big concern. The bigger concern is how to people in wheelchairs get in and out of cars picking them up and dropping them off.
- Avoid gravel in passenger loading areas; grass is okay, pavers are preferred. Allow surface to drain!

What visitability features are best mandated versus made as incentives?

Mandates:

- Would expand products/materials markets, making them more affordable.
- Zero step entrances are priority- mandate some percentage of units.
- One- or zero-step entries, or at least the ability to easily install a safe ramp.
- “Basic” visitability, even for skinny houses.
- Minimum: 36-inch doors and corridors, and ½ bath on first floor.

Incentives:

- Additional FAR for housing units that are fully accessible on at least one level.
- Incentivize plexes (bottom level units visitable with other units above that allow opportunity for non-mobility impaired personal assistants to have their own personal space).

Resources:

- Model examples: Ed Roberts Center (Berkeley, CA) and Axis Living (Chicago, IL)
- The City of Atlanta codified visitability into its zoning code.
- LEED-like rating system for visitability would be helpful.

Key Takeaways from Focus Group #1 (BPS Staff):

1. Location of a house (near services, transit, etc.) is often a higher need than accessibility as people with disabilities eventually find solutions to best access a house.
2. There are very few accessible apartments. Accessible houses are continually being lost to new development
3. Mandating zero-step entries on first floors would have significant benefits for advancing visitability. (priority of the group)
4. A 36-inch wide entry standard is a “non-noticeable” requirement (appearance and cost) that offer significant benefit. (priority of group)
5. Open floor plan is the best.

(Continued)

6. Dedicated parking is not a significant priority. Barrier-free access on well-drained, stable surfaces is a bigger priority.
7. Integrating visitability design features will help make them more acceptable and common.
8. Design for all ages and abilities; not just people with disabilities. Messaging should identify that everyone will likely be limited by a disability at some point on their lives.
9. Design for independent living and visiting, but also keep in mind that many people with disabilities often rely on personal assistants whose work needs should also be considered.

Focus Group #2: Designer/Builder

Thalia Martinez-Parker (Reach Community Development), Brenda Jose (Unlimited Choices, Portland Commission on Disabilities), Garlynn Woodsong (Woodsong Partners), Michael Mitchoff (Portland Houseworks), Robert Freeman (architect), Julia Metz (Portland Community Reinvestment Initiative)

How common in remodels/renovations are visitability features?

- Visitability features are not “on the radar” of most contractors.
- When visitability features are included, they are usually “a product of need” (i.e. ramps, add-on grab bars, etc.) and done cheaply and expeditiously.
- Steps have positive meaning in our culture- slab on grade is less preferred and is considered cheap construction. Threshold keeps the rain out.
- There is not much difference in costs of construction materials.

What is the market demand for visitability features?

- There is demand for visitability/accessibility features in affordable housing projects.
- One estimate: In 50 percent of jobs, the clients themselves introduce issues of accessibility.
- There is interest in visitability features in single-family homes; a legal requirement in multifamily units.

Comments on visitability features:

Entrances:

- Steps are dominant in nearly all new construction.
- Stepped entrances provide a means to keep water out of a house.
- Development without steps often requires significant site grading, which can add cost.
- Slab-on-grade construction offers accessibility and lower cost, but is usually not preferred by buyers.

Doorways/Hallways:

- Open floor plans are preferred in nearly all housing units.

- Pocket doors are sometimes hard for users to operate and are not desirable in high-use areas; carpentry skills are often needed to install correctly, increasing their costs; most are poorly designed (they often come in two grades – the lower grades often lack important “smart” handles); many are too narrow (often 24 inches wide) for many people with disabilities to use.

Bathrooms:

- Roll-in showers are common; trench drains have become increasingly more affordable and are easy to maintain.

Other considerations:

- Cabinet hardware and maneuverability features are “low-hanging fruit” that can often be done for little/no additional cost.
- Carpets are problematic for visitability; glued-on carpet is a solution; low pile, no-pad carpet is important for visitability, especially on stairs.
- Cover all outdoor spaces to protect users from weather.
- Design for people with Alzheimer’s and Dementia by:
 - Illuminating surfaces;
 - Using large address numbers;
 - Covering deck areas;
 - Including seating at front doors;
 - Assuring in-unit communication through open floor plans and/or communication devices;
 - Installing remote access on doors;
 - Maximizing safety through street orientation;
 - Influencing decision making (reducing decision making and providing “wayfinding clues” is a common best practice when designing for people with Alzheimer’s); and
 - Install windows or eyeholes in doors to maximize security.

Comments on visitability features in other areas:

Yards:

- Low- or flat-sloped walks are preferable.
- While impermeable paving materials are often preferred for people with disabilities, this preference should be balanced with the ecological benefits (i.e. stormwater permeability) of porous surfaces. Pervious concrete may offer an effective balance.
- Access to attractive outdoor areas, especially for gardening, is often very important for people with disabilities.
- May be needed to accommodate ramps, especially if switchbacks are required; porch lifts could minimize these spatial needs (they can now plug into a 110 outlet and be leased).

Parking areas:

- On-site spaces are needed.
- Transit investments should be prioritized over parking requirements.

- Modify parking requirements to allow for zero-step entries.

What are primary barriers to designing for visitability?

- Code requirements for accessible units (1 for every 4 units) limits overall housing that might otherwise be built; solution: residential elevators.
 - Cost around \$40,000 installed in a 3- to 4-story building (additional \$2,000 per floor) – including \$30,000 to purchase and \$10,000 to install (by comparison, commercial elevators are about \$135,000 to purchase/install and about \$200/month to maintain).
 - Create an incentive that provides a net benefit by covering the cost of elevator purchase/installation.
- Availability of land is a barrier to visitability in new construction. Most remaining lots are narrow/skinny, which are difficult to make visitable.
 - Visitability incentives (i.e. extra units, etc.) could rectify this.
 - While lots in East Portland are often larger, they often have poor transportation access.
- On-site stormwater mitigation requirements (drywell) limit available space for visitability features.
 - Create incentive to have stormwater requirement waived if house is lowered to allow for visitability, if mitigating through a rain garden, or if using stormwater in a graywater system.
 - Allow water to discharge into sewer if at least 1 unit has 1 or less steps to access.

How can housing be adaptable to provide visitability later?

- Promote open floor plans.
- Block out for elevators.
 - Requires a 6-foot by 8-foot shaft, 12-inch vertical space at bottom and 18-inch clear at the top (for mechanical equipment).
 - Create building code exceptions for 5 or fewer units (buildings with over 2 units now must meet commercial elevator code).

What visitability features are best mandated versus made as incentives?

Mandates:

- Zero- or no-step entrance (not all agreed, one person indicating that steps are actually healthy for anyone who does not have a mobility impairment; another indicated the prevalence of steeply sloping lots in Portland); could be either front or back door.
- Any mandate could “kill a project” and reduce the amount of housing units that would otherwise get built.
- Steep slopes make mandates problematic.

Incentives:

- Consider incentivizing different levels of visitability.
- Bonuses should be offered as a package (FAR, height, AND setback).

- Creative solutions to meeting on-site stormwater requirements, while presumably a challenge to codify, could provide key space available on-site to meet visitability needs.

Key Takeaways from Focus Group #2 (BPS Staff):

1. The increasing affordability and practicality of residential elevators present an interesting opportunity to achieve some visitability goals.
2. Modifying on-site parking requirements could minimize barriers to visitability.
3. Mandates for “low hanging fruit” like “visitability-friendly” door handles, cabinet hardware and rails could provide some not-overly prescriptive mandates for little/no additional cost.
4. Zero- or 1-step entries, while possibly the most impactful feature, could also be the most challenging to achieve given costs and market preferences. Changing this paradigm may require strong and meaningful incentives and viable development options for steep sloping lots.

Identification of U.S. States with Standards for Visitability

The following U.S. states have standards that aim to achieve some levels of visitability: California, Maryland, Oregon, Pennsylvania and Texas.

Inventory of Local Regulatory Mandates for Visitability

Austin, TX *Date of Adoption: 2014*

Weblink to Policy Description: www.austintexas.gov/edims/document.cfm?id=205386 /
www.austintexas.gov/sites/default/files/files/Planning/Residential/Visitability_Presentation.pdf /
www.austintexas.gov/edims/document.cfm?id=202500

Key Features to Implementation: "A dwelling must be accessible by at least one no-step entrance with a beveled threshold of 1/2 inch or less and a door with a clear width of at least 32 inches. The entrance may be located at the front, rear, or side, or in the garage or carport, of the dwelling". Ramps leading to entrance must not exceed 1:50 grade slope.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Only direct mention of parking/garages in the policy document is R320.7, which requires an approved entrance to have a no more than 1:50 sloped ramp from a garage, driveway, public street, or sidewalk to reach the no-step entrance.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Bathrooms: Minimum 30 inches clear opening, lateral 2x6 blocking installed flush with studs in bathroom walls 34 inches from and parallel to the floor except behind the lavatory. Route to bathroom must remain 32 inches wide from entrance to bathroom entrance. Electrical Switches/controls no higher than 48 inches from floor, outlets no higher than 15 inches except outlets designed into the floor.

Exemptions or exceptions: Does not apply to remodels or additions; waiver of exterior visitable route provision for: 1) lots with 10 percent or greater slope prior to development; or 2) properties for which compliance cannot be achieved without the use of switchbacks.

Bolingbrook, IL *Date of Adoption: 2003*

Weblink to Policy Description: www.bolingbrook.com/vertical/sites/%7B55EB27CA-CA9F-40A5-A0EF-1E4EEF52F39E%7D/uploads/MunicipalCodeChpt25.pdf

Key Features to Implementation: Zero step entrance, ramps to not exceed 1:12. "All exterior and interior doors shall not be less than 3 feet in width and 6 feet, 8 inches in height, and shall provide a minimum clear opening of 32 inches. All required exit doors shall be side hinged. The minimum width of a hallway or exit access shall not be less than 42 inches."

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): "This step free entrance shall be approached by a slope no greater than 1 in 12 (less steep is desirable). This entrance can be approached by a sidewalk, a driveway, a garage floor, or other useable route. The step free entrance may be located at any entrance to the home. If the step free entrance is located in the garage, a door bell button shall be located outside the overhead garage door. In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the

no-step entrance. If the grade of a lot is so steep that providing a step free entrance would be unfeasible or dangerous, the Building Commissioner may waive this requirement."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): One zero-step entrance into the home. One bathroom on the same level as the zero-step entrance. Bathroom wall reinforced for grab bars. Minimum 42-inch wide hallways and 36-inch passageways. Electrical wall outlets/ receptacles shall be 15 inches above the finished floor. Wall switches controlling light fixtures and fans shall be a maximum 48 inches above the finished floor. All exterior and interior doors shall be 32 inches in width.

Exemptions or exceptions: Multiple exceptions per item in code. No direct mention to specific garage code.

Dublin City, CA Date of Adoption: 2007

Weblink to Policy Description: www.codepublishing.com/CA/Dublin/Dublin07/Dublin0790.html

Key Features to Implementation: The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following: consistent with the requirements of CBC Chapter 11A; or the width of the level area on the side to which the accessible entrance door swings shall extend 24 inches past the strike edge of the door.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): At least one doorbell is provided for accessible entry door. An exterior accessible route must not be less than 40 inches wide and not have a slope greater than 1:20. Exterior accessible door that has a 34-inch net clear opening. If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): At least one accessible route through the hallway consistent with the requirements of CBC chapter 11A from the entrance of the dwelling unit to the primary entry level restroom/bathroom, a common use room, and the kitchen if located on the primary level. No sunken or raised area in the bathroom. Handrails may be installed along the accessible route. This route must have a minimum width of 42 inches. Restroom/ bathroom must have grab bar reinforcement for the shower or tub. Clear space in the restroom/ bathroom outside the swing of the door or a 48-inch circle. Sink controls not requiring tight grasping, pinching or twisting of the wrist are required in the bathroom and kitchen.

Exemptions or exceptions: A 34-inch clear doorway width may be requested from a hallway with a 39-inch width, and a 36-inch clear doorway width may be requested from a hallway with a 36-inch width.

Pima County, AZ Date of Adoption: 2003

Weblink to Policy Description: www.accessiblesociety.org/topics/housing/pimacoruling.html / <http://idea.ap.buffalo.edu/visitability/reports/existingcitylaws.htm>

Key Features to Implementation: Zero step entrance; lever door handles.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): No explicit mention of external features.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Reinforced walls in bathrooms for grab bars, switches no higher than 48 inches. Hallways must be at least 36 inches wide throughout main floor. Electrical outlets and light switches that are reachable by someone in a wheelchair.

Pine Lake, GA *Date of Adoption: 2007*

Weblink to Policy Description:

www.municode.com/library/ga/pine_lake/codes/code_of_ordinances?nodeld=PTIICOOR_CH54PLDE_ARTIIR E_S54-33VICO / www.pinelakega.com/wp-content/uploads/2012/08/City-of-Pine-Lake-Zoning-Ordinance.pdf

Key Features to Implementation: Zero step entry. This zero-step entrance can be at any entrance to the home with the slope approaching this entrance no greater than 1:12. Threshold on the entrance no more than a 1/2 in height. 32-inch minimum clearing for interior doors and 30-inch minimum width of hallways. All required exit doors shall be side hinged. Hallways shall not be less than 42 inches in width and all passageways, other than doorways to be no less than 36 inches in width.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Step-free entrance shall be approached by a slope no greater than 1:12 (less steep is desirable). In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the no-step entrance.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Grab bars required in restrooms/ bathrooms made of wood blocking within wall framing. This reinforced wall must be located between 33 inches and 36 inches above the finished floor and must be in all walls adjacent to a toilet, shower stall or bathtub. At least one bathroom/restroom containing at least one toilet and one sink on the dwelling floor.

Exemptions or exceptions: Multiple exceptions laid out per item in code.

San Antonio, TX *Date of Adoption: 2002*

Weblink to Policy Description: www.sanantonio.gov/Portals/0/Files/DAO/UD-Ordinance95641.pdf

Key Features to Implementation: Flat entrance with a beveled threshold of 1/2 inch or less, all interior doors no less than 32 inches wide except doors leading to closet of less than 15 square feet. Each hallway at least 36 inches wide and level, with ramped or beveled changes at each door threshold.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): At least one entrance shall have a 36-inch no step door and be on an accessible route. An accessible route is a continuous, unobstructed path at least 36 inches wide connecting all interior and exterior elements and spaces of a house and site, including corridors, parking, curb ramps, crosswalks and sidewalks. No explicit mention of parking or garages in code.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Bathrooms to have studs in wall around toilet to facilitate future grab bar installation. Bathtub/Shower to either have studs for grab bars or room for pre-approved ADA compliant alteration. All doorknobs to be lever handles. Light switches, electrical panels, and thermostat to be no less than 48 inches from the floor. All electrical plug or receptacles at least 15 inches from floor.

Inventory of Local Incentives for Visitability

Escanaba, MI *Date of Adoption:* 2002

Weblink to Policy Description: www.escanaba.org/images/11/file/visabord.pdf

Key Features to Implementation: Must comply with State of Michigan code standard for accessible route, doorway must be 36 inches wide minimum.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Sidewalks and ramps that are part of the visitable route shall have a maximum slope and length as follows: Sidewalks: 1/20 N/L, Type 1 Ramp. 1/8 5-foot (max 7.5-inch rise), Type 2 Ramp. 1/10 12-foot (max. 14.5-inch rise), Type 3 Ramp. 1/12 30-foot (Between Landings), Width: The route shall have a minimum clear width of 36 inches. Landings: Landings in a visitable route shall be not less than 36 inches by 36 inches clear or shall meet the Michigan Accessibility Code whichever is greater. Surfaces: Surfaces shall be non-slip. Drainage: Cross-slope shall be no greater than 1/50. Only direct mention comes from section 6.39(2), "The entrance may be at the front, side, or back of a dwelling if it is served by an accessible route such as a garage or sidewalk."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Wide doorways and a half bath on the first floor, the code addresses hallways, bathroom design and the height of wall switches and receptacles.

Irvine, CA *Date of Adoption:* 1999

Weblink to Policy Description: [www.cityofirvine.org/community-development/accessibility-universal-design#Design Features](http://www.cityofirvine.org/community-development/accessibility-universal-design#Design%20Features)

Key Features to Implementation: N/A

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Accessible path of travel to dwelling, Maximum ½-inch vertical change in level at thresholds, 32-inch wide interior doors, Lever door hardware, doorbell no higher than 48 inches. "No specific mention to parking or Garage requirements."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Visual fire alarms and visual doorbells
Switches, outlets and thermostats at 15 inches to 48 inches above the floor
Rocker light switches
Closet rods and shelves adjustable from 3 feet to 5 feet-6 inches high
Residential elevator or lift;
Bathrooms: Grab bar backing in walls, Grab bars, 5-foot diameter turning circle, 36 inches by 36 inches or 30 inches by 48 inches of clear space, Lavatory with lever faucet controls, Open-front lavatory with knee space and protection panel, Contrasting color edge border at countertops, Anti-scald devices on all plumbing fixtures, 17 inches to 19 inches high water closet seat, Roll-in shower in lieu of standard tub or shower, Shower stall with 4-inch lip in lieu of standard tub, Hand-held adjustable shower head.
Kitchen: 30 inches by 48 inches clear space at appliances or 60-inch diameter clear space for U-shaped kitchen, Removable base cabinets at sink, Countertop height repositioning to 28 inches high, Lever controls at kitchen sink faucet, Base cabinets with pull-out shelves, Base cabinets with Lazy Susans, Contrasting color edge border at countertops, Microwave oven at countertop height Under cabinet task lighting.

Monroeville, PA *Date of Adoption: 2006*

Weblink to Policy Description: www.monroeville.pa.us/ordinances/ORD2419.pdf

Key Features to Implementation: No step entry, and having a threshold no greater than three fourths inch. In addition, a place where pedestrians may enter from a public right of way. This includes sidewalks, driveway, streets, alleys and paths. No-step entrances must have a clear open width of at least 32 inches.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): The no step entry could be through an entrance through the visitable level of the dwelling through an integral garage.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Interior paths on visitable level must have a clear open width of at least 32 inches and be equipped with lever opening hardware. Interior hallways must be 36 inches in width throughout the length. One powder room or one full bathroom is required on the visitable level. Bathroom must be a minimum of 30 inches by 48 inches of clear floor space. Plumbing fixtures and entry doors must be equipped with lever style hardware. All powder rooms and full bathrooms throughout the house shall have a reinforcement of at least two inches by eight inches of blocking in the wall to allow for installation of grab bars. The reinforcement must be capable to resist pulling and benign forces of at least 250 pounds.

Exemptions or exceptions: Lights switches can't be higher than 48 inches above the floor.

Montgomery County, MA *Date of Adoption: 2009*

Weblink to Policy Description: www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/DFLM/DFLMGuidelinesVoluntaryCertificationProgram09.pdf

Key Features to Implementation: No step entry at front door, back door or side door. Walking surfaces must have a slope no steeper than 1:20. Floor or ground surfaces shall be stable and slip resistant. Building entrance must have width of 32 inches when the door is open 90 degrees.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Accessible routes shall consist of one or more of the following components: Walking surfaces with a slope not steeper than 1:20. Doorways, ramps, curb ramps, elevators, and wheelchair (platform) lifts. Floor or ground surfaces shall be stable, firm, and slip resistant.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Hallways must be 36 inches in width. The powder room/bathroom shall be large enough to accommodate a clear space of 2 foot-6 inches by 4 feet-zero inches.

Exemptions or exceptions: New homes and renovated homes can apply for the permit, can either be level 1 which focuses on visitability or level 2 which includes livability.

Appendix F

R2.5 Zone Changes by District

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

www.portlandoregon.gov/bps/infill/mapapp

This appendix provides information on the methodology used for the R5 to R2.5 proposed zone changes on historically narrow lots. Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current zoning. Most of these lots are in R5 zones and typically are 25 feet wide by 100 feet deep (2,500 square feet). This appendix is organized by districts (North, Northeast, Southeast, East and West). Citywide there are 30 maps that include areas of R5 to R2.5 zone changes.

Methodology

The following criteria was considered when developing the proposed for a zone change from R5 to R2.5. The zone changes are proposed on roughly half of the inventoried concentrations of historically narrow lots with the most convenient access to services where physical barriers and site constraints are not present. (See *Volume 1: Staff Report and Map Amendments*, Section 5, B. Rezoning Historically Narrow Lots for more information.)

Historically Narrow Lots. Staff reviewed plats citywide to identify areas with historically narrow lots. There tends to be a higher concentration of these historically narrow lot plats in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city. These concentrations of lots created the inventory of lots to further analyze. Single historically narrow lots or very small areas of historically narrow lots may not have been captured.

Proximity to Centers, Corridors and Neighborhood Amenities. The proposed re-zones build on the existing zoning pattern of R2.5 zones applied in areas to create a transition from higher intensity uses to surrounding single-dwelling zones. Because of this, the rezoning proposals are limited to a two- to three-block proximity to:

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

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

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.
- **Existing development patterns.** Areas where historically narrow lots have already been developed with narrow houses.

The following physical factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues.

Equity Lens. The equity analysis described in *Volume 1: Staff Report and Map Amendments*, Section 5, B. Rezoning Historically Narrow Lots was applied to the rezoning proposals but did not change the outcome.

R2.5 Zone Change Proposals by District – North

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



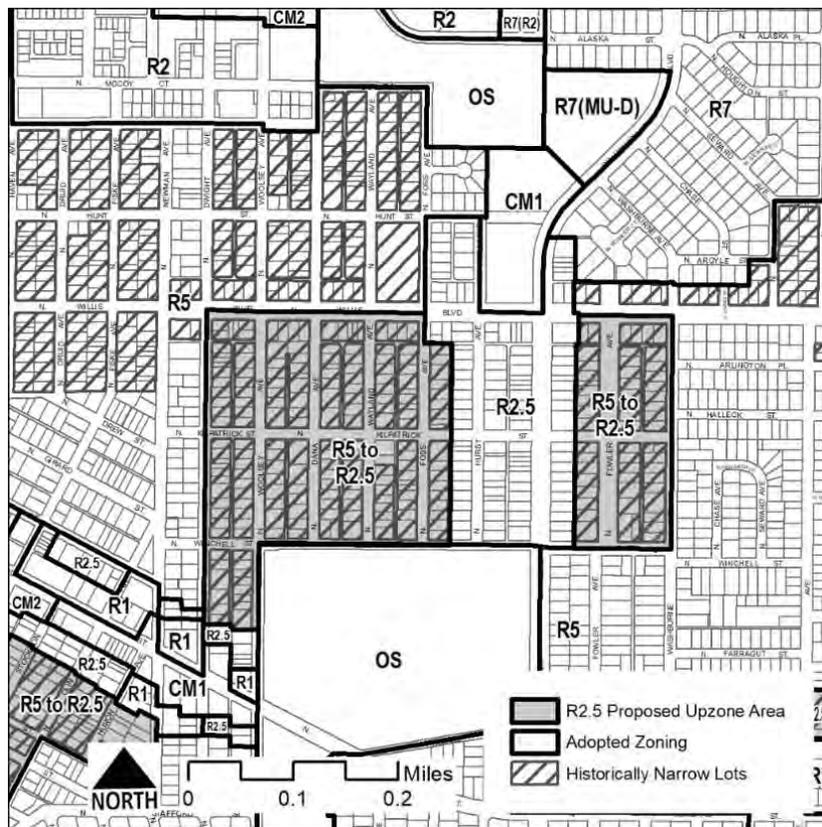
North – 1

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

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

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

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



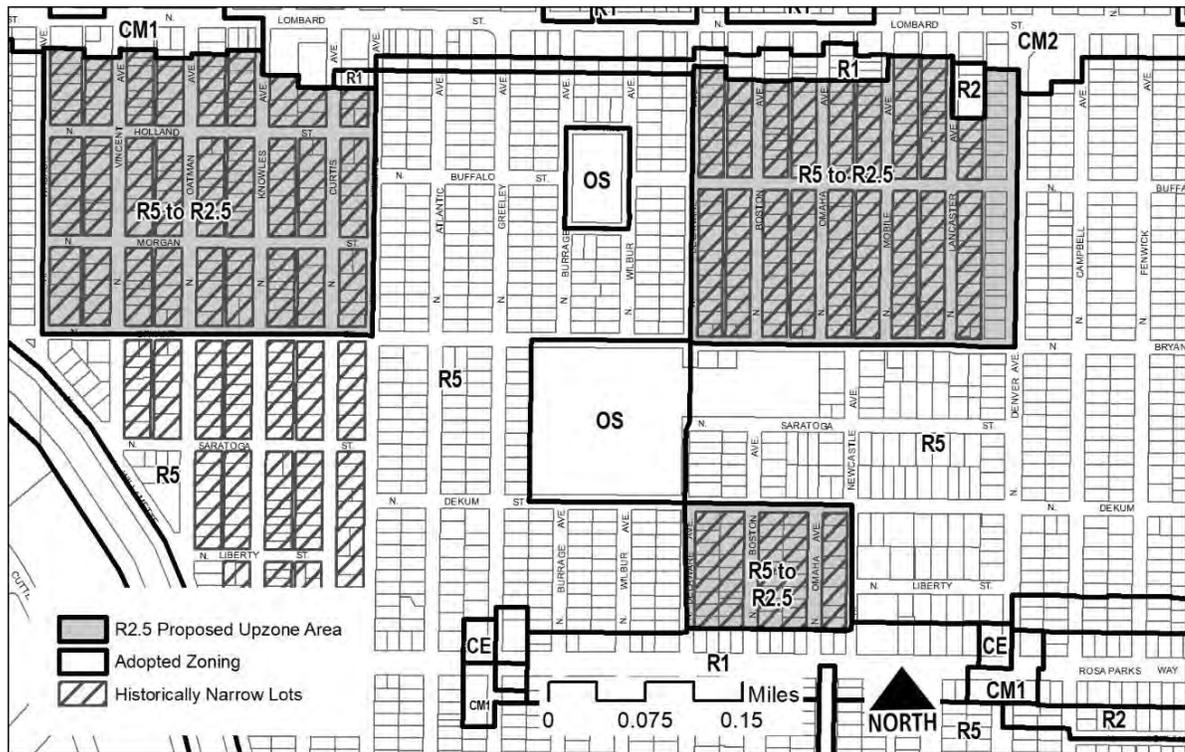
North – 2

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

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

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

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



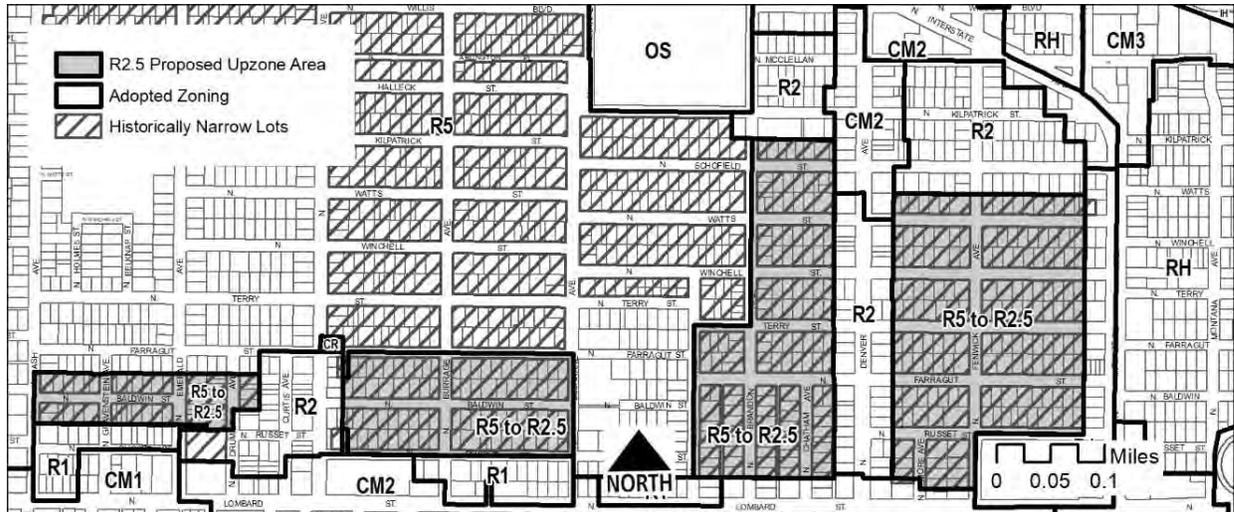
North – 3

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

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

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

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



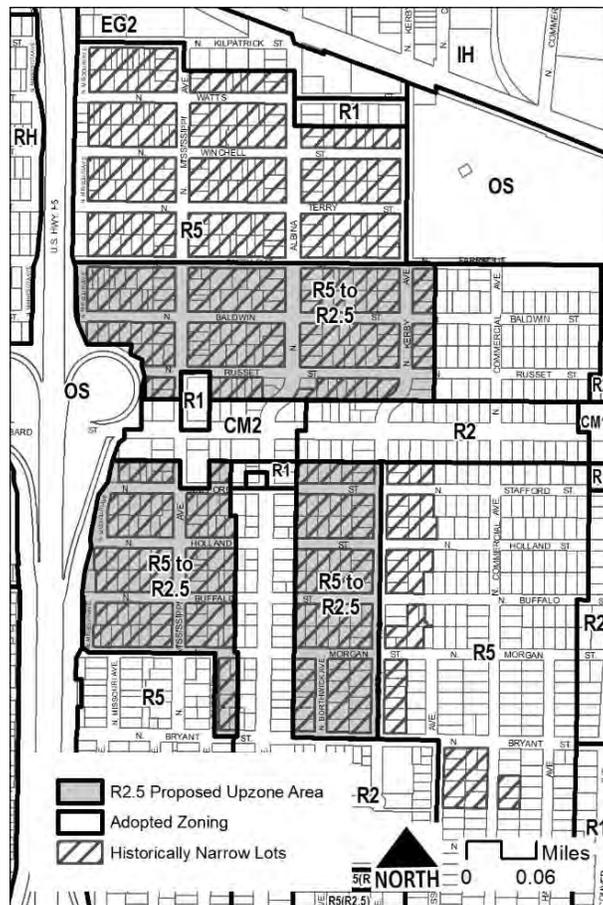
North – 4

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

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

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

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



North – 5

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

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

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

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



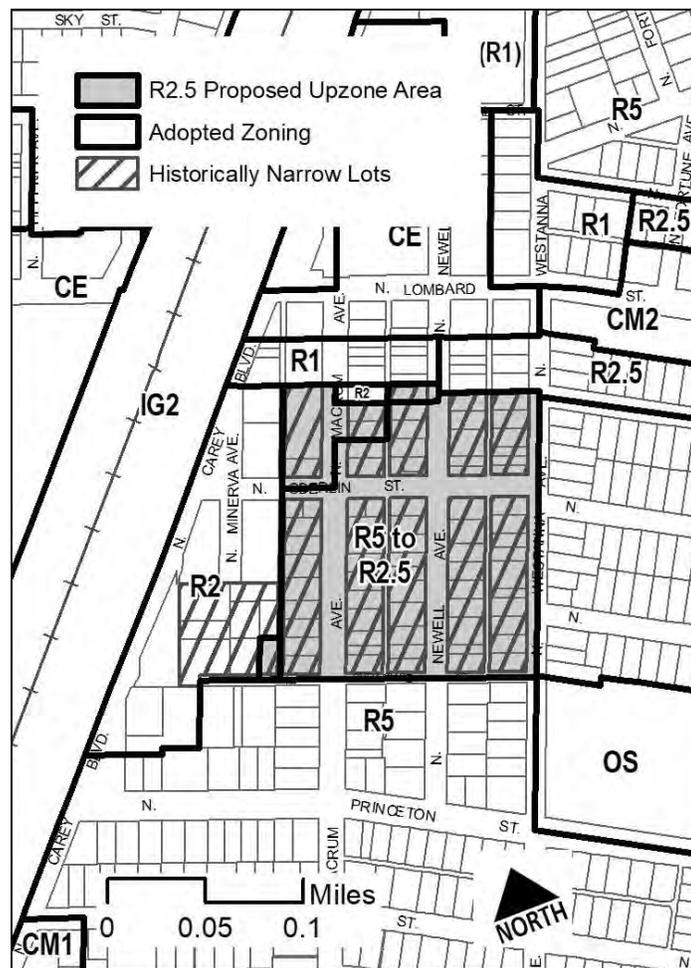
North – 6

Description: R2.5 proposals are located in the area south of N Lombard Street and north of N Syracuse Street from N Carey Boulevard east to N Westanna Ave.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the R2 to the east and R1 and R2.5 south of Lombard.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. This area is served by two parks – McKenna Park directly southeast of the proposed rezone area and Farragut Park further east. Southeast of the proposed rezoned area are Astor Elementary and the University of Portland. New Seasons Market is within one to six blocks.

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



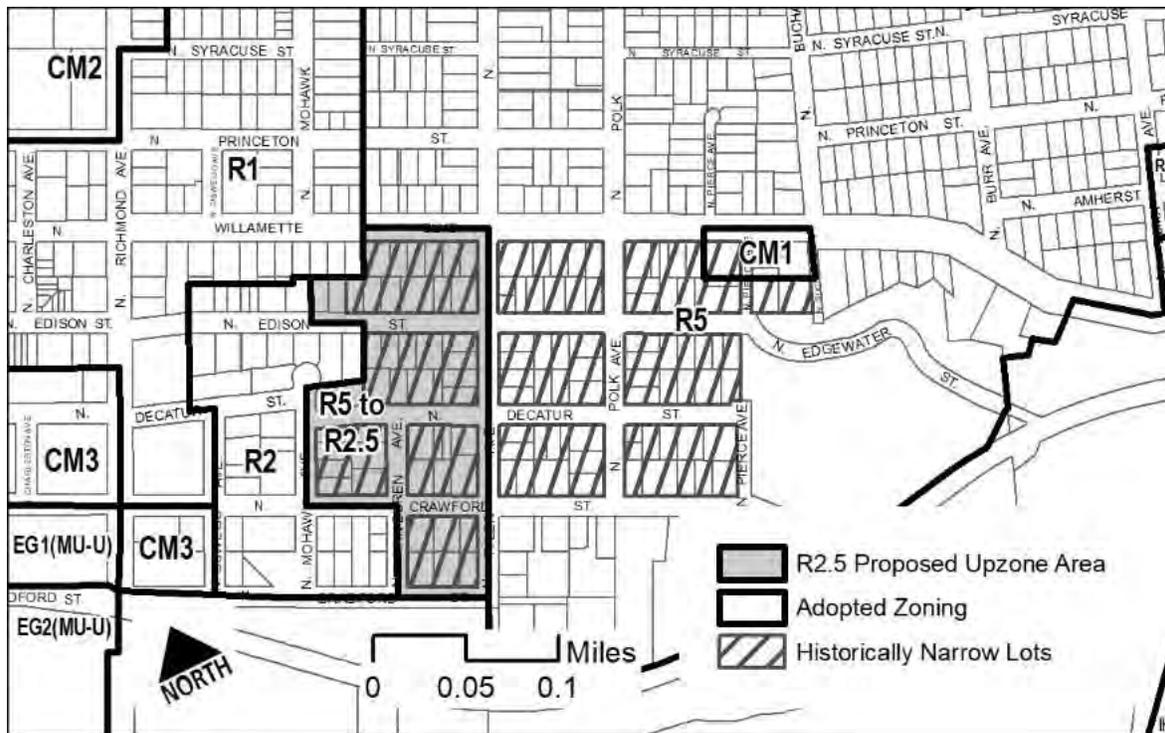
North – 7

Description: R2.5 proposals are located in the area from N Willamette Boulevard south to the bluff and from N Mohawk Avenue east to N Tyler Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between R5 and multi-dwelling zones nearby.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of a transit line on Willamette. Cathedral Park and the Willamette River are directly to the west. Grocery Outlet and other assorted retail services are within easy reach on N Lombard Street, with additional services on N Ivanhoe Street. The Willamette River is accessible and the striking St. Johns Bridge is also within easy view to the west.

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



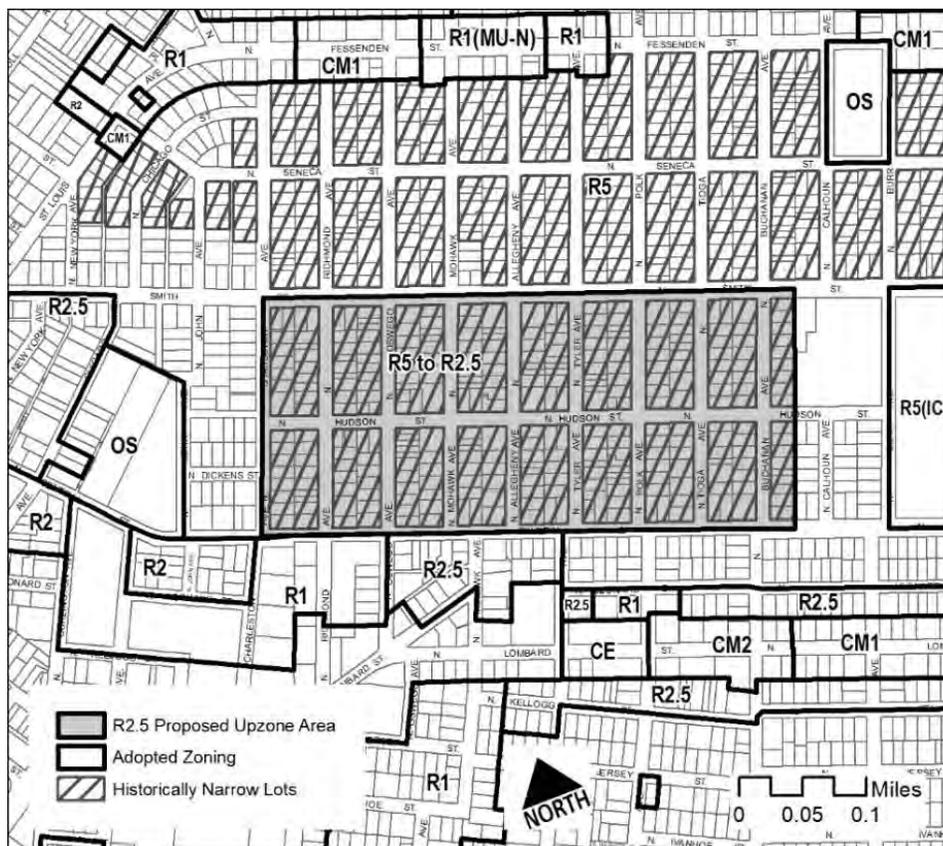
North – 8

Description: The R2.5 proposal is located between N Fessenden Street to the north and N Lombard Street to the south from N Charleston Avenue east to N Buchanan Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between multi-dwelling zoning to the south and R5 zoning to the north.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within two to three blocks of commercial and transit services along Fessenden and Lombard. The area is served by two parks – George Park to the east and St. Johns City Park and Community Center to the west. The Regional Pier Park is also to the northwest. James John Elementary School, George Middle School and Roosevelt High School are nearby. This area is close to both the Willamette and Columbia Rivers.

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



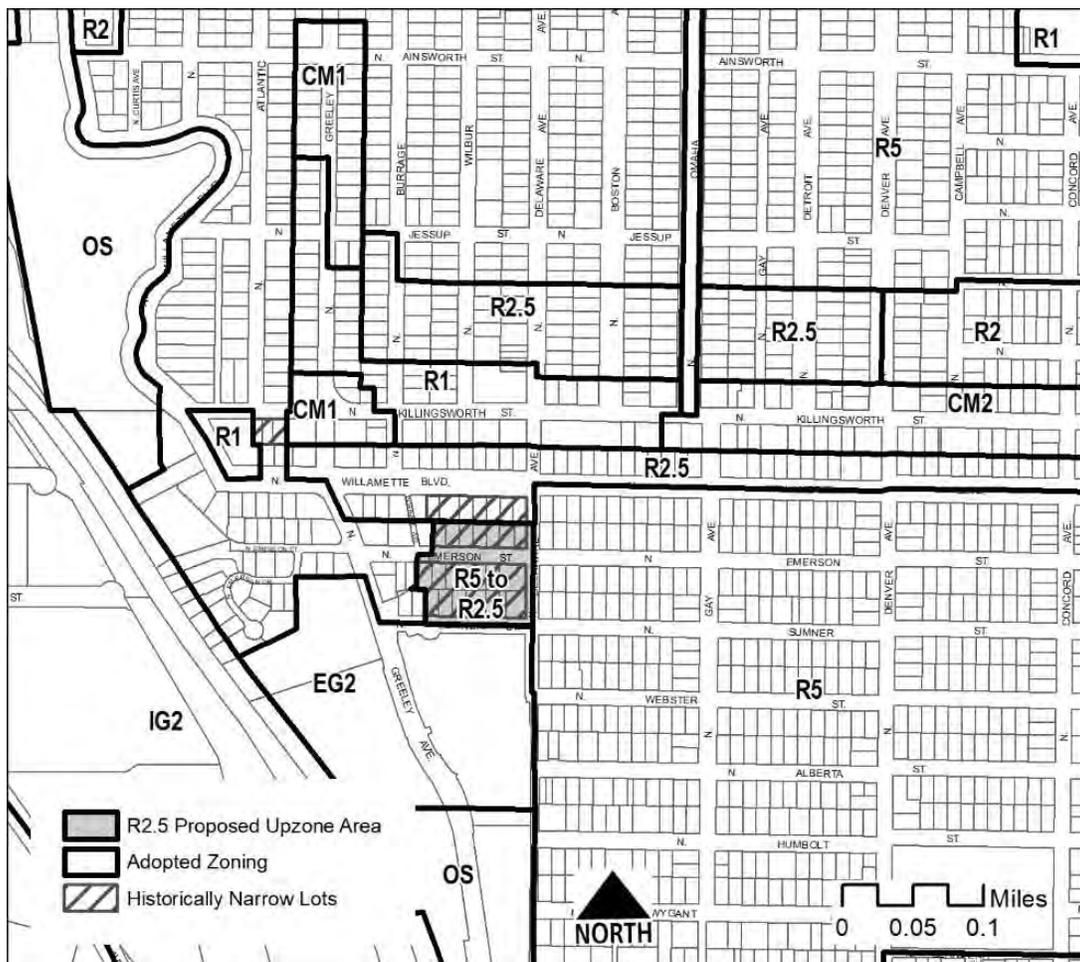
North – 9

Description: R2.5 proposals are located in the area south of N Willamette Boulevard and north of N Sumner Street from N Greeley Avenue to N Delaware Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning along Willamette and provides a transition to EG2 zoning to the south.

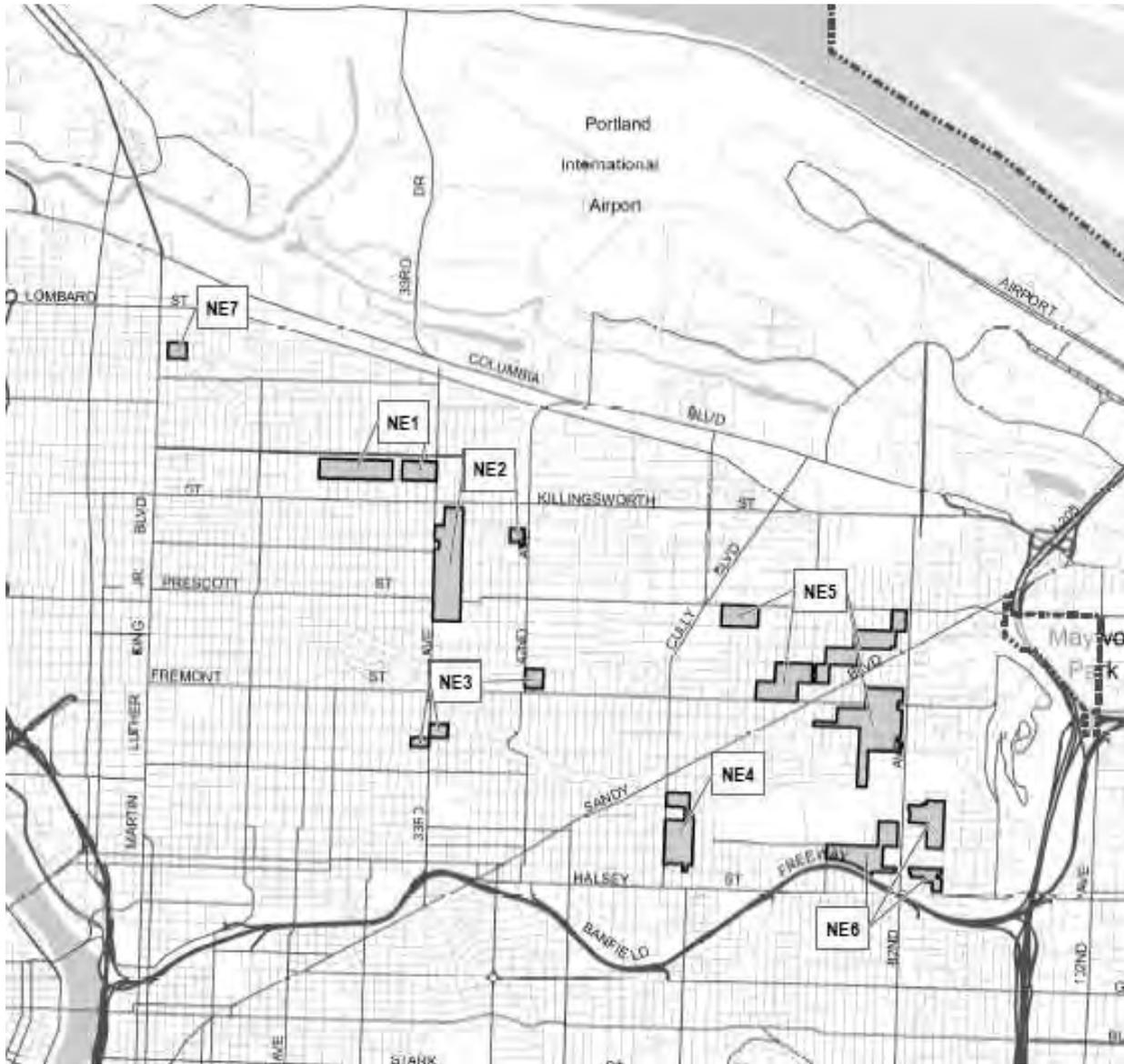
Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have transit service along Greeley and Killingsworth. The MAX Yellow Line Killingsworth station is four blocks directly east of the area. Madonna Park is directly south and Beach Elementary School is five blocks southeast of the area.

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



R2.5 Zone Change Proposals by District – Northeast

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



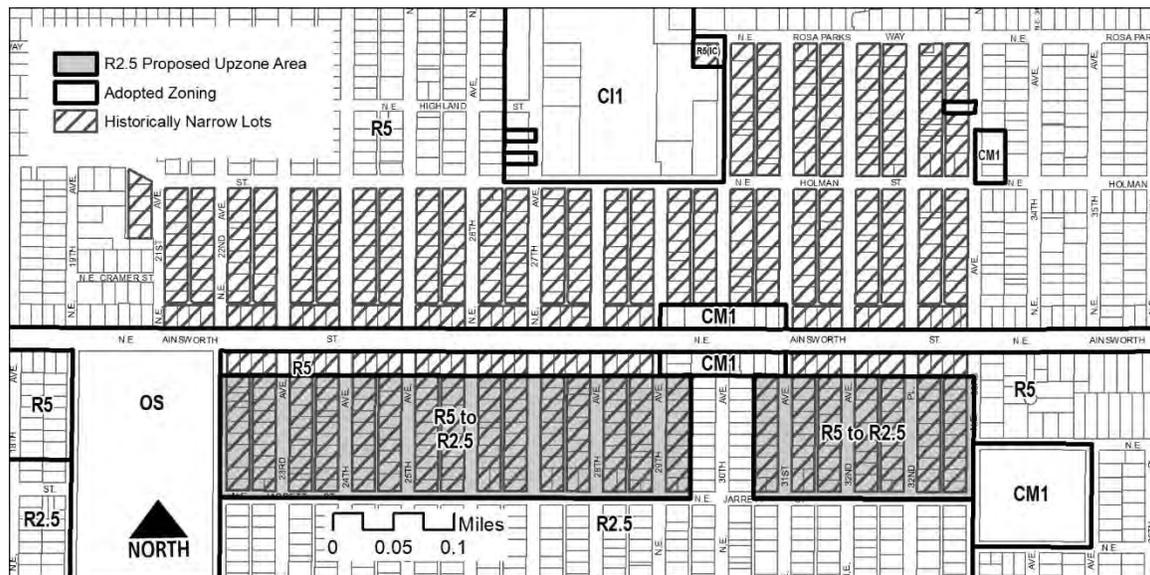
Northeast – 1

Description: R2.5 proposals are located in the area south of NE Ainsworth Street and north of NE Jarrett Street from NE 22nd Avenue to NE 33rd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning south to NE Killingsworth Street. The proposed R2.5 zoning does not include the lots fronting Ainsworth to maintain consistent R5 zoning along the park blocks on this section of Ainsworth.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along Killingsworth, NE 27th Avenue and 33rd. Scattered neighborhood commercial services on 33rd include New Seasons Market and Walgreens, and a small commercial node exists at NE 30th Avenue and Killingsworth. Alberta Park is directly east of the proposed rezoned area. Vestal Elementary is one block to the south, Faubion Elementary School is three blocks to the north and Concordia University is one block to the north.

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



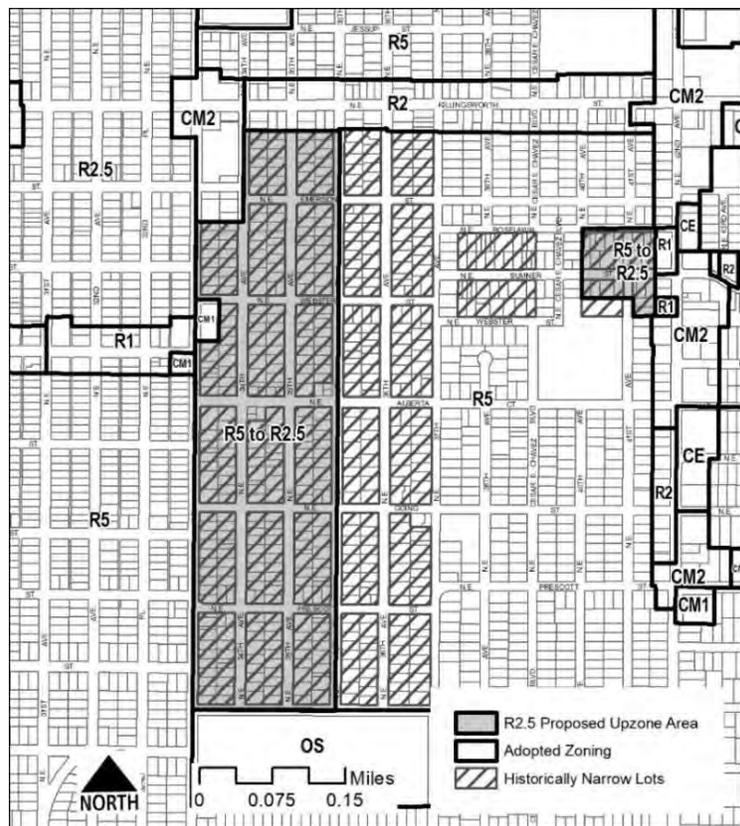
Northeast – 2

Description: Most of the proposed R2.5 properties are located south of NE Killingsworth Street and north of NE Skidmore Street from NE 33rd Avenue to NE 37th Avenue. To the east, a smaller area of R2.5 is proposed south of NE Roselawn Street and north of NE Webster Street just to the west of NE 42nd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the pattern of existing R2.5 zoning south of Killingsworth to the west and extends R2.5 zoning down the east side of 33rd, a commercial street served by transit.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along 33rd, Killingsworth, 42nd and NE Alberta Street. New Seasons Market is in the proposed rezone area at NE Emerson Street and 33rd. Wilshire Park is directly south of the area along 33rd, and Fernhill Park is to the north across Killingsworth. There are neighborhood commercial uses along NE 42nd Avenue, and the Portland Community College Workforce Training Center is on Killingsworth.

Physical Factors: Several lots in the area for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



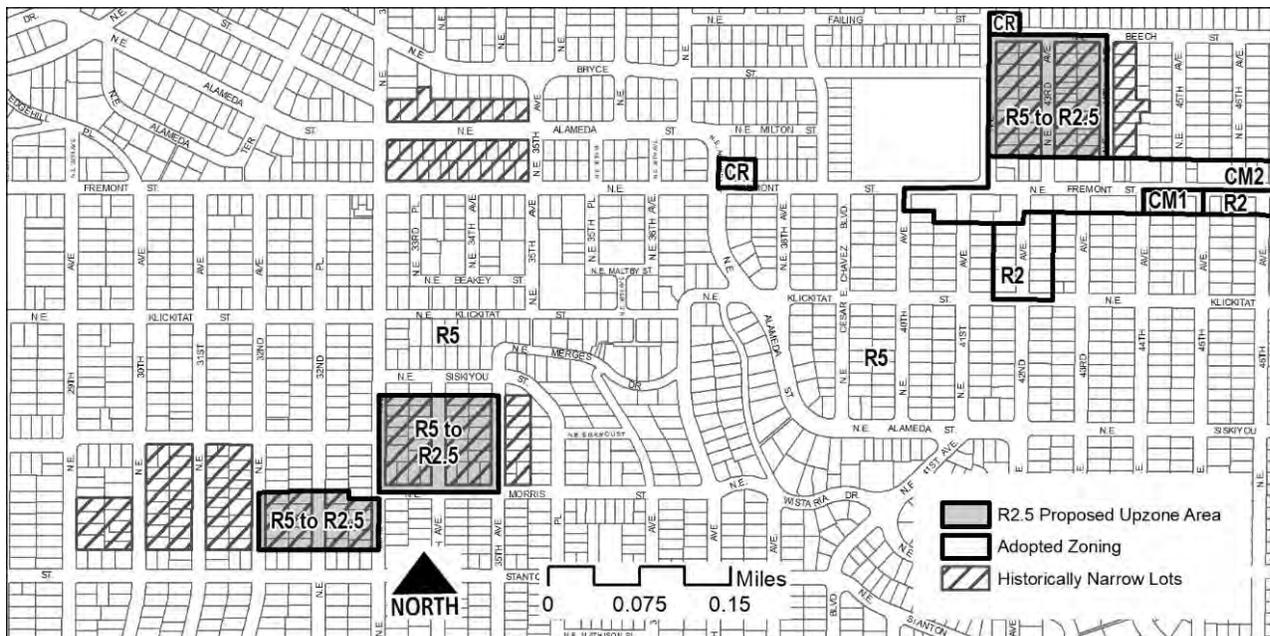
Northeast – 3

Description: This map shows three areas of proposed R2.5 rezoning near NE Fremont Street. The area north of Fremont is located between Fremont and NE Beech Street from NE 42nd Avenue to NE 44th Avenue. One area south of Fremont is bound by NE 33rd Avenue, NE 35th Avenue, NE Siskiyou Street and NE Morris Street, and another is bound by 33rd, NE 32nd Avenue and NE Stanton Street near NE Morris Street.

Existing Zoning Pattern: The northern area provides a transition to the CM2 zoning along the north side of Fremont and the surrounding R5-zoned areas to the north and west.

Proximity to Centers, Corridors and Neighborhood Amenities: The northern area is within one block of commercial and transit services along Fremont as well as transit service along 42nd. Rose City Cemetery is three blocks to the east, Wilshire Park is six blocks to the northwest and Beaumont Middle School is across 42nd to the west. The southern areas have transit access along 33rd and are two blocks north of Grant Park and Grant High School.

Physical Factors: In all areas, a number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



Northeast – 4

Description: R2.5 proposals are south of NE Braze Street and north of NE Broadway from NE 57th Avenue to NE 60th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning adjacent to R1 zoning to the northwest, with R5 zoning surrounding the rest of the area.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along NE Halsey Street and 57th. Neighborhood commercial services exist to the north on NE Sandy Boulevard and at the 57th/Halsey node. Rose City Park and Normandale Park, Rose City Park Elementary and Frazer School are nearby.

Physical Features: Several lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



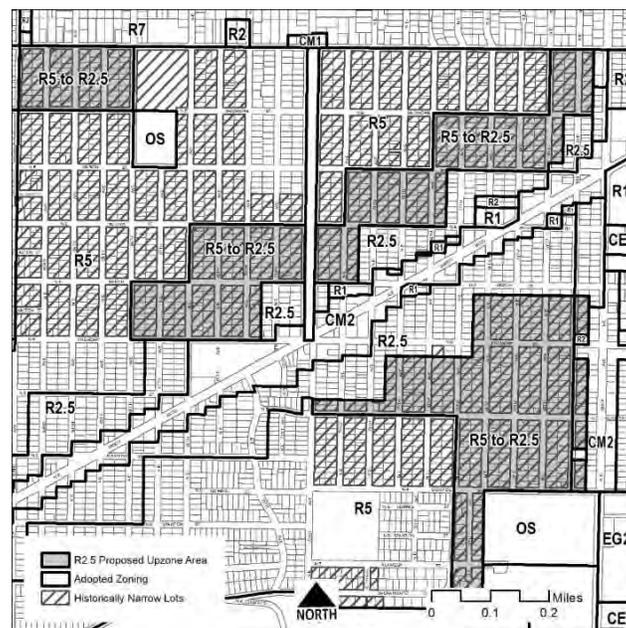
Northeast – 5

Description: R2.5 proposals are located in three areas: north of NE Sandy Boulevard between NE 66th Avenue and NE 82nd Avenue, south of NE Prescott Street between NE 62nd Avenue and 66th, and an area that includes NE Beech Street to NE Siskiyou Street between NE 78th Avenue and NE 81st Avenue as well as properties along NE 77th Avenue between Siskiyou and NE Sacramento Street.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning. On the north side of Sandy, the proposed R2.5 area extends the R2.5 zone one block north of the current R2.5 zone that is adjacent to mixed use zoning along Sandy. South of Sandy, the proposed R2.5 area extends the R2.5 zone adjacent to mixed use zoning along Sandy by one to three blocks.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed areas for rezoning have access to frequent transit service along the major corridors of NE 82nd Avenue and Sandy. Neighborhood commercial services exist on both streets, with the Comprehensive Plan-designated Neighborhood Center extending from NE 72nd Avenue to 82nd. This area includes Madison High School, Glenhaven Park, Roseway Heights Elementary School and Rose City Golf Course all within three to six blocks. The five-block area between 62nd and 66th south of Prescott is in close proximity to Harvey Scott School, Wellington Park and the commercial area at NE Cully Boulevard and Prescott. Transit is available on Prescott connecting to Cully and 82nd.

Physical Factors: A number of lots in these areas for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



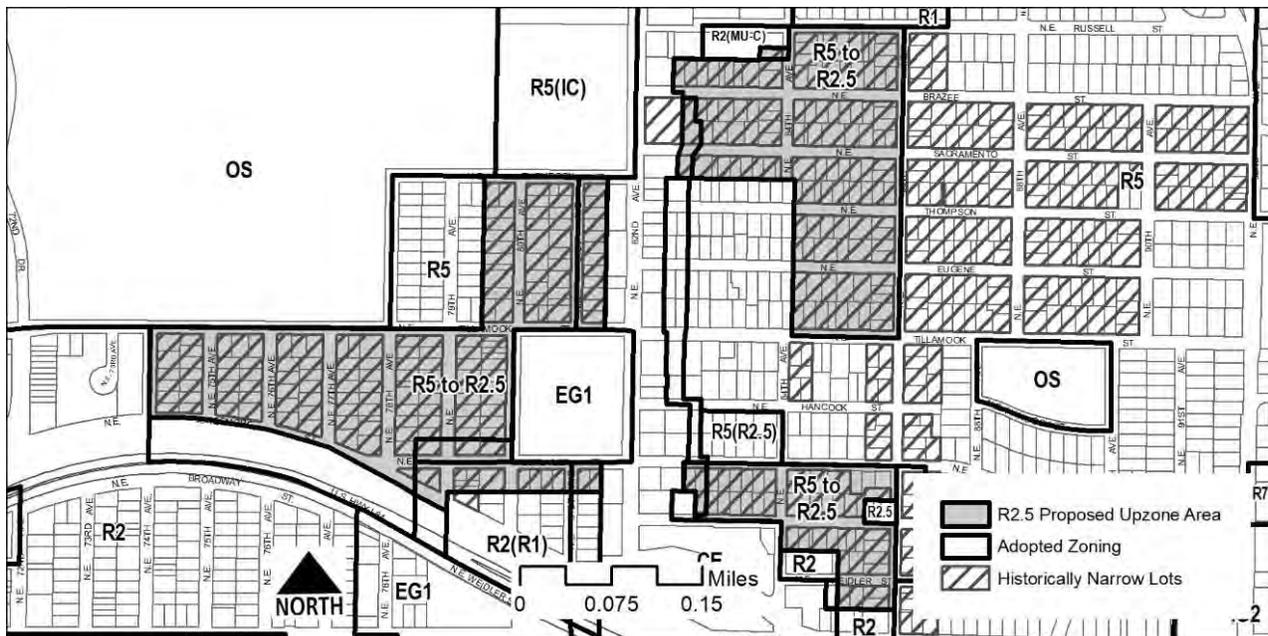
Northeast – 6

Description: R2.5 proposals are located in three areas: east of NE 82nd Avenue to NE 86th Avenue between NE Russell Street and NE Tillamook Street, NE Schuyler Street to I-84, and west of 82nd between Rose City Golf Course and I-84.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zone by one block east of 82nd and by two to six blocks west of 82nd, where it is adjacent to the golf course.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned areas have access to frequent transit service along 82nd and the MAX Light Rail 82nd Avenue station. Scattered neighborhood commercial services exist on 82nd. This area includes Madison High School, Glenhaven Park and the Rose City Golf Course. East of 82nd, Hancock Park is nearby at NE 87th Avenue and Tillamook.

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



Northeast – 7

Description: R2.5 proposals are located from NE Morgan Street south to NE Bryant Street from NE Grand Avenue east to NE 7th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning north one block. This one-by-two-block proposal abuts medium-density residential (R1) zoning to the west.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along Grand and NE Martin Luther King, Jr. Boulevard (MLK) and NE Dekum Street. Neighborhood commercial services exist on Dekum and MLK. Woodlawn Park is east of the proposed rezoned area, with Woodlawn Elementary School and various childcare facilities nearby.

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



R2.5 Zone Change Proposals by District – Southeast

There are 11 maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the Southeast district.



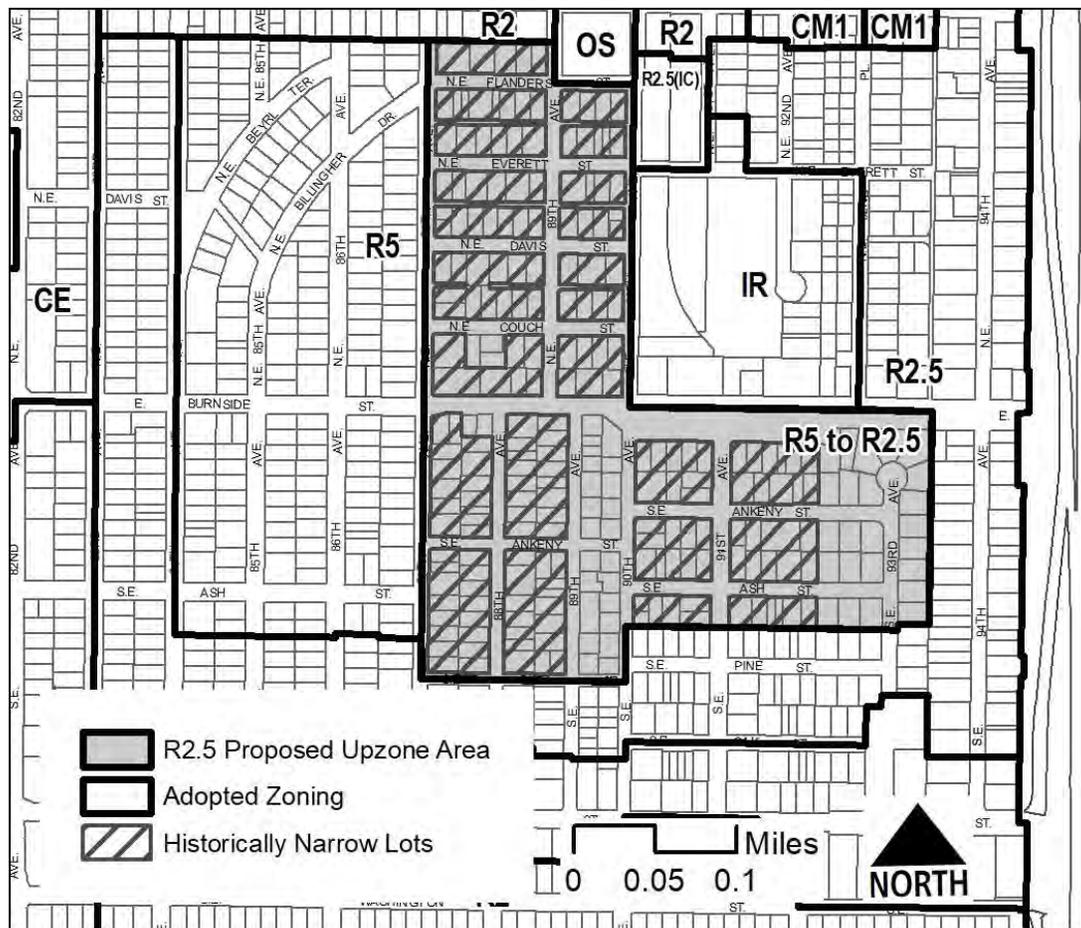
Southeast – 1

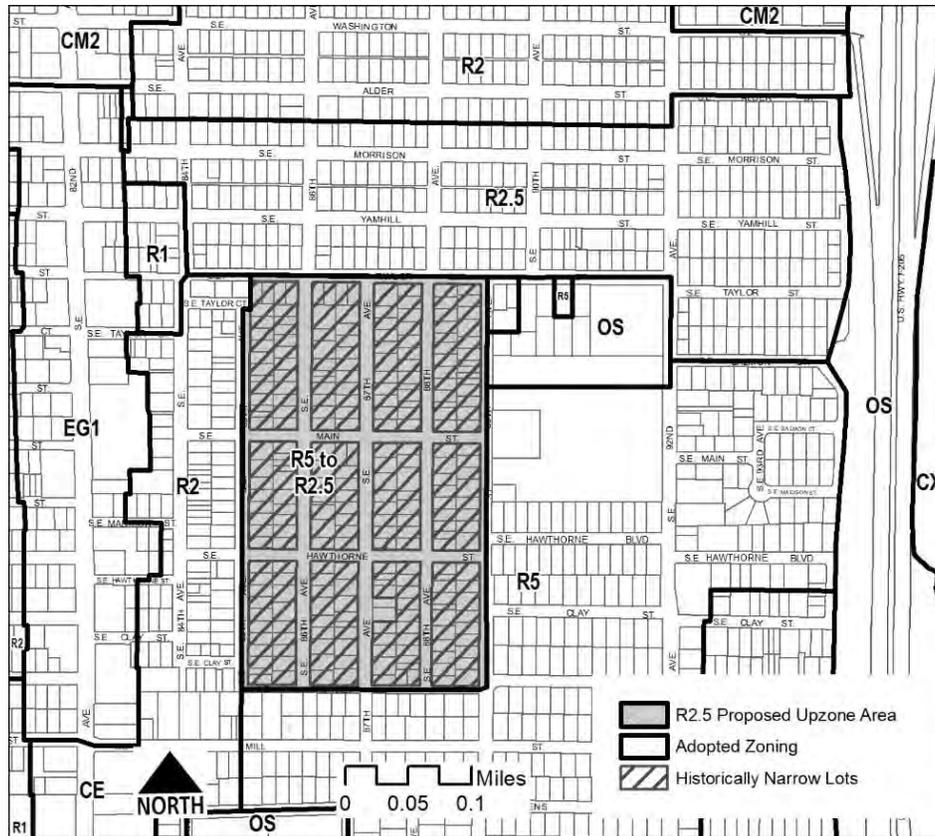
Description: R2.5 proposals are located in the area from SE Taylor Street south to SE Market Street from SE 85th Avenue to SE 89th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides transition from the R2 zoning along SE 82nd Avenue and the R5 zoning to the east. R2.5 zoning currently exists north of Taylor.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed rezoned properties are within three blocks of commercial and transit services along 82nd, as well as transit service to the north along SE Washington Street and SE Alder Street and to the south along SE Division Street. The area is directly west of Berrydale Park and the Creative Science School at Clark. Harrison Park and Harrison Park Elementary School are two blocks south of this area.

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





Southeast – 2

Description: R2.5 proposals are located in the area from NE Glisan Street south to SE Pine Street from 87th Avenue to SE 93rd Avenue.

Existing Zoning Pattern: This area is surrounded to the east and south with R2.5 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within five blocks of commercial and transit services along 82nd Avenue. Transit service to the north along Glisan connects to the Gateway Transit Center and to the south along SE Washington Street and SE Alder Street. The area is directly west and south of Columbia Christian School. Montavilla Park and Multnomah University are two blocks north of this area.

Physical Factors: A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development. Properties north of NE Couch Street have mid-block alleys.

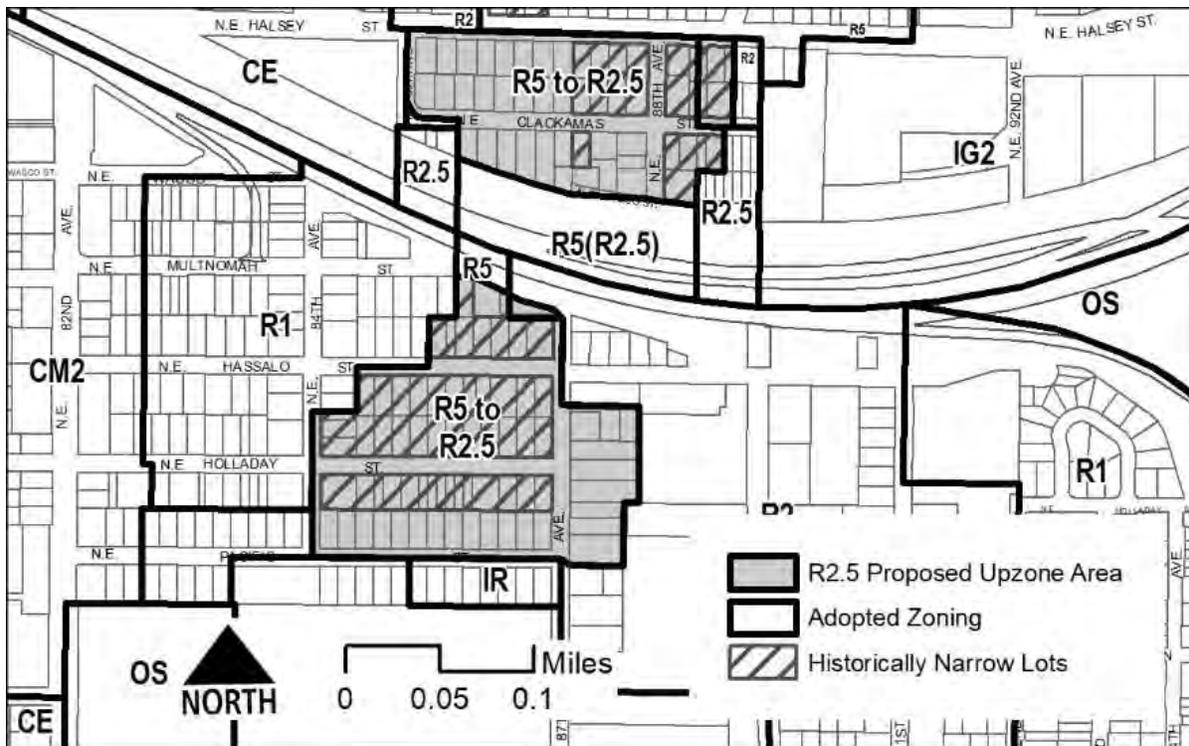
Southeast – 3

Description: R2.5 proposals straddle I-84 south of NE Halsey Street and north of NE Pacific Street from NE 84th Avenue to NE 90th Avenue.

Existing Zoning Pattern: North of I-84, this area is east of CE zoning and west of IG2 zoning. South of I-84, this area is east of R1 zoning and west of R2 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within one to two blocks of commercial and transit services along NE 82nd Avenue that connects to the MAX Light Rail 82nd Avenue station. The area is directly north of Montavilla Park and Multnomah University.

Physical Factors: A number of lots in the area along NE Clackamas Street and NE Holladay Street have already taken advantage of historically narrow lots to create R2.5-density development.



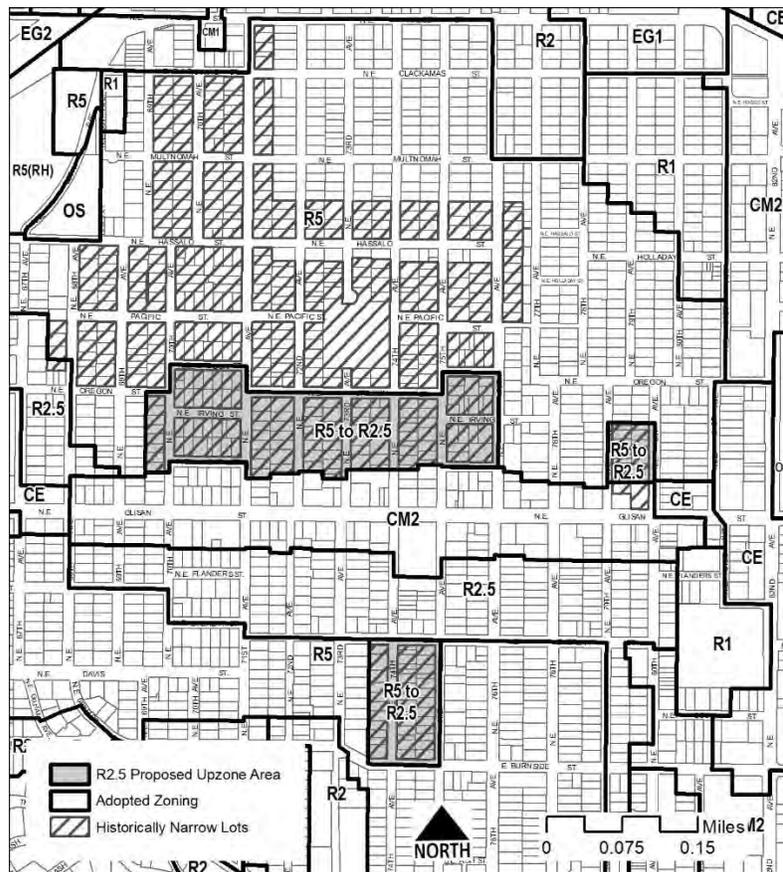
Southeast – 4

Description: Most of the properties proposed for R2.5 zoning are located in the area north of NE Glisan Street and south of NE Oregon Street from NE 68th Avenue to NE 80th Avenue. To the south, a smaller area of R2.5 is proposed between NE Burnside Street and NE Everett Street between NE 73rd Avenue and NE 75th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the CM2 north of Glisan. It also reflects the existing R2.5 zoning pattern on the south side of Glisan. To the south, the proposed R2.5 expands R2.5 zoning along the proposed Seventies Neighborhood Greenway alignment.

Proximity to Centers, Corridors and Neighborhood Amenities: The northern properties are within three blocks of commercial services including a grocery store and transit service along Glisan, and they are five blocks west of Montavilla Park. The southern properties are directly north of transit service on Burnside. East of the proposed rezoned area is Vestal Elementary School. The Seventies Neighborhood Greenway alignment is proposed along 75th Avenue.

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



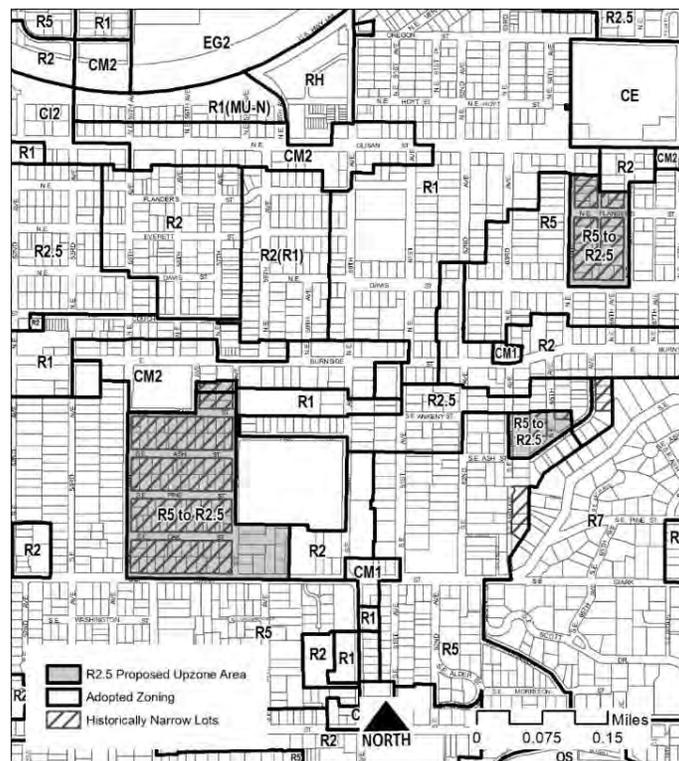
Southeast – 5

Description: Most of the properties proposed for R2.5 zoning are located in the area from East Burnside Street south to SE Stark Street between SE 55th Avenue and SE 66th Avenue. To the north a smaller area of R2.5 is proposed between NE Glisan Street and NE Davis Street from NE 65th Avenue to 66th.

Existing Zoning Pattern: The proposed R2.5 zoning reflects existing application of the R2.5 zoning in the area. The two areas of proposed R2.5 to the south of Burnside are connected by existing R2.5 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed properties south of Burnside are within three blocks of commercial services, including a QFC grocery store, and transit service along Burnside. All proposed rezoned areas have good access to MAX Light Rail service along Burnside. The northern properties are within three blocks of commercial and transit services along Glisan. Schools in the area include Mt. Tabor Middle School and Glencoe Elementary School.

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



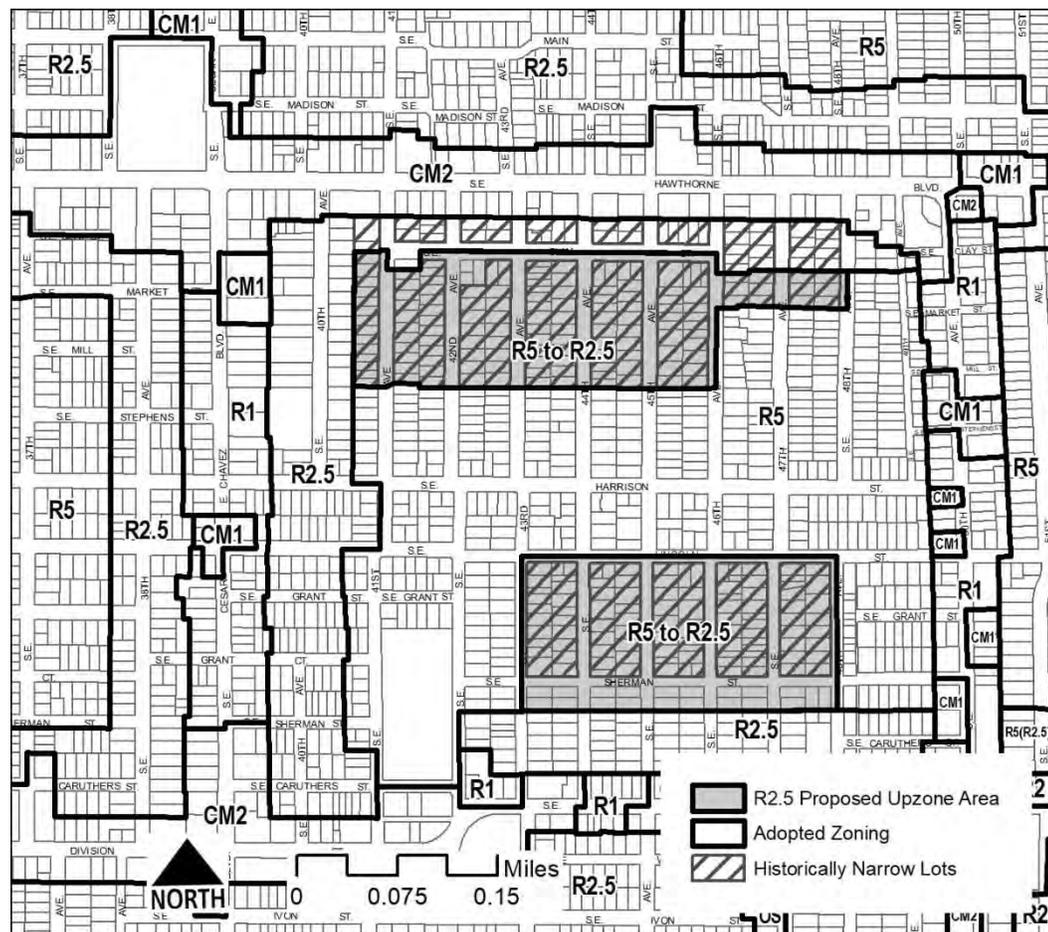
Southeast – 6

Description: The northern properties proposed for R2.5 zoning are located from SE Clay Street south one half-block from SE 40th Avenue to SE 48th Avenue. The southern properties are located from SE Division Street north to SE Lincoln Street from SE 43rd Avenue to 48th.

Existing Zoning Pattern: In both areas, the proposed R2.5 zoning extends the existing pattern of R2.5 zoning along SE Hawthorne Boulevard, Division and SE Cesar E. Chavez Boulevard.

Proximity to Centers, Corridors and Neighborhood Amenities: All the proposed properties are within three blocks of commercial and transit services along Hawthorne and Division. The area is bound by frequent bus service on Hawthorne, Division, Cesar E. Chavez and SE 50th Avenue. Richmond Elementary School is located within five blocks of the R2.5 proposals.

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



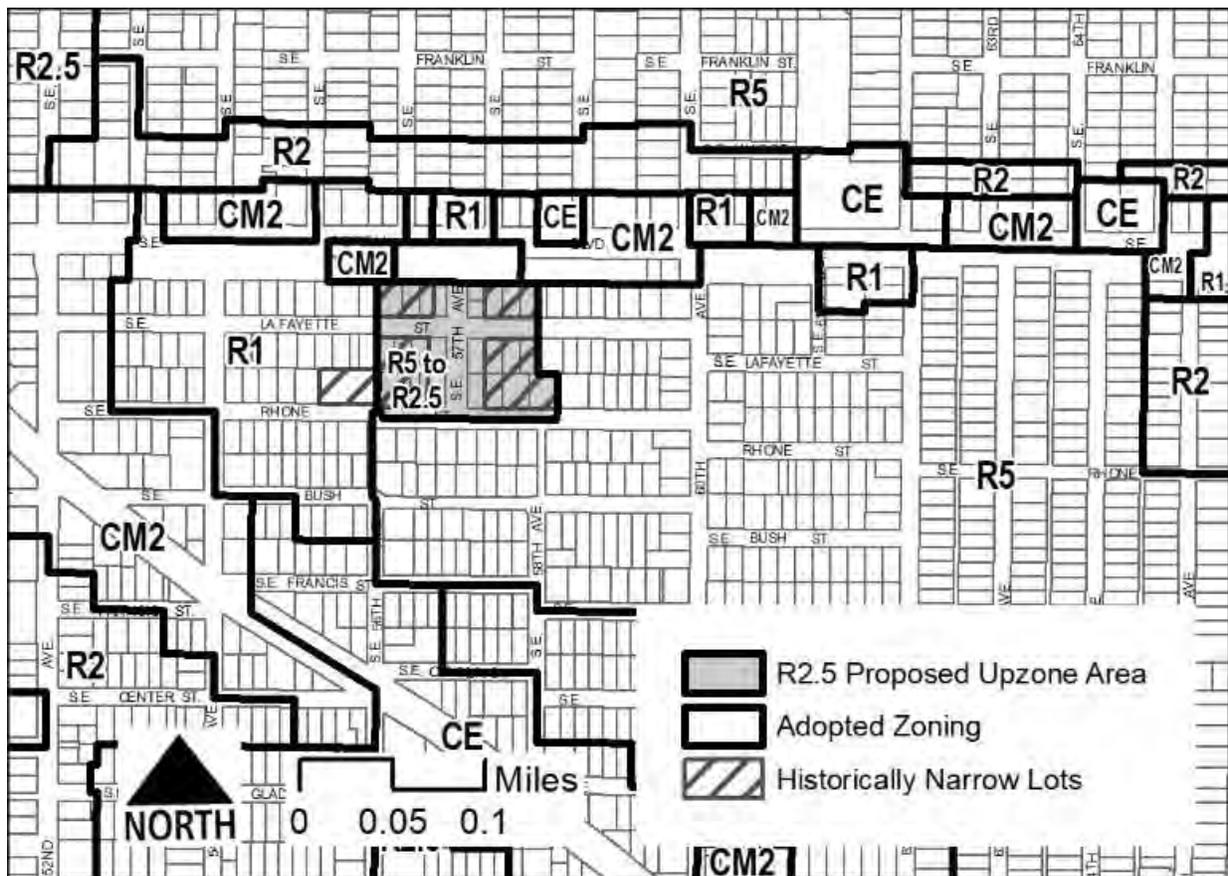
Southeast – 7

Description: The R2.5 proposals are several lots deep east and west of SE 57th Avenue south of SE Powell Boulevard and north of SE Rhone Street.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the CM2 and row of off-street parking south of Powell, as well as between the R1 zoning east of SE 52nd Avenue and the surrounding R5 zoning. R2.5 zoning of similar depth exists along SE Foster Road.

Proximity to Centers, Corridors and Neighborhood Amenities: All the proposed rezoned properties are within three blocks of commercial and transit services along Powell. The area is four blocks north of commercial and transit services on Foster. Creston Park and Creston Elementary School are located four blocks to the west. Franklin High School is located four blocks to the north.

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



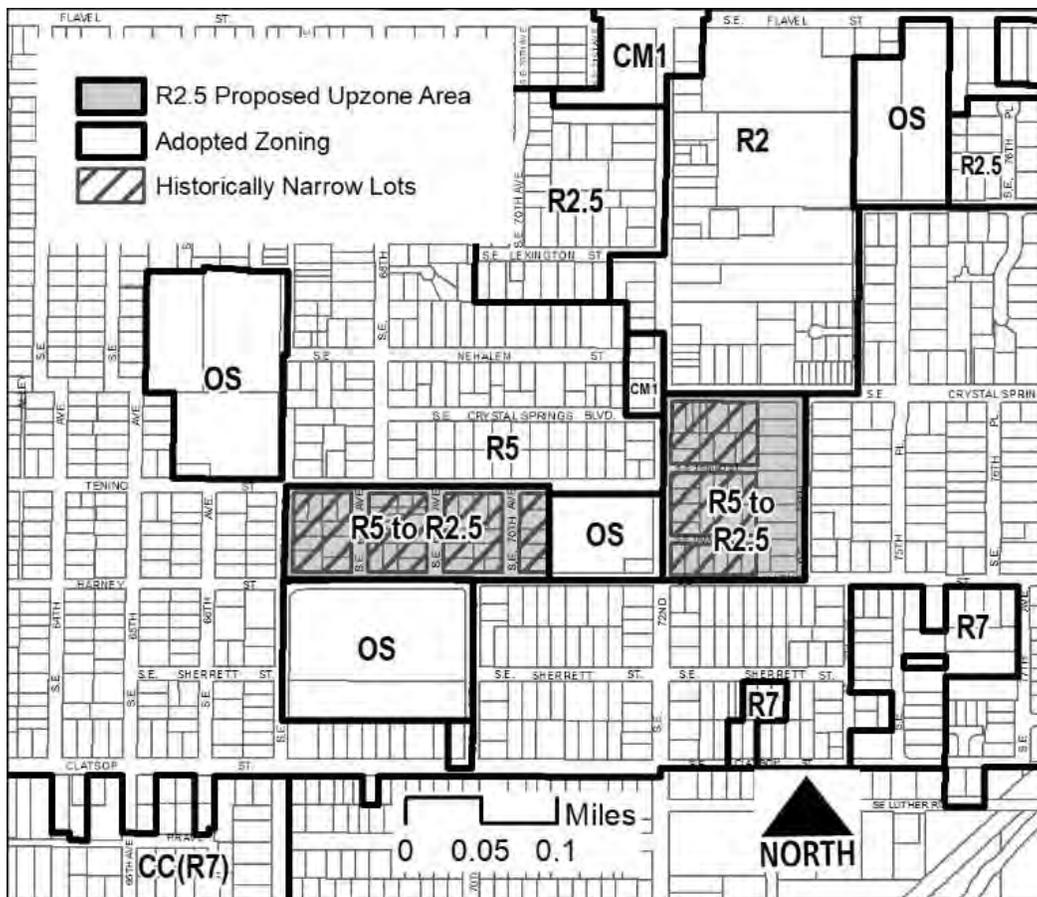
Southeast – 8

Description: The R2.5 proposals are in the area from SE Harney Street north to SE Crystal Springs Boulevard between SE 67th Avenue and SE 74th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between the R2 zoning north of Crystal Springs and the OS zoning on the nearby parks and cemetery. R2.5 zoning currently exists north of the proposals.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed rezoned properties are within three blocks of transit service along SE 72nd Avenue. The area is surrounded by open spaces including Harvey Park to the south, Mount Hood Little League and a cemetery. Whitman Elementary School is located to the north.

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



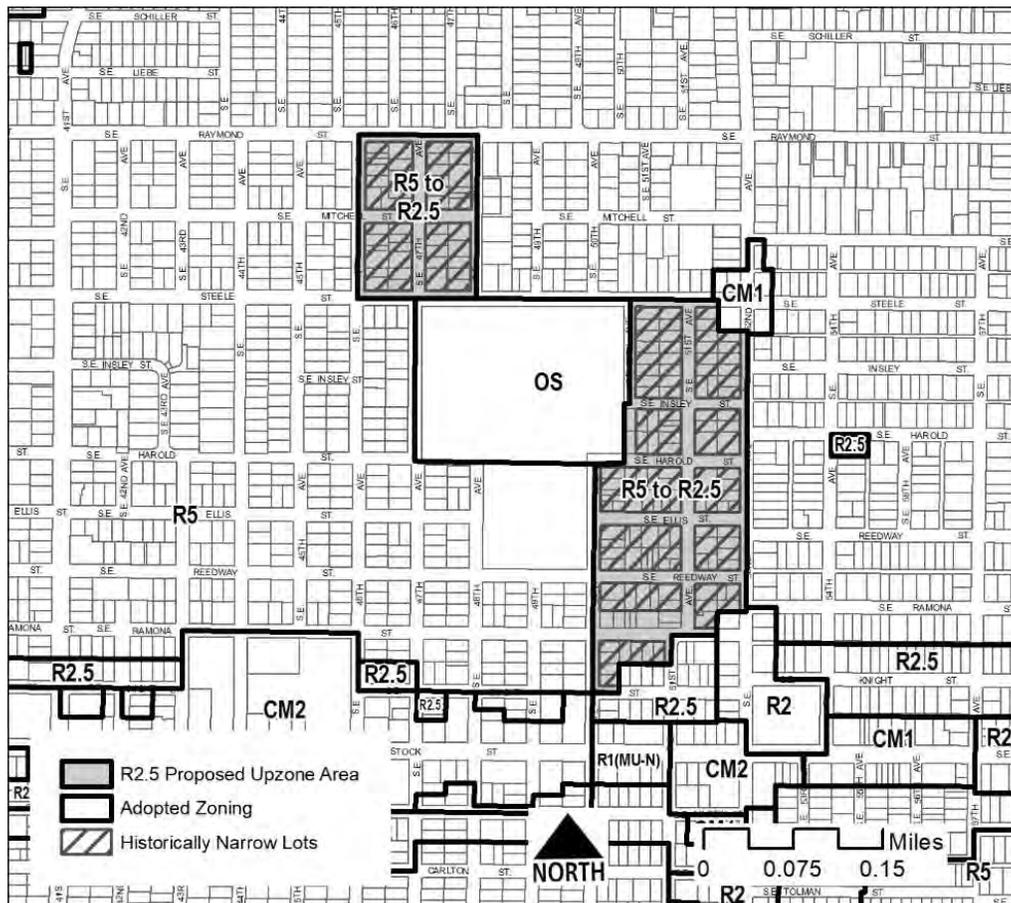
Southeast – 9

Description: The northern properties proposed for R2.5 zoning are located from SE Steele Street north to SE Raymond Street between SE 46th Avenue and SE 48th Avenue. The southern properties are located from SE Knight Street north to SE Steele Street between SE 50th Avenue and SE 52nd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning in the southern properties extends the R2.5 zoning that currently existing along SE Woodstock Boulevard.

Proximity to Centers, Corridors and Neighborhood Amenities: Some of the southern properties are within three blocks of commercial and transit services along Woodstock. Both areas have access to transit along 52nd and Steele. Both areas are adjacent to Woodstock Park, and Woodstock Elementary School is located to the south of the park.

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



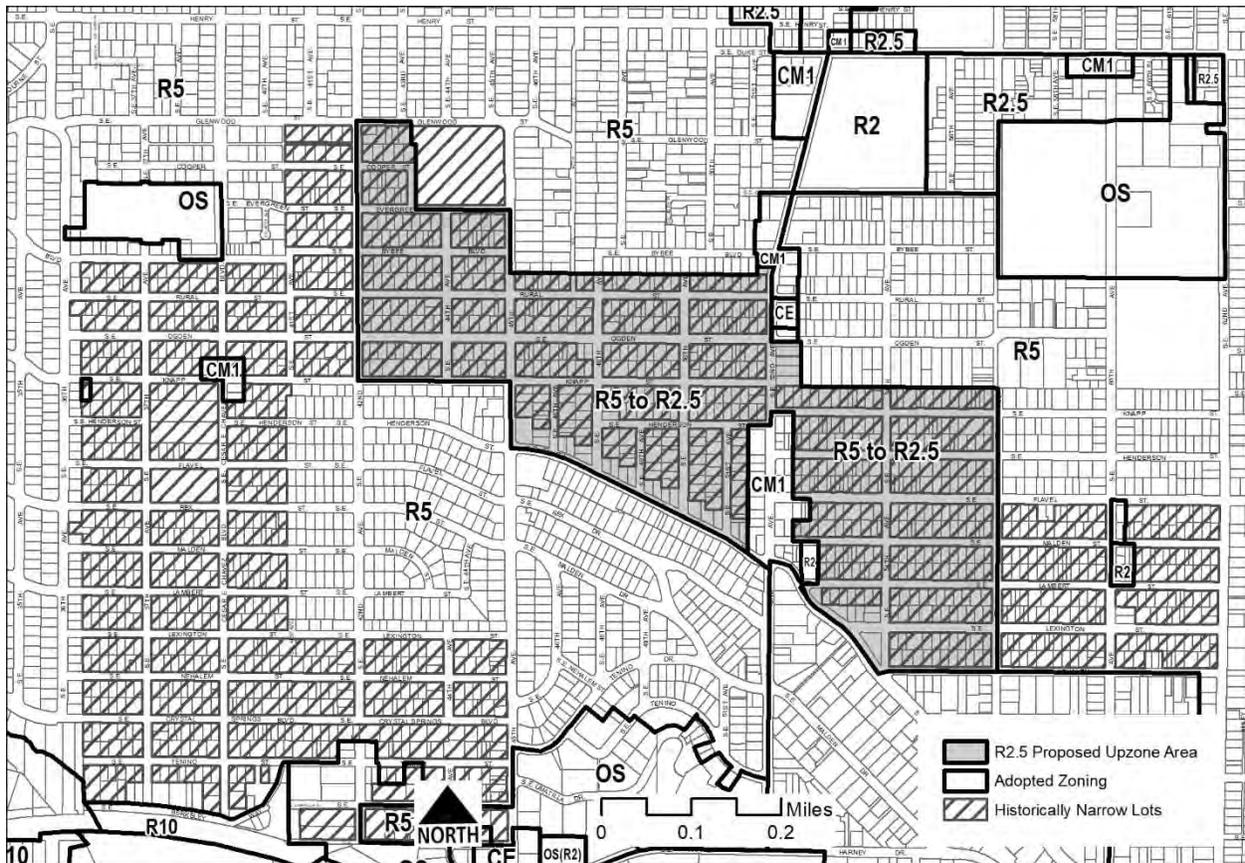
Southeast – 10

Description: The R2.5 proposals generally follow SE Flavel Drive and extend 6.5 to 3.5 blocks to the north between SE 42nd Avenue and SE 57th Avenue.

Existing Zoning Pattern: R2.5 zoning exists to the north along Duke and Woodstock.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the properties proposed for R2.5 zoning are within three blocks of commercial and transit services along SE 52nd Avenue. There is also transit service on SE 45th Avenue and Flavel. There are three nearby parks: Brentwood Park to the east, Errol Heights Park to the south and Berkeley Park to the west. The northwest portion of the area is adjacent to Lewis Elementary School, and Lane Middle School is one block to the east.

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



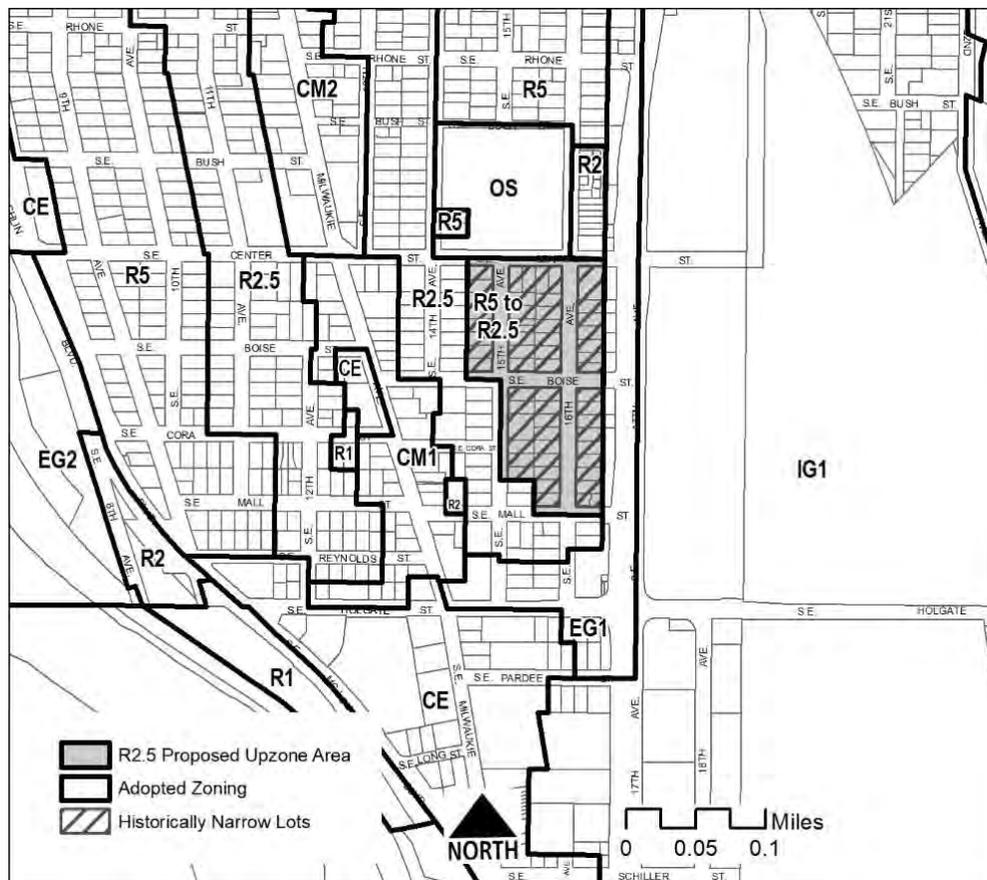
Southeast – 11

Description: The R2.5 proposals are located from SE Center Street south to SE Mall Street between SE 15th Avenue and SE 17th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning located behind the CM and EG zoning along SE Milwaukie Avenue to the entire area south of Center and west of 17th.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are within three blocks of commercial and transit services along Milwaukie. The area is adjacent to the MAX Orange Line station at 17th and SE Holgate Boulevard. Directly north are Brooklyn School Park and Winterhaven Elementary School.

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



R2.5 Zone Change Proposals by District – East

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



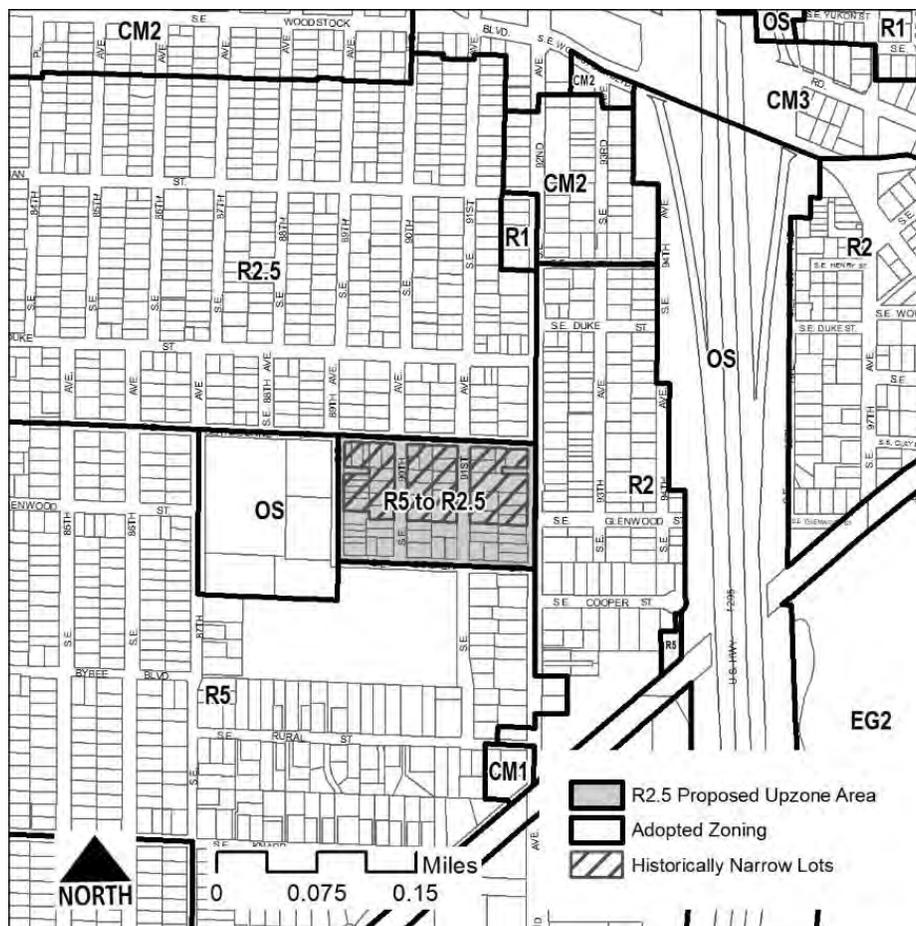
East – 1

Description: The R2.5 proposals are located from SE Claybourne Street south to SE Cooper Street between SE 89th Avenue and SE 91st Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning north, with R2 zoning directly to the east and R5 zoning directly to the south.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are near commercial and transit services on SE 82nd Avenue, MAX Light Rail along the I-205 freeway and the Springwater Corridor Trail. The area is adjacent to Kelly Center Headstart, Kelly Street Elementary and Glenwood City Park.

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



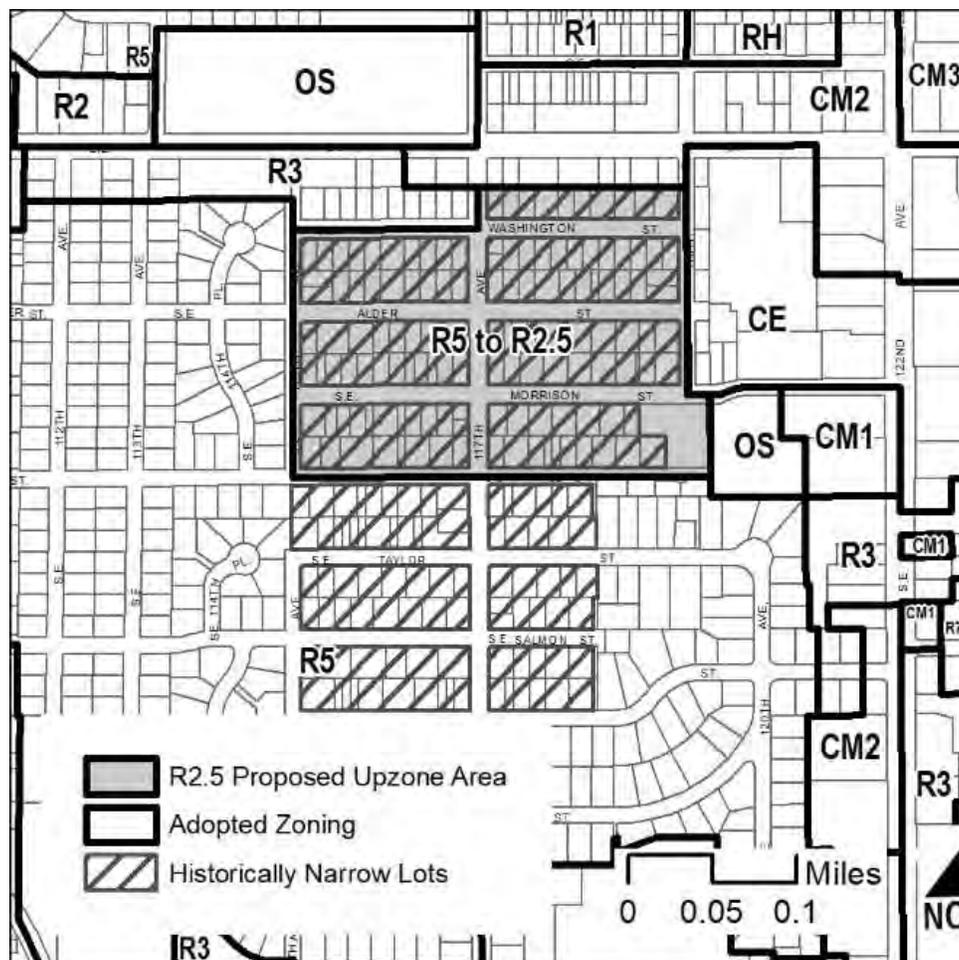
East – 2

Description: The R2.5 proposals are located from SE Washington Street south to SE Yamhill Street between SE 115th Avenue and SE 119th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning is immediately south of commercial zoning on SE Stark Street and provides a transition to R5 zoning to the south.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are within one block of commercial and transit services along Stark and within three blocks of commercial and transit services on SE 122nd Avenue. Ventura Park, Midland City Park and Midland Library are adjacent.

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



R2.5 Zone Change Proposals by District – West

There is one map that covers the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the West district.



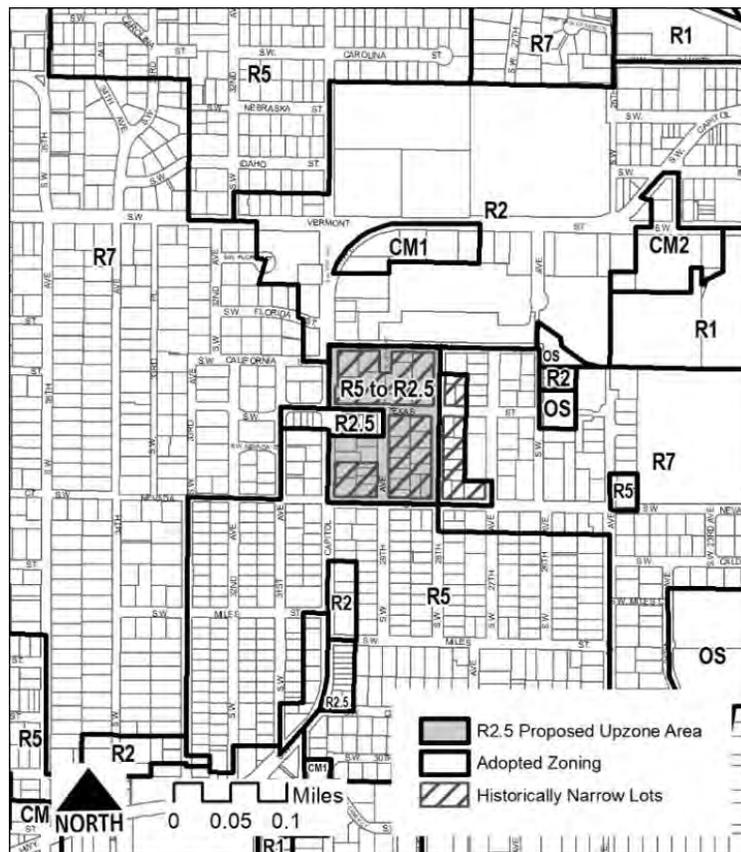
West – 1

Description: The proposed area for R2.5 rezoning covers roughly two blocks bound by SW California Street, SW Nevada Street, SW Capitol Highway and SW 28th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning located on SW Texas Street between SW 30th Avenue and SW 29th Avenue roughly one additional block to the north, south and east. The proposed R2.5 zoning provides a transition between the commercial and R2 zoning to the north and the surrounding lower-density R5- and R7-zoned areas.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed R2.5 properties are two to four blocks from commercial and transit services both to the north and south along SW Capitol Highway.

Physical Factors: While some of these blocks slope downward to the east from SW Capitol Highway, there are no features that would preclude R2.5-zoning development. Streets in this proposed four-block R2.5 area are developed to City standards and most, except SW Nevada Street, have curbs and sidewalks on at least one side.



Appendix H

Portland's Historically Narrow Lots

What are Historically Narrow Lots?

Some older parts of Portland neighborhoods that are zoned R5 today have a pattern of lots smaller than the predominant 50-foot-wide by 100-foot-deep lots. While most parts of inner Portland were platted with 50-foot wide by 100-foot deep lots, surveyors in the late 1800s and early 1900s sometimes platted lots that measured 25 feet or 33 feet wide by 100 feet deep. These “historically narrow lots” could be sold individually, or in bundles depending on the buyer’s preference.

Additionally, prior to 1979, the City did not have a formal property line adjustment or land division process. This allowed portions of lots to be conveyed through property deed exchanges. In other words, a property owner could sell off a part of his or her lot by recording a deed describing the property exchange with the County. In some cases, this created properties that were less than the zoning code required for developing.

In the R5 zone, current zoning and land division rules allow 1 lot per 5,000 square feet of site area. Each lot must be at least 3,000 square feet and 36 feet wide¹. Historically narrow lots are considered sub-standard because they don’t meet these dimensional requirements. However, because they were legally created prior to the current zoning requirements, they must be recognized by the City².

People who own multiple historically narrow lots (whose underlying lot lines are denoted by dashed lines on the county tax assessor’s maps, (see figure 2) can re-establish these previously created lots through a process called a “Lot Confirmation.” A Lot Confirmation can be used to separate ownership of legally established lots that have been combined into one ownership. A Lot Confirmation takes six to ten weeks and costs about \$1,000. In contrast, a two-lot land division can take between six months to a year and cost close to \$10,000.

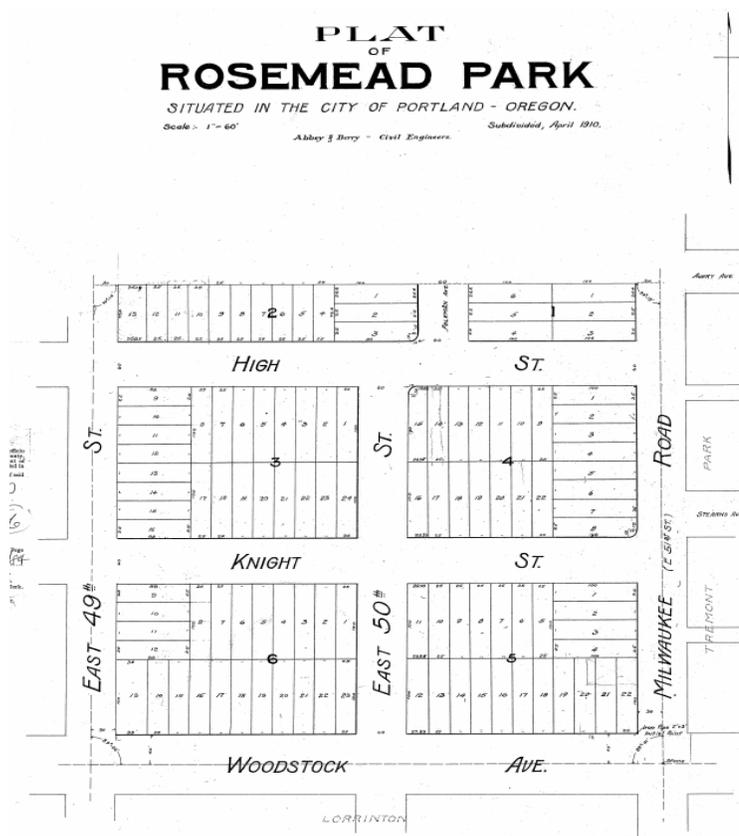


Figure 1: Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying depths.

¹ There are exceptions to lot dimension standards, for instance a Planned Development allows lot sizes and widths to be modified to suit unique site conditions. Alternatively, there are compatibility criteria in land divisions that allow lots to be less than 36 feet wide in the R5 zone.

² **92.017 When lawfully created lot or parcel remains discrete lot or parcel.** A lot or parcel lawfully created shall remain a discrete lot or parcel, unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law.

The current lot confirmation process involves a staff review of an application and supporting deed information to ensure:

- The lot was legally established;
- The lot meets dimensional requirements and conditions (in R5 this is either 3,000 square feet and 36 feet wide or, for a vacant lot, 2,400 square feet and 25 feet wide);
- Structures are not built over the underlying lot line; and
- Required parking and utilities are not being separated from the lot with the dwelling they are serving.

Other requirements that are reviewed with a land division (e.g. density, street improvements, tree preservation) are not considered because historically narrow lots were technically already “divided” for purposes of separate ownership.

After the City approves the Lot Confirmation, the County then assigns new tax lot numbers to the confirmed lots. The lots are then sellable to other owners and can be built on.

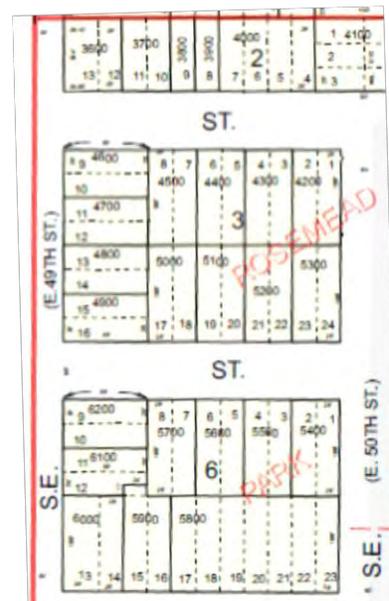


Figure 2: Tax map for lots in Rosemead Park. Tax lot numbers are 4-digits, lot numbers are 2-digits. Dashed lines show where multiple platted lots are under a single ownership.

Distribution of Historically Narrow Lots

Of the plats across the city, there are almost 16,000 tax lots containing historically narrow lots. Most these – about 94 percent – are in the R5 zone, while less than 1,000, are in the R2.5 zone.

These historically narrow lots are randomly distributed throughout the city due to platting decisions made by developers in the early 1900s. Figure 3 below shows areas of the city with concentrations of historically narrow lots. Significant numbers of historically narrow lots exist in North and Northeast Portland. Smaller concentrations exist in Southeast Portland, mostly in the Brentwood-Darlington and Woodstock neighborhoods. There are three small pockets of narrow lots in West Portland around Linnton, between Hillsdale and Multnomah Village and a large concentration in West Portland Park. Both Linnton and West Portland Park plats have had additional zoning restrictions that require larger lot sizes (i.e. 5,000 square feet in R5 zone) due to infrastructure, natural hazards and emergency access concerns.

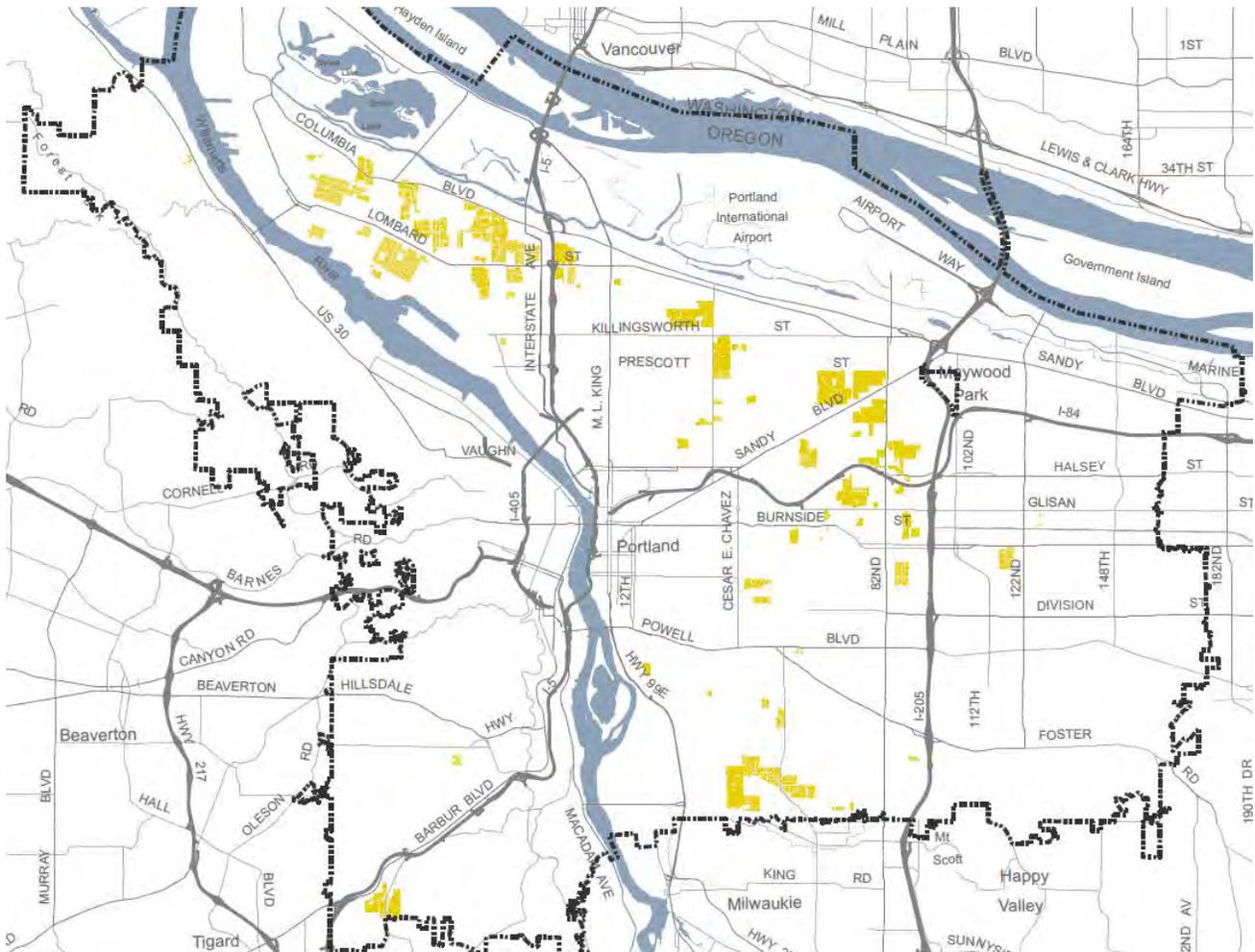


Figure 3: Map showing locations of plats with historically narrow lots in Portland.

Narrow Lot Regulations

The City of Portland’s regulations for development on historically narrow lots have undergone several changes throughout the years. A short summary is provided below.

Early 20th century

In the early 1900s, pockets of land now in the City of Portland were platted as 25-foot-wide by 100-foot-deep lots. Until 1959, building houses on 25-foot-wide lots was allowed; however, most houses were built on parcels consisting of two or three platted lots.

1959 Zoning Code

In 1959, the City adopted a new zoning code establishing minimum lot sizes for residential areas. In the R5 zone, on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 4,000 sq. ft. in area, 40 ft. in width and 80 ft. in depth unless a variance was approved.

1983 Zoning Code

Minor revisions were made to the lot dimension standards so that in the R5 zone on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 3,750 sq. ft. in area, 35 ft. in width and 80 ft. in depth, unless a variance was approved.

1985 Oregon State Law

In 1985, the Oregon State Law ([ORS 92.017](#)) was changed to require cities and counties to recognize lawfully created lots as discrete pieces of property. In effect, in addition to lots that the city has approved through land divisions, the City must recognize lots created prior to July 26, 1979 as lawfully created lots, allowing them to be bought and sold. This is still the case today.

However, as was the case in 1985, the City still retains the zoning authority to determine when houses may be built on a lot. For example, while a piece of property may have existed on a separate deed record or was part of a historic plat, the City requires that the property meet certain minimum lot dimensions before a house is permitted to be built.

1991 Zoning Code

A major update to the Zoning Code was completed in 1991. R5-zoned lots that did not meet minimum lot dimension requirements (5,000 sq. ft. in area, 50 ft. in width and 80 ft. in depth) were considered “substandard lots.” An amendment was made that eliminated the minimum lot dimension standards for lots created prior to July 26, 1979. Therefore, a house could be built on any sized property in the R5 zone.

As development intensified in the 1990s, some houses were demolished and replaced with two houses on historically narrow lots. The houses were taller and narrower than existing houses. More importantly, they were built at twice the density allowed in the R5 zone. Neighbors grew concerned about demolitions and the architectural compatibility of these narrow houses.

2003 Changes to Historically Narrow Lot Rules

In August 2003, the Planning Commission recommended establishing a minimum lot size of 3,000 square feet for development on existing lots in R5. However, City Council rejected the amendment package, so development of houses on existing 25-foot-wide lots in R5 zone was still allowed.

The Council’s decision was appealed to the Land Use Board of Appeals (LUBA). Rather than await a decision from LUBA, Council voluntarily remanded their decision so they could develop a compromise proposal.

In November 2003, the Council adopted regulations to deter demolition of houses on historically narrow lots by establishing minimum lot sizes for development on existing lots, including a 3,000-square-foot minimum in the R5 zone.

In December 2003, City Council adopted a “vacant lot provision” that allowed for development on existing lots that were vacant but did not meet the recently-adopted 3,000-square-foot minimum. This meant that lots in the R5 zone that were less than 36 feet wide and 3,000 square feet could be developed if they had been vacant for 5 years. This was intended to discourage demolition while not stifling development on already-vacant sites by requiring a five-year period between when a house was demolished and the subsequent redevelopment of the underlying historically narrow lots.

Development standards applicable to narrow lot development in the 2003 code included:

- Limitations on garage width to 12 feet and requirement for living space above it,
- Requirements for materials and trims,

- Provisions for eaves, and
- Requirements for a porch and 15 percent window coverage on the front façade to orient the unit toward the street.

2004 to Present

After these changes, there have been several refinements of code language to address the architectural compatibility of narrow lot development.

Between June and December 2004, the City of Portland sponsored a design competition to facilitate the construction of architecturally compatible infill housing on narrow lots. Living Smart: Big Ideas for Small Lots received 426 entries from 22 countries and resulted in two publications that catalogued designs and site plans.

In 2005, the City selected two designs from the “People’s Choice” category and worked with the architects to develop ready-to-build plan sets for use in a new program in which developers could build these “permit-ready houses” through an expedited approval process.

In March 2006, City Council approved the two permit-ready house designs as well as amendments to the Zoning Code that would allow them to be built. These permit-ready houses could only be built on lots less than 36 feet wide outside historic and conservation districts.



Permit Ready Houses: Higgins Design



Vargas Design

The permit-ready housing program ended in 2009 due in part to decreased City resources caused by the economic downturn. Only eleven houses were built through the program between 2006 and 2009.

Today, houses built on historically narrow lots is subject to the following current development standards:

- There must be a main entrance within 4 feet of grade (this applies to all houses).
- Garages up to 12 feet wide garage are allowed (but not required).
- Building coverage is limited to 40 percent of site area.
- Height is limited to 1.5x width of house in R5 (and R2.5).
- Exceptions to development standards require design review (not adjustments).

Current Development Scenarios for Historically Narrow Lots in the R5 Zone

Figure 4 illustrates the intent of the 2003 vacant lot provision. This recognized that there were opportunities for infill development and increasing housing supply, and attempted to limit home demolitions by requiring that these narrow lots be vacant for at least 5 years. However, sometimes a house would be demolished, with a narrow house built on one side of the lot, and another built 5 years later (Figure 5).

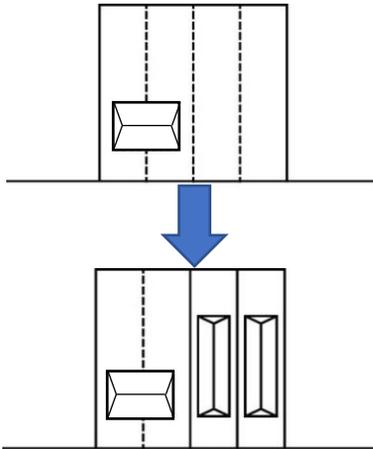


Figure 4 – Already vacant lots can develop with skinny houses.

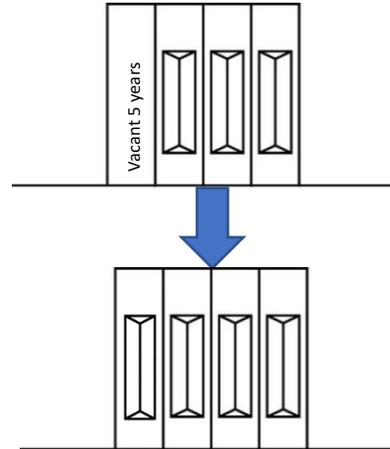


Figure 5 – Houses may be demolished and one lot can be built today, and the other 5 years later.

Figure 6 shows that when there are at least three narrow lots, a property line can be adjusted concurrently to make each property at least 36 feet wide and 3,000 square feet. When those conditions are met, the vacant lot provision does not apply because the lots are no longer “substandard.” In 2010, an exception was added to the code to allow a property line adjustment on corner lots to reduce lot sizes to 1,600 s.f. and determine the vacancy of the lot on the reconfigured lot to encourage retention of existing houses (Figure 7).

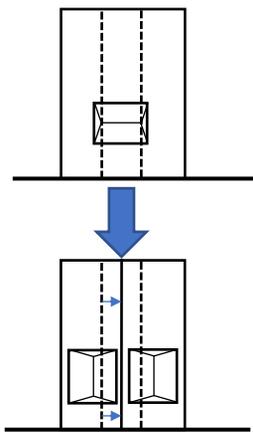


Figure 6 – By using a property line adjustment, historically narrow lots are no longer “substandard” and are not required to be vacant for 5 years.

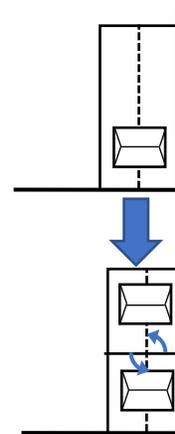


Figure 7 – Property line adjustment can also be used to rotate the lot line on a corner lot. The vacant lot provision applies to the reconfigured lot.

A Closer Look at Historically Narrow Lot Neighborhoods

Staff examined three neighborhoods with concentrations of historically narrow lots – St. Johns, Kenton, and Montavilla. These areas were studied in more detail to understand the development potential on these lots if no demolitions were to occur. The table below shows that not many vacant historically narrow lots exist – six percent in the St. Johns area (72 out of 1,279), five percent in the Kenton area (57 out of 1,193), and five percent in the Montavilla area (44 out of 966).

Proposal #12 of the Residential Infill Project Discussion Draft includes allowing property line adjustments to create flag lots when an existing house is being retained (Figure 8). This would permit an owner to create a small flag lot for a new house, as opposed to demolishing their house to create two side-by-side houses. This option provided between 8 and 10 percent of added infill opportunities.

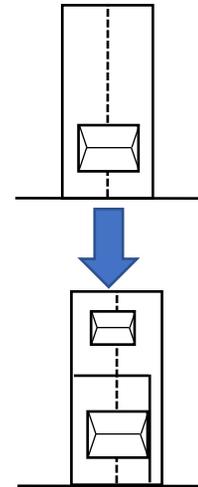


Figure 8 – Concept for allowing property line adjustments to form flag lots when retaining an existing house.

	St. Johns	Kenton	Montavilla
Number of tax lots	682	614	495
Number of underlying lots (<i>i.e. historically narrow lots</i>)	1,279	1,193	966
Number of existing houses	667	597	488
Vacant historically narrow lots	72	57	44
Percentage of vacant historically narrow lots (<i>Vacant narrow lots / Total narrow lots</i>)	6%	5%	5%
Potential flag lots	123	100	94
Percentage of historically narrow lots with flag lot potential (<i>Potential flag lots / Total narrow lots</i>)	10%	8%	10%
Combined infill potential of vacant lot/flag lot (<i>vacant lots + potential flag lots</i>)	195	157	138

Conclusion

While historically narrow lots in Portland are a product of history that were platted over a century ago, City regulations have evolved throughout the years to balance the benefits and drawbacks of developing these lots. Benefits include additional housing opportunities, including fee-simple and potentially lower cost homeownership options, and drawbacks include neighborhood concerns about architectural compatibility with existing patterns and unexpected degrees of density based on the zone.

Glossary

Buildable. A plot of land that was lawfully created and meets the applicable lot dimension to allow the construction of a primary structure (e.g. a house).

Deed. A legal document that is signed and recorded with the county recorder, especially one regarding the ownership of property or legal rights.

Historically Narrow Lot – this term is used by the Residential Infill Project to describe lots that were created prior to the City adopting formal land division rules and that are less than 36 feet wide.

Note: this term is not used in the zoning code. These lots are described as “Lots and Lots of Record Created Before July 26, 1979 that don’t meet the minimum width requirements of Table 110-6”

Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site.

Plat. Diagrams, drawings and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division. This term includes the State law definitions of “partition plat” and “subdivision plat”.

Tax Lot. A “tax lot” is a geographically mapped tax account and does not necessarily indicate the boundary of the lot or lot of record. The presence of a tax lot does not indicate whether that property is “buildable”.

Appendix H

Displacement Risk and Mitigation

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EXECUTIVE SUMMARY

The Residential Infill Project, an update to Portland’s single-dwelling zoning code, does not occur in a vacuum. It occurs within a historical context of zoning patterns and other land use regulations that have had exclusionary intents and/or impacts on communities of color. Portland, like most other cities across the United States, has a history of racially exclusionary zoning as well as land use and real estate practices that reinforced segregated neighborhoods. **Zoning, redlining, racial covenants, and community planning have played a role in shaping the city’s urban form—and in exacerbating inequities along race and class lines. Exclusive neighborhoods that do not allow for more housing options to absorb a growing and changing population can increase gentrification pressures in other neighborhoods as housing demand spills over and increases housing costs.**

As the City of Portland continues to understand the history of racially exclusionary zoning and land use practices and understand their impacts, the challenge comes in not repeating past mistakes and beginning to redress past actions. The City established equity as a guiding principle in the adopted 2035 Comprehensive Plan, with a recognition that equitable access to opportunity is essential to Portland’s long-term success.

The Comprehensive Plan calls upon new plans to evaluate the potential to cause displacement or increase housing costs in vulnerable communities. Part I examines who is vulnerable to indirect displacement and where redevelopment is most likely to happen under the proposal. **Overall, the proposal is likely to reduce displacement of low-income renters in single-family homes across Portland.** This reduction results from allowing more units to be built on one lot, which means fewer lots will be redeveloped across the city. However, **Brentwood-Darlington, Lents, and parts of the Montavilla neighborhood east of 82nd Avenue are likely to see significant increases in redevelopment that could lead to the increased displacement of vulnerable households.**

The proposal **will likely significantly reduce the cost of housing** for the additional housing types allowed in single-dwelling zones. This is a function of the smaller unit sizes as well as the ability to defray land costs across two, three, or four housing units as opposed to one unit. These findings suggest the proposals will **reduce displacement citywide, increase housing supply, create less-expensive housing options, and provide choices for types of housing** that were historically allowed but have since been disallowed in Portland’s single-dwelling zones. This, in turn, gives more people across wider range of the income and racial spectrum the opportunities and benefits afforded by our great neighborhoods.

The Comprehensive Plan also calls for identification and implementation of strategies to mitigate for anticipated impacts. Part II presents an **array of potential strategies to mitigate displacement among vulnerable residents in Portland’s single-dwelling neighborhoods.** Where program funding is available for anti-displacement and community stabilization in single-dwelling zones, the neighborhoods most at risk of displacement should be the focus for these actions. Strategies for vulnerable renters include education, financial assistance, incentives to property owners to keep rent affordable, and expanded homeownership opportunities. Strategies for vulnerable homeowners include education to combat predatory practices, financial assistance to stabilize homeowners, and technical assistance and financing to enable low- and moderate-income homeowners to take advantage of the expanded housing choices allowed by the proposal.

Part I: DISPLACEMENT RISK ANALYSIS

This analysis aims to estimate the number of households that may be at risk of displacement due to the proposals of the Residential Infill Project, when compared to the baseline zoning scenario adopted by the 2035 Comprehensive Plan, and to describe the characteristics of households that could be at risk as the result of these proposals.

SUMMARY OF FINDINGS

Key findings from this analysis of the Residential Infill Project proposals in comparison to the baseline zoning scenario include:

- There is a **net reduction in the frequency of demolition and redevelopment** across the city while at the same time a **net increase in the amount of housing units**.
- Housing units that are produced are likely to be **smaller** and **less expensive** than under the current single-family zoning allowances.
- **Citywide**, there is a **28 percent reduction of indirect displacement for low-income renters who live in single-family homes**. Through 2035, around **680** low-income renters in single-family homes are at risk of displacement, compared to **950** such renters under the current zoning regulations.
- In Portland neighborhoods that are identified as **Displacement Risk Areas**, there is a **21 percent reduction of indirect displacement risk for low-income renters who live in single-family homes**. In these neighborhoods, through 2035, around **480** low-income renters in single-family homes are at risk of displacement, compared to **610** such renters under the current zoning regulations.
- **The potential for displacement** is greatest where increases in redevelopment are more likely, and where there is a higher proportion of low-income renters.
- **Three areas have higher potential for displacement: Brentwood-Darlington, Lents, and parts of the Montavilla neighborhood that are east of 82nd Avenue.**

Potential Benefits of the Residential Infill Project

The Residential Infill Project is likely to **reduce displacement of low-income renters in single-family homes across Portland**. This is the result of allowing for more units with each instance of redevelopment. In other words, **allowing more units to be built on one lot means there will be fewer lots redeveloped** overall across Portland through 2035.

Previous analysis by Johnson Economics showed that development of a duplex, triplex, or fourplex rather than a single house would yield more new housing units at sizes that are affordable to households at 80% to 120% median family income.¹ Current zoning standards are most likely to produce larger detached single-family houses that are only affordable to households at 150% to 220% median family income. Together, these findings suggest **the proposals will reduce displacement, increase**

¹ Jerry Johnson, "Economic Analysis of Proposed Changes to the Infill Development Standards" (Johnson Economics, November 29, 2018), <https://www.portlandoregon.gov/bps/article/705704>.

housing supply, create less-expensive housing options, and provide choices for types of housing that do not exist in Portland’s single-dwelling zones today.

INTRODUCTION

Direction from the 2035 Comprehensive Plan

The 2035 Comprehensive Plan defines gentrification and displacement in the following ways:

- **Gentrification** occurs when an under-valued neighborhood becomes desirable, resulting in rising property values and changes to demographic and economic conditions of the neighborhood. These changes include a shift from lower-income to higher-income households, and often there is a change in racial and ethnic make-up of the neighborhood’s residents and businesses.
- **Displacement** is defined as when households or businesses are involuntarily forced to move from a neighborhood because of increasing market values, rents, or changes in the neighborhood’s ability to meet basic needs in the case of households, or erosion of traditional client base in the case of businesses.

The Comprehensive Plan includes a number of related policies in Chapter 5: Housing. This analysis comes in response to two key policies found in that chapter:

Policy 5.15, Gentrification/displacement risk, directs City agencies to evaluate new plans and investments for the potential to cause displacement or increase housing costs in vulnerable communities as well as to identify strategies to mitigate anticipated displacement.

Policy 5.16, Involuntary displacement, calls for programming and coordination with nonprofit housing organizations to create permanently affordable housing and mitigate the impacts of market pressures that cause involuntary displacement when plans and investments are expected to create neighborhood change.

This analysis presents the methodology and findings to evaluate the potential for increased risk of displacement due to the proposed changes to residential zoning through the Residential Infill Project. Part II identifies potential methods to mitigate displacement in the single-dwelling zones.

Where Are We Now?

The Residential Infill Project proposes to revise the height, mass, and range of housing types allowed in single-dwelling residential base zones. This can also expand the diversity of housing in terms of homeownership and rental opportunities in smaller-scale buildings throughout Portland’s neighborhoods.

The proposals presented to the Planning and Sustainability Commission (PSC) in April 2018 included a displacement risk analysis and proposed mitigation strategies. Areas that included a higher proportion of vulnerable populations (defined as areas with a higher percentage of people of color, people with lower educational attainment, renters, and/or low-income residents) were identified as areas at higher

risk of displacement. Areas with higher proportions of vulnerable populations that also had lower housing opportunity scores (based on proximity to amenities such as employment access, transportation access, educational opportunities, parks, grocery stores, and similar factors) were identified. The additional housing types could not be built in these areas until and unless a suite of anti-displacement programs, shaped by community input, would be in place to protect vulnerable renters and homeowners.

In September 2018, the Planning and Sustainability Commission (PSC) considered the Proposed Draft and gave staff direction to revise the proposal to allow additional housing types (duplexes, triplexes, fourplexes, and additional accessory dwelling units) in most areas of the city, and including areas identified as having a high risk of displacement. This was based on an economic analysis done by Johnson Economics in March 2018 that showed that the *size of the building*, which would be regulated similarly across the city, *not the number of units* allowed, was the primary driver of whether a lot would be redeveloped.² This meant that allowing additional units would not significantly increase displacement pressure but would offer those parts of the city the same opportunities to create more housing.

In addition, the Commission was persuaded by input from nonprofit affordable housing providers, housing and anti-displacement advocates, the Portland Housing Bureau, some neighborhood associations, and other groups and individuals who supported allowing the additional housing types to be built “everywhere” in the city.

The new displacement risk analysis described in this appendix is based on changes the PSC has requested, which are detailed in the *Revised Proposed Draft*.

DEFINING DISPLACEMENT RISK

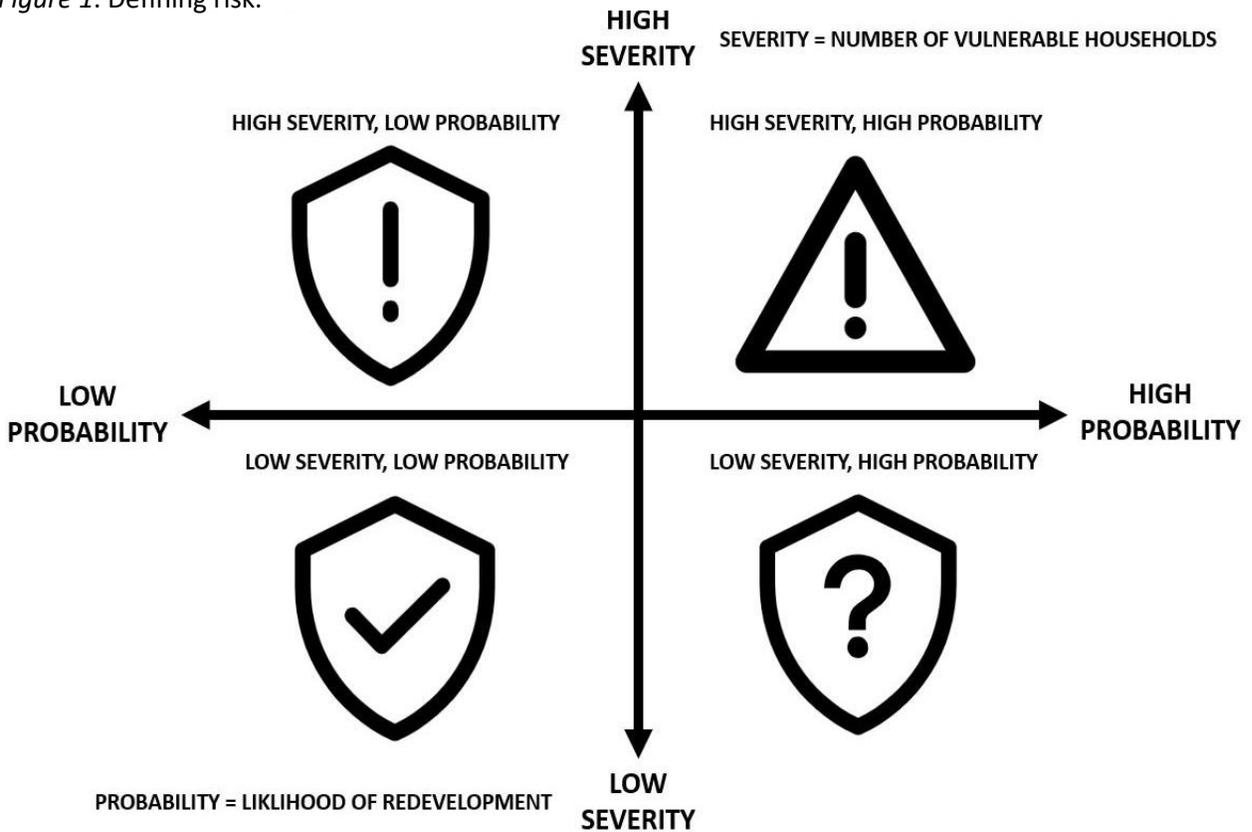
This analysis seeks to understand the potential for the Residential Infill Project proposals to encourage the redevelopment of existing single-family houses in a way that would result in outcomes that further burden historically under-represented communities.

Risk is defined as **the combination of the probability of harm occurring and the severity of that harm**. What is the likelihood (probability) of redevelopment of an existing house as a result of new development standards, and what is the magnitude (severity) of that displacement in terms of the number of vulnerable households that could be displaced by that redevelopment?

Probability and severity are charted on the matrix below, with the highest-risk situation (areas with highest severity and highest probability) shown in the top right quadrant.

² Jerry Johnson, “Economic Analysis of Proposed Changes to the Infill Development Standards” (Johnson Economics, March 27, 2018), <https://www.portlandoregon.gov/bps/article/678769>.

Figure 1. Defining risk.



DISPLACEMENT IN THE CONTEXT OF THE RESIDENTIAL INFILL PROJECT

Displacement related to plans and public investments can be classified into three categories:

1. **Direct displacement** occurs when government acquires property through eminent domain and a property owner is forced to sell their home—for example, when right of way for a transit line requires condemnation of property.
2. **Indirect displacement** occurs when policy changes create measurable impacts on market dynamics, such as an increase in rates of redevelopment—for example, regulatory changes in zoning around a transit station.
3. **Induced displacement** occurs when market conditions respond to new development and changes in neighborhood character and impact existing housing units in terms of increasing rents or prices—for example, expected increases in property values from the introduction of transit or other new amenities.

Direct displacement is easily measured but not evaluated in this analysis because the proposals will not be acquiring property or using eminent domain.

Indirect displacement is more difficult to measure, but it is possible to use models to estimate the likelihood of redevelopment with some degree of certainty. Indirect displacement is defined for this analysis as a home being torn down and replaced with one or more new units as a result of new development standards. In other words, for the purposes of this analysis, **we define indirect displacement as the displacement of existing houses/households resulting from the redevelopment of units in the R2.5, R5, and R7 zones**, which would see new allowances because of these proposals.

Induced displacement is much more challenging to measure, and it relies on assumptions that are not widely acknowledged or agreed upon.

Therefore, only the second category of displacement—indirect displacement — is evaluated in this displacement risk analysis. This analysis considers the following three steps:

1. **Severity: How many households are vulnerable to displacement?** This step characterizes the households that are the most vulnerable to displacement as a result of the proposal, as well as the magnitude of the impact to vulnerable households.
2. **Probability: Where is redevelopment most likely?** Not all parts of the city will see the same level of redevelopment. This step identifies areas that are most likely to see redevelopment of single-family houses in single-family neighborhoods.
3. **Risk Assessment: What parts of Portland have high severity and probability?** This step examines the overlap of severity and probability to assess which areas with higher levels of vulnerability are most at risk of displacement.

This displacement risk analysis evaluates households most at risk of indirect displacement as the result of the proposals across Portland, with a focus on parts of Portland that have been identified as being at risk of gentrification and displacement by the 2018 Gentrification and Displacement Risk Assessment.³ The gentrification typologies used in this analysis were developed by Dr. Lisa Bates in the 2013 Gentrification and Displacement Neighborhood Typology Assessment.⁴ This method considers whether a neighborhood has a vulnerable population, has experienced demographic change, and has housing market conditions that are undergoing price increases. More information on different neighborhood typologies and how they have changed over time is available in the 2012 and 2018 reports. The Displacement Risk Areas used throughout the remainder of this analysis are identified in Map 1 below.

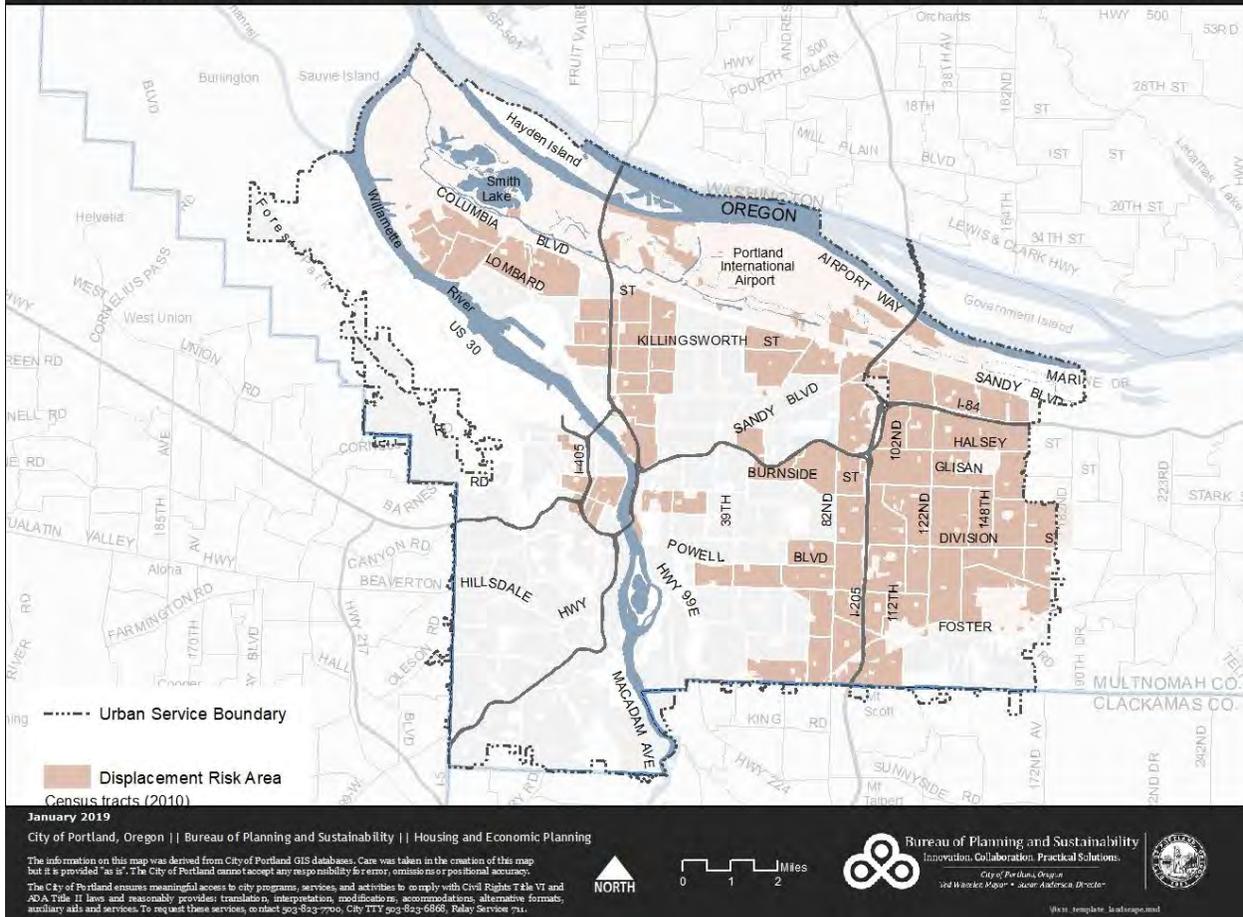
Map 1. Displacement Risk Areas from the 2018 Gentrification and Displacement Assessment.

³ 2018 *Gentrification and Displacement Neighborhood Typology Assessment*, Bureau of Planning and Sustainability (2018), <https://www.portlandoregon.gov/bps/article/700970>.

⁴ Lisa Bates, "Gentrification and Displacement Study: implementing an equitable inclusive development strategy in the context of gentrification," Bureau of Planning and Sustainability (May 18, 2013), <https://www.portlandoregon.gov/bps/article/454027>.

2018 Displacement Risk Areas

Residential Infill Project Displacement Risk Analysis



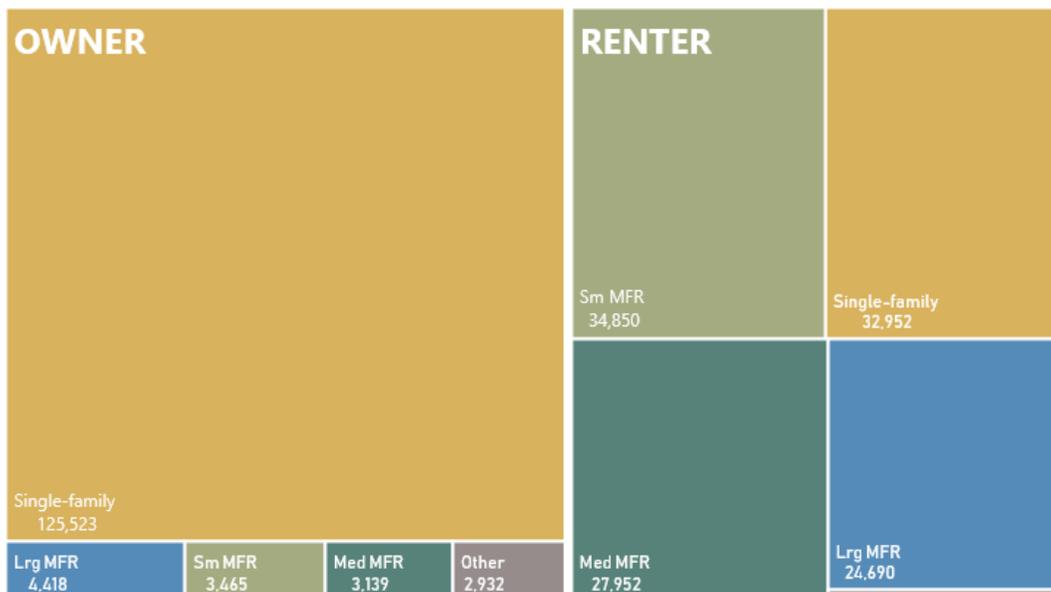
Severity: How Many Households Are Vulnerable to Displacement?

Economic vulnerability is measured across four socioeconomic variables that indicate a reduced ability to withstand housing price increases caused by gentrification. As outlined in the 2018 Gentrification and Displacement Neighborhood Typology Assessment, areas of economic vulnerability are defined as those that have, when compared to the citywide average, the following characteristics:

- A larger share of households that are **renters**
- A larger share of the population that are **communities of color**
- A larger share of adults (25 or older) **without a four-year degree**
- A larger share of households that are **low-income** (below 80% median family income)

Single-family houses comprise 61 percent of Portland's housing stock—about 158,000 homes (Figure 2). About 85 percent of these houses are located in a zone affected by the Residential Infill Project (R2.5, R5, and R7—henceforth referred to as "RIP zones").

Figure 2. Portland's housing stock, 2017.

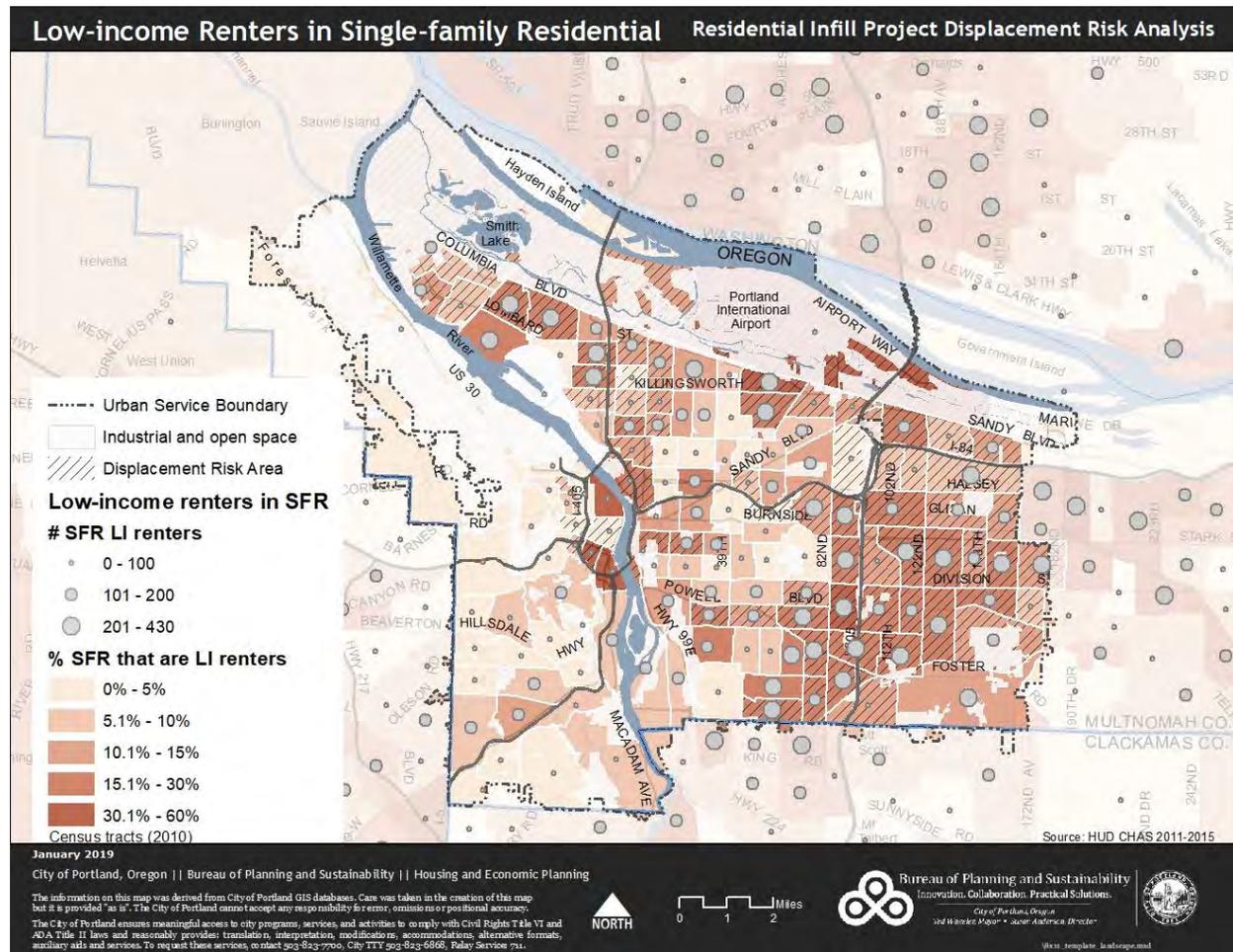


Large MFR = 50+ units. Medium MFR = 10 to 49 units. Small MFR = 2 to 9 units.
 Other = mobile homes, RVs, boats, tents, etc.

The baseline scenario, or what is allowed under current conditions, assumes redevelopment of smaller houses into larger single houses with higher achievable floor area than what is proposed in the Residential Infill Project. The project proposal scenario assumes redevelopment into buildings with a higher number of units allowed, coupled with lower achievable floor area allowed by the proposed code changes. In both scenarios, the analysis estimates how often property owners may find it more advantageous to redevelop their property than continue to rent to their tenant.

Therefore, this analysis focuses on the comparison of risk between the baseline scenario and the proposal scenario to the 14,000 low-income households who rent single-family homes in RIP zones (Map 2). These households are most vulnerable when considering the impacts of the proposal because they have the least control over their housing (they are subject to eviction) and the degree of choice in housing (based on affordability).

Map 2. Low-income renters in single-family structures.



While the most vulnerable households that are at risk in this analysis are low-income renters in single-family structures, homeownership is not a guarantee to withstand displacement pressures. Given the history of predatory lending practices, exclusionary zoning, and racial disparities in accessing bank financing to support homeownership, it is important to consider the potential impacts these proposals may have on vulnerable homeowners as well. Low-income homeowners may be targeted by predatory buyers who do not offer a fair price for purchasing their home. Such homeowners may also be more apt to sell if they are in stressed financial situations. Map 3 shows the distribution of low-income homeowners across the City, while Table 1 summarizes the distribution of low-income households by tenure for homes in RIP zones.

Map 3. Low-income owners in single-family structures.

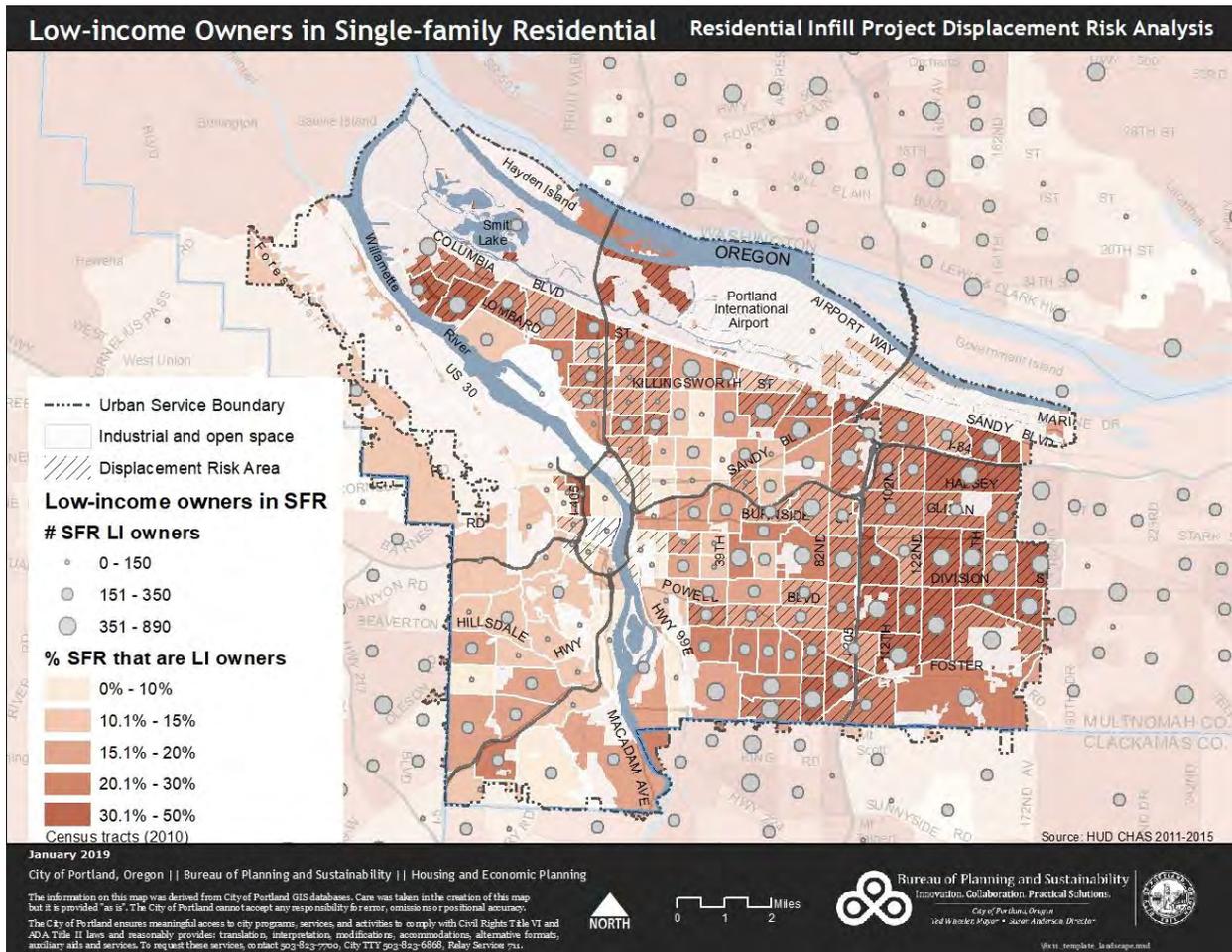


Table 1. Low-income households in single-unit structures in RIP zones by tenure, 2015.

	Displacement Risk Areas RIP Zones	Citywide RIP Zones
Households <80% MFI	24,708	40,078
Renters	8,773	13,582
Owners	15,935	26,496
With mortgage	10,447	16,150
Free and clear	5,488	10,346

Because of historical disparities in access to homeownership, it is important to assess the potential impact on homeowners of color. Homeownership is a critical aspect of intergenerational wealth generation within a family. When a homeowner sells their home for less than market value, they forgo the opportunity to maximize their wealth-generation potential.

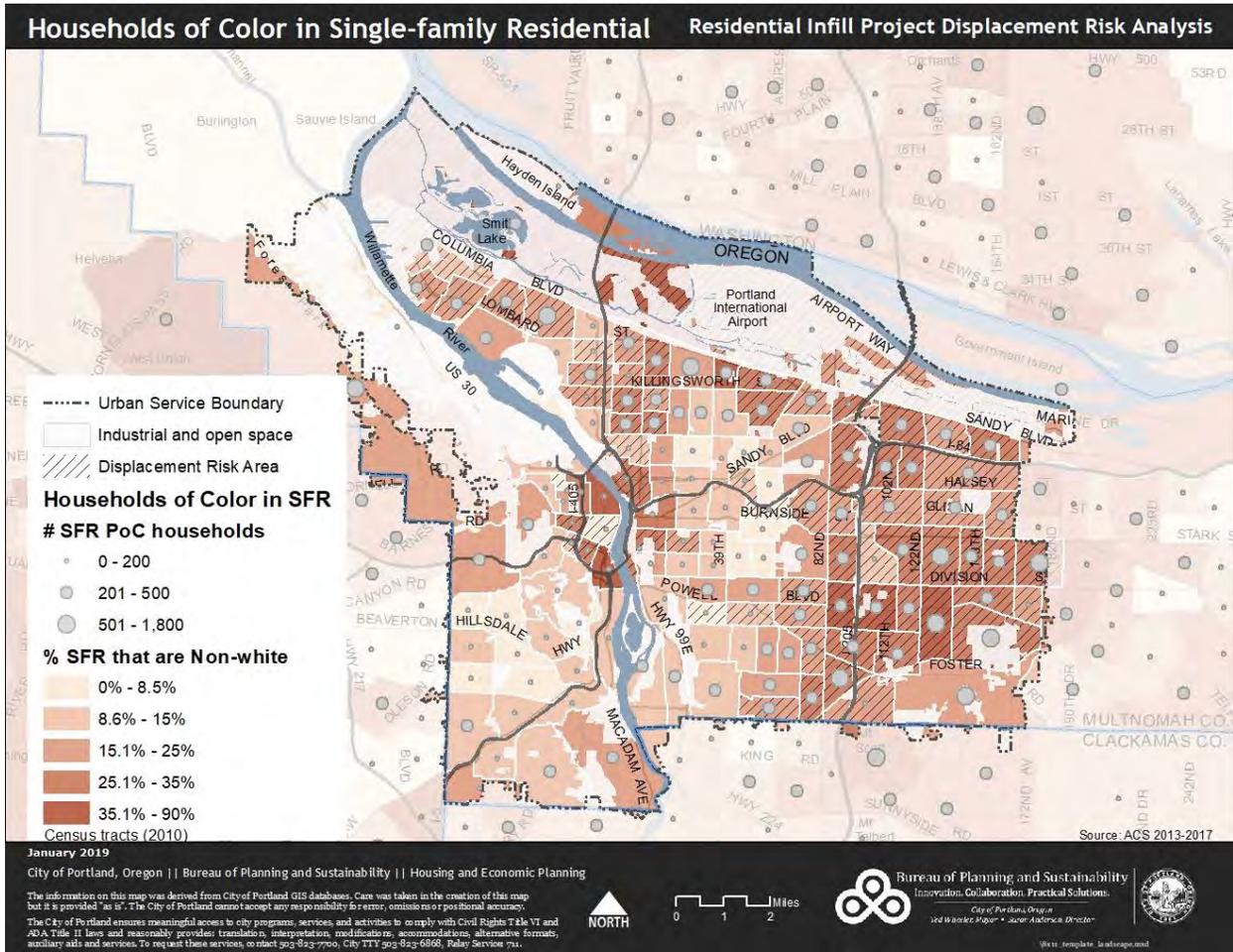
Although approximately 30 percent of Portland residents are a person of color, only 18 percent of single-family homeowners are a person of color. Beyond the racial gap in homeownership rates, national research suggests homeowners of color are more vulnerable to predatory buyers, foreclosures, loan denials, and higher interest rates even compared to similar creditworthy white peers.⁵

Citywide, there are about 18,000 single-family homeowners of color in RIP zones. About 37 percent are low-income households, compared to 29 percent of low-income white households in single-family units.

With regard to where households of color (renters and owners) reside, the highest numbers and concentrations are in East Portland, Cully, and North Portland (Map 4).

⁵ <https://files.stlouisfed.org/files/htdocs/publications/review/2017-02-15/the-homeownership-experience-of-minorities-during-the-great-recession.pdf>

Map 4. Households of color in single-family structures.



Probability: Where is Redevelopment Most Likely?

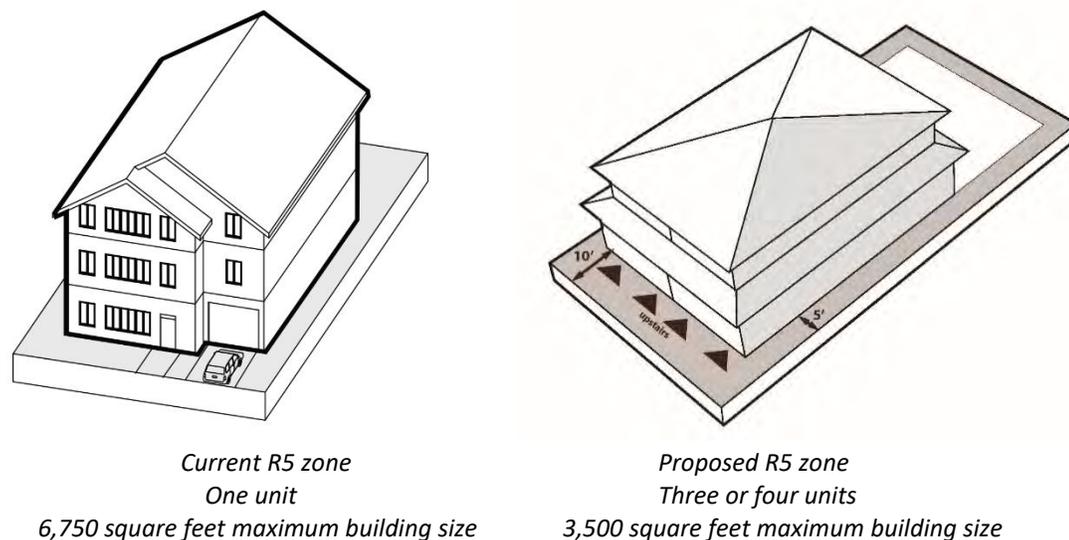
This section describes the citywide outcomes of redevelopment (defined as a home that is demolished and replaced with one or more new units) as a result of the proposal's development standards.

Redevelopment occurs because a new-construction building with one or more units allowed under the proposal might be of higher value than an existing single-unit house. In this situation, redevelopment could occur when a landowner or developer chooses to demolish the existing house to build a new structure with multiple units.

There are two significant factors in the proposed development standards that impact development capacity, redevelopment activity, and the allocation of new housing units in this analysis.

First, the change in Floor Area Ratio (FAR) allowances in RIP zones is the most significant factor that impacts development capacity between the baseline and proposal scenarios. For example, on a 5,000-square-foot-lot, maximum current development allowances in the R5 zone would allow up to a 6,750-square-foot structure, while the R5 zone under the proposal would only allow between 2,500 and 3,500 square feet, depending on the number of units (Figure 3). This reduction in square footage allowance shifts redevelopment activity away from higher-value neighborhoods and towards areas of Portland with more moderate land values that can support the achievable sale prices and rents of market-rate new construction.

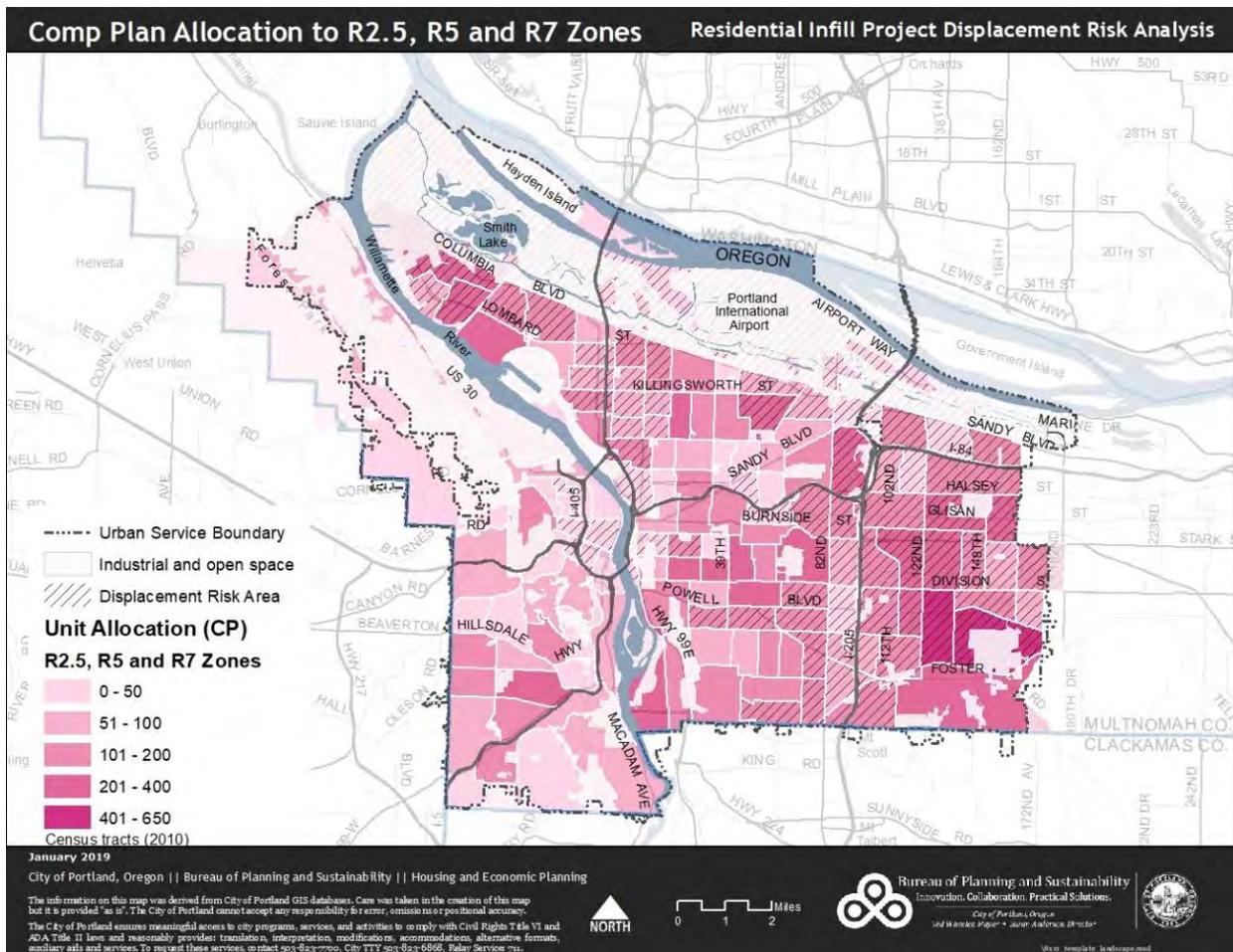
Figure 3. Maximum building size under current and proposed R5 development standards.



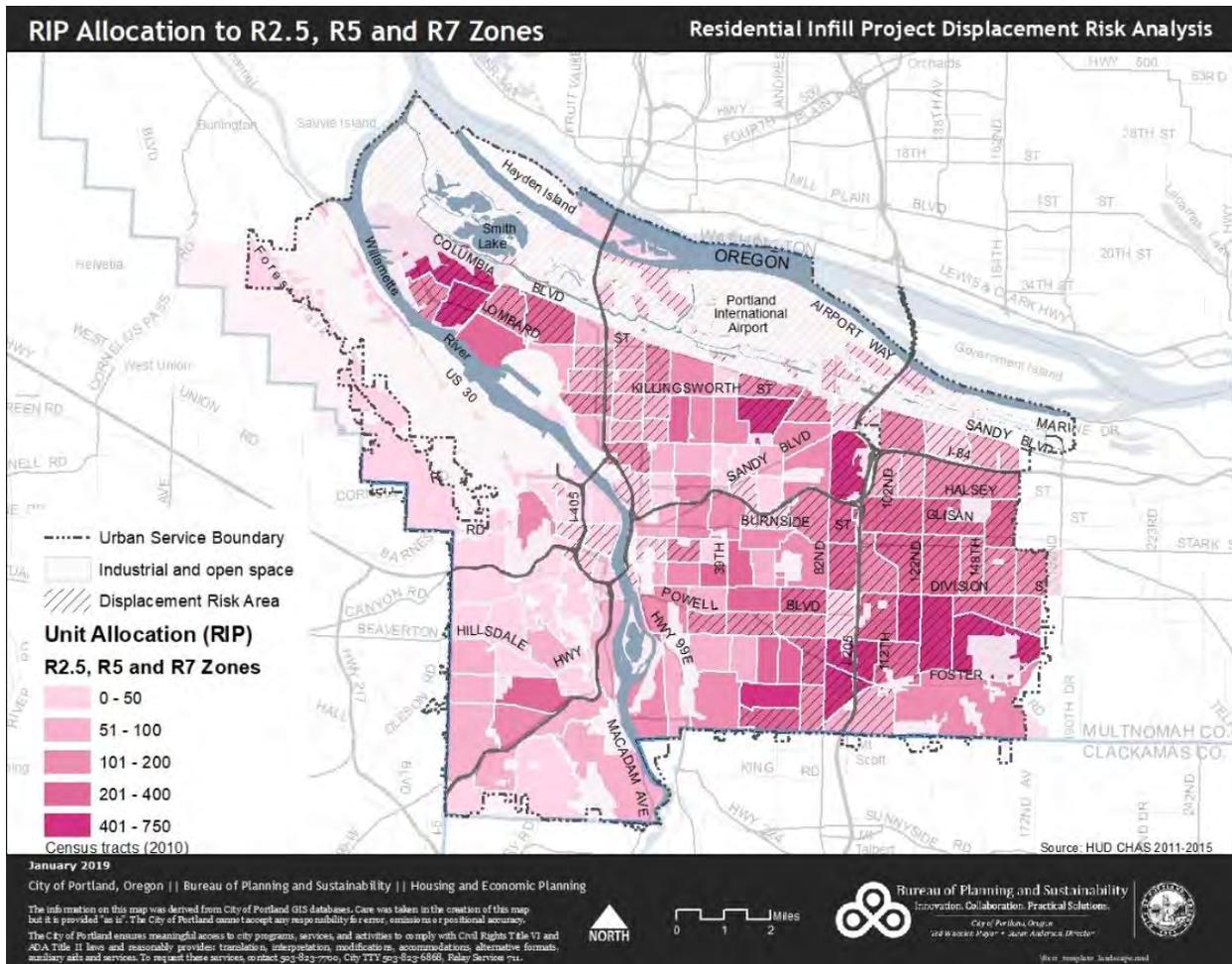
Second, the allowance for duplexes, triplexes, and fourplexes also impacts the distribution of redevelopment activity, though to a lesser extent than building size. These housing types are likely to develop in areas of Portland with land values high enough to support sales prices and rent levels of these housing types.

This analysis considers the probability of redevelopment given current market conditions. According to regional forecasts, Portland is projected to gain approximately 123,000 new households between 2010 and 2035. The Buildable Lands Inventory (BLI) model helps us begin to understand where this new growth might occur in Portland. The BLI estimates development capacity, which is defined as the number of new dwelling units that could be accommodated in the city under existing regulations and recent development trends. Staff used the BLI model to evaluate two development scenarios: one for current housing allowances and development standards from the baseline Comprehensive Plan scenario (Map 5) and one for the proposed housing allowances and development standards (Map 6). The output of the BLI model is a map that allocates new housing development—in this case new housing in R2.5, R5, and R7 zones—to show the expected distribution of housing in Portland in 2035.

Map 5. 2035 Comprehensive Plan housing unit allocation in R2.5, R5, and R7 zones.

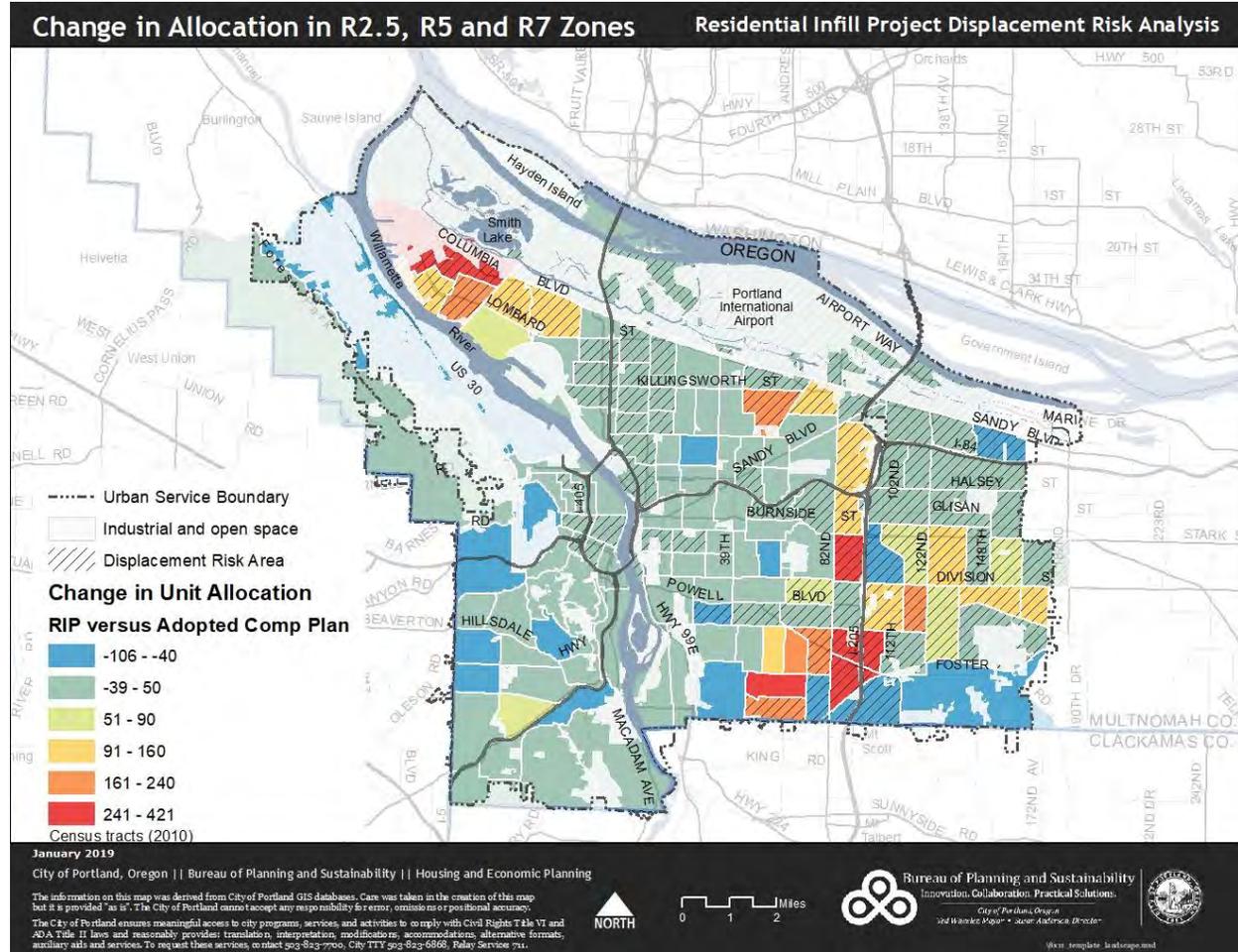


Map 6. Residential Infill proposal housing unit allocation in R2.5, R5, and R7 zones.



Overall, compared to the baseline Comprehensive Plan zoning scenario, the proposal is expected to **create more housing units but decrease overall redevelopment (demolitions)**. Map 7 shows the net change in allocation of dwelling units in 2035.

Map 7. Change in unit distribution between baseline Comprehensive Plan and proposal scenarios.



Map 7 shows that through 2035, with the proposed amendments, some areas of Portland see net increases in redevelopment and new housing units, and some areas see net reductions in redevelopment. The reduction in redevelopment alongside increases in new unit production is the result of allowing multiple units within one structure, which absorbs unit demand that otherwise would have occurred in one-for-one redevelopment situations in the baseline Comprehensive Plan scenario. In other words, current regulations result in more houses being demolished and replaced with a single house, while the proposed regulations result in fewer houses being demolished because more units can be produced on the same site.

With the proposed changes, **inner Portland neighborhoods** like Buckman, Richmond, Eliot, Humboldt, and Northwest see **minimal change in redevelopment rates** and **moderate increases in new housing units**. New housing units will likely be distributed broadly across inner neighborhoods.

Middle ring neighborhoods, including St. Johns, Portsmouth, Concordia, Cully, Montavilla, Brentwood-Darlington, and Lents, see **more significant increases in new unit production**. However, these areas also see a **smaller rate of overall redevelopment**. Under the baseline scenario, these middle ring neighborhoods are expected to see a higher-than-average amount of one-for-one demolition/redevelopment. The proposal scenario indicates **more units will be built on fewer parcels**.

Neighborhoods in East Portland see a broader range of redevelopment and new housing unit impacts. **Most East Portland neighborhoods see moderate increases in new housing units** including Centennial, Powellhurst-Gilbert, Mill Park, and eastern portions of Lents. **Other East Portland neighborhoods** such as Parkrose, Argay, Hazelwood, and Glenfair will likely see **minimal change in the number of new units**.

West Portland neighborhoods see **minimal change in new housing units** compared to the baseline existing zoning regulations. There are small increases in new housing units in some areas along Barbur Boulevard and a moderate increase in new units in Multnomah.

Conversely, this analysis finds that **some areas of Portland see decreases in redevelopment and new units**. These areas include neighborhoods such as Pleasant Valley, Eastmoreland, Southwest Hills, Sylvan-Highlands, Hayhurst, Maplewood, and Wilkes. These decreases in redevelopment are mostly due to a combination of market factors and proposed development standards that make development less likely to occur in these neighborhoods. In most cases, redevelopment is less likely to occur in these neighborhoods than in other parts of Portland because of high home values.

This analysis indicates that there is an unequal distribution of redevelopment. Higher-income and higher-value neighborhoods will likely see less redevelopment compared to other areas across Portland. Many of these neighborhoods have historically had restrictive and exclusionary land use classifications, covenants, and lending practices.

The lower rates of redevelopment for higher-value neighborhoods is driven by existing home values that cannot support new development with proposed FAR limitations and density allowances. In other words, **in many cases the cost to purchase existing houses in higher-value neighborhoods exceeds the land price threshold needed to support new development**. Under the proposal, new development in higher-value neighborhoods is expected to be limited to sites with lower-value houses compared to the surrounding neighborhood. **The claim that these proposals will increase the rate of redevelopment in some higher-value and higher-income neighborhoods in Portland is not supported by this analysis.**

Inner Neighborhoods – These neighborhoods fall roughly within a 3-mile distance from the Central City and are bounded Killingsworth Street, NE 7th Avenue, Cesar Chavez Boulevard, and Powell Boulevard and includes South Portland and Northwest District.

Middle Ring Neighborhoods – These neighborhoods extend to St. Johns, Sellwood, and I-205 and include neighborhoods in Southwest Portland along Barbur Boulevard such as Hillsdale, Multnomah, South Burlingame, and Markham.

East Portland Neighborhoods – These neighborhoods are all located east of I-205 and extend along NE Sandy Boulevard and SE Powell Boulevard to the Portland city limits.

West Portland Neighborhoods – These neighborhoods extend to City of Portland in Southwest and are generally further than 3 miles from the Central City.

Risk Assessment: Which Parts of Portland Have High Severity and Probability?

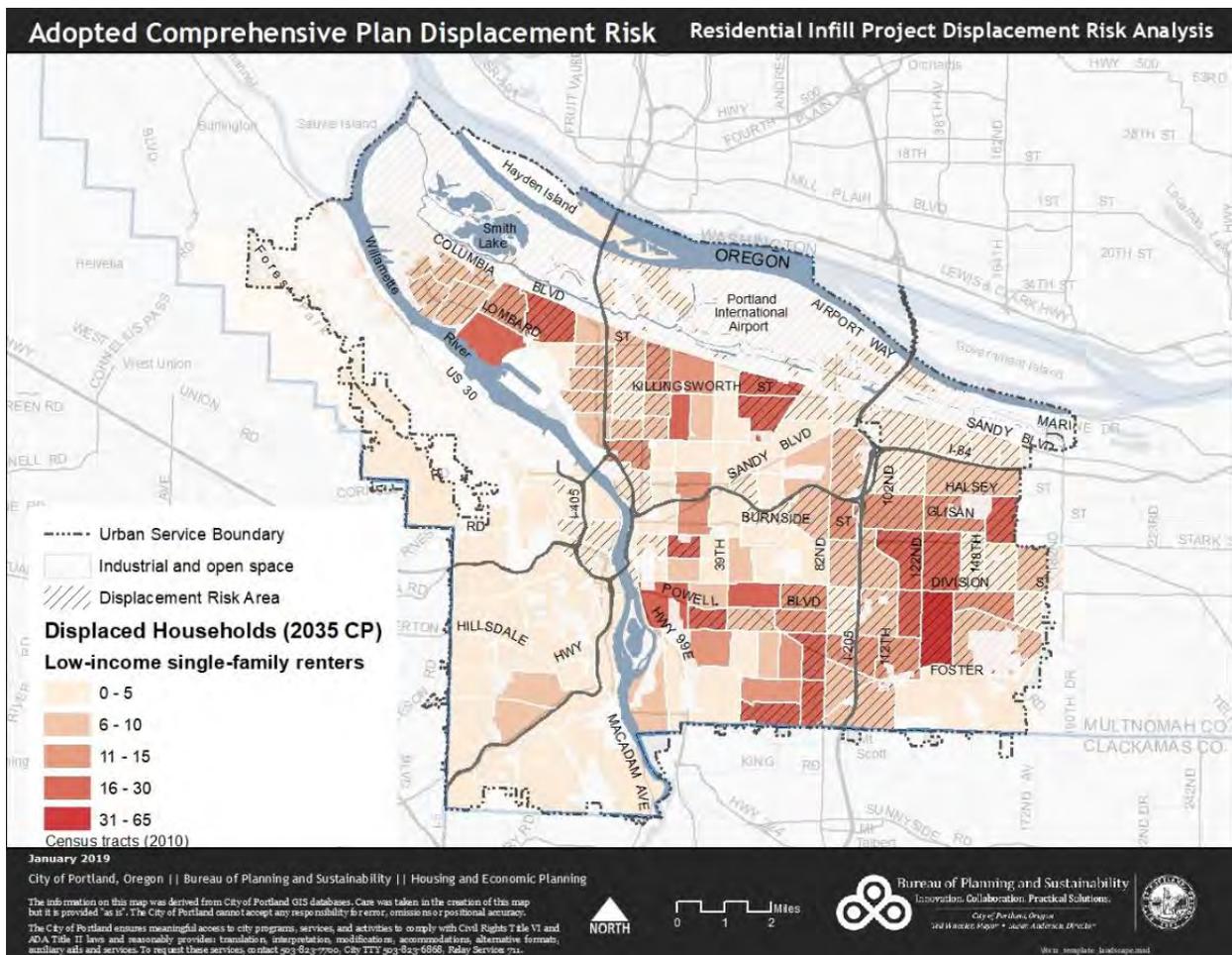
In RIP zones, **low-income renters in single-family structures** are the households most vulnerable to displacement.

This analysis of the Residential Infill Project is conducted at three levels: citywide, in Displacement Risk Areas, and in a select group of Displacement Risk Areas that show the most redevelopment activity.

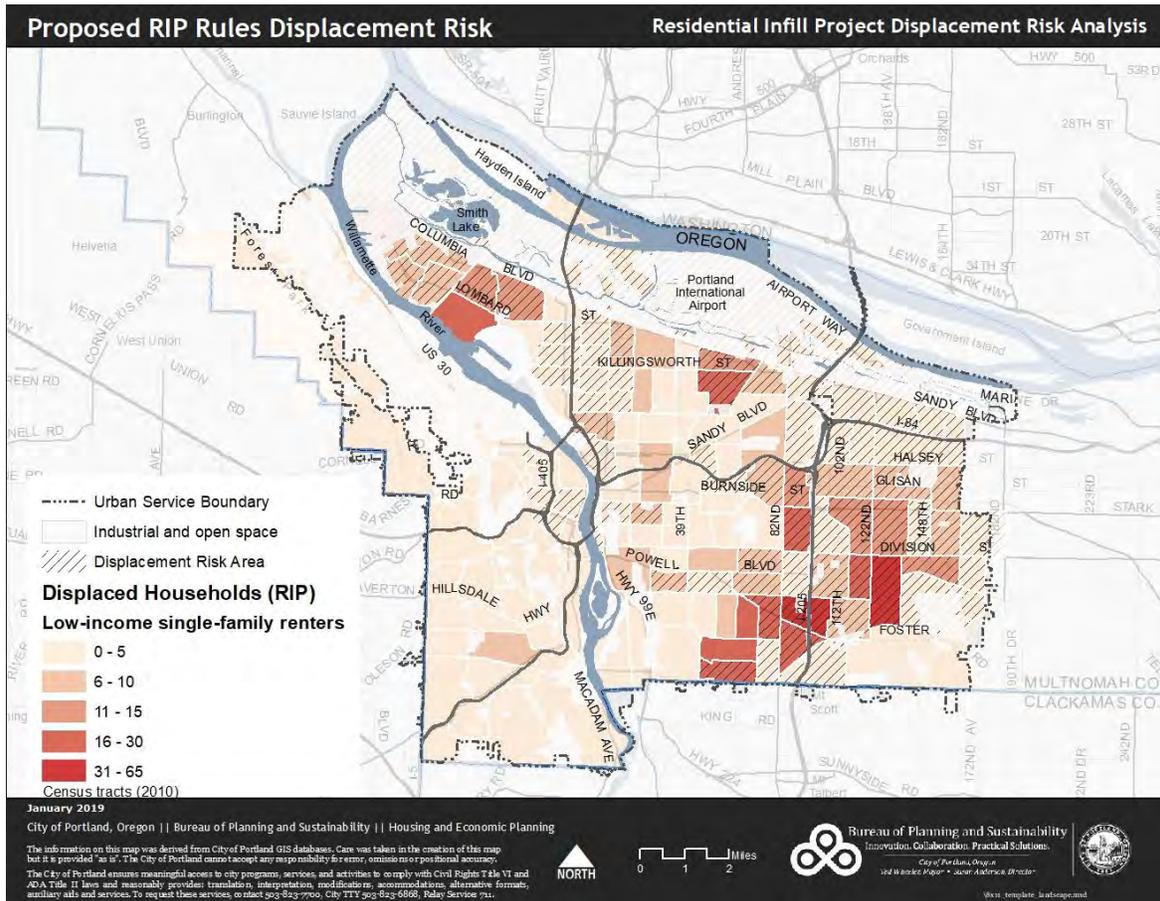
In summary, this analysis finds that **there is a net reduction in displacement pressures across Portland as the result of the proposals**. Under the proposal scenario, this analysis identified around **680 low-income renter households in single-family structures** that are at risk of indirect displacement through 2035 as the result of redevelopment. Under the 2035 Comprehensive Plan single-dwelling development standards, this analysis identified around **940 low-income renter households in single-family structures** that are at risk of indirect displacement as the result of redevelopment through 2035.

Maps 8 and 9 compare areas of increased displacement burden under the baseline scenario and proposal scenarios, respectively. More areas see higher rates of displacement risk under the baseline.

Map 8. Areas with displacement burden under baseline Comprehensive Plan scenario.

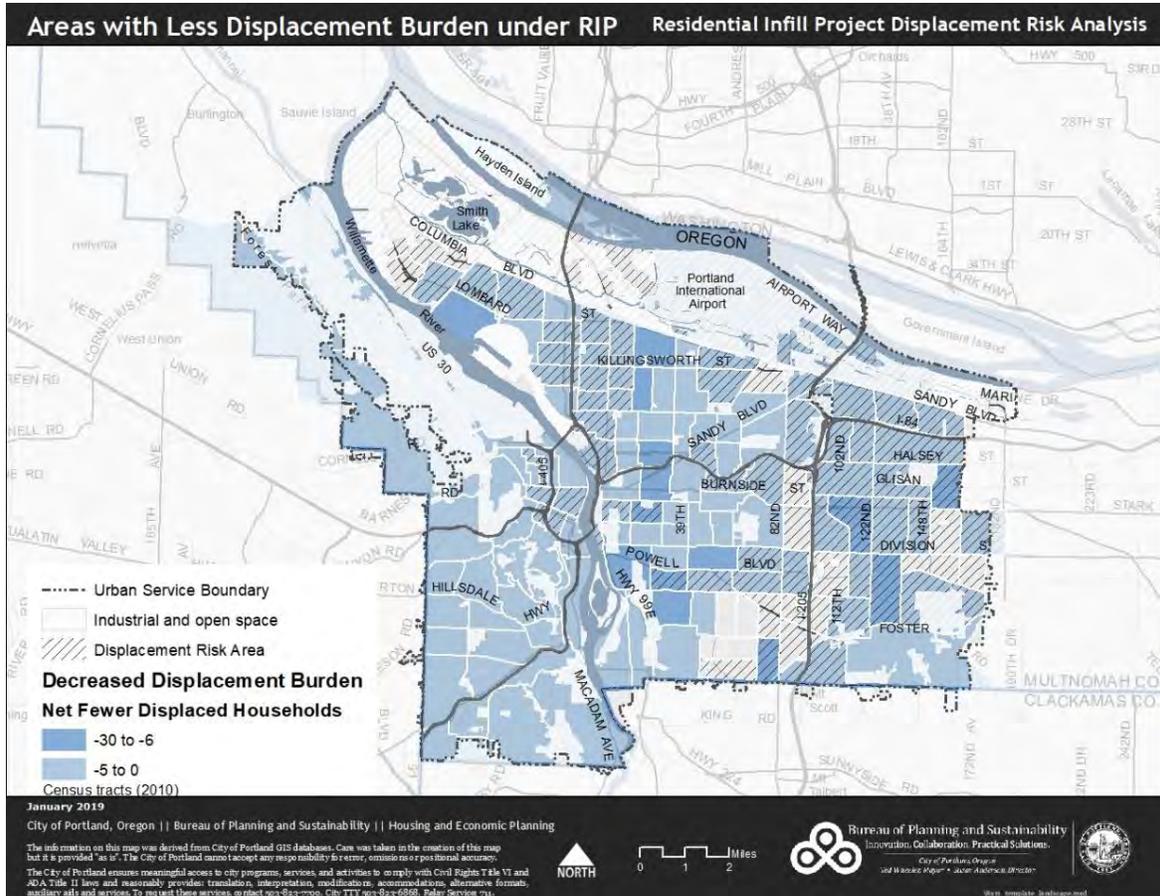


Map 9. Areas with displacement burden under the proposal scenario.



Map 10 shows that the **proposal scenario reduces the displacement risk in most neighborhoods across Portland**. The largest reductions in displacement risk occur in University Park, Concordia, Vernon, Kerns, Creston-Kenilworth, Mill Park, and portions of Powellhurst-Gilbert.

Map 10. Areas with decreased displacement burden under the proposal scenario.



Applying the Risk Assessment to the Displacement Risk Areas

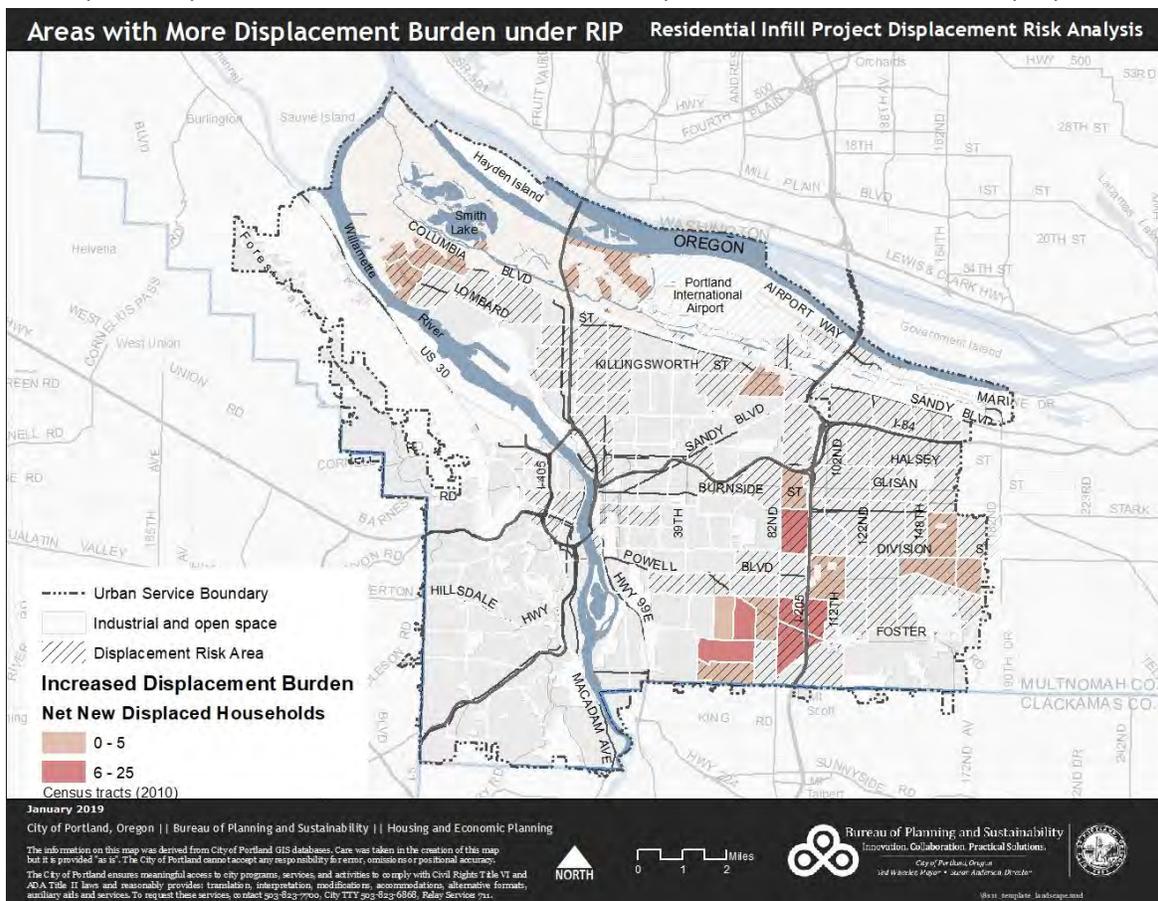
Neighborhood-specific changes vary depending on development feasibility of the proposed development types (detached single-family, duplexes, triplexes, and fourplexes).

Under the proposal scenario, this analysis identified around **480 low-income renter households in single-family structures** that are **at risk of indirect displacement through 2035** as the result of redevelopment **in these higher risk areas** (shown in Map 10). Under the 2035 Comprehensive Plan single-dwelling development standards, this analysis identified around **610** low-income renter households in single-family structures that are at risk of indirect displacement as the result of redevelopment in these high-risk areas. Similar to the citywide analysis, **there is a net reduction in displacement pressures in Displacement Risk Areas as the result of the proposed changes.**

Some areas are expected to see significant increases in redevelopment in the proposal scenario due to market conditions combined with the proposal's increased density allowances and reduction in scale. The Displacement Risk Areas with more displacement burden under the proposal are identified in Map 11. These areas fall into two categories: 1) less than five households at risk of displacement through 2035, and 2) between six and 25 households at risk of displacement through 2035.

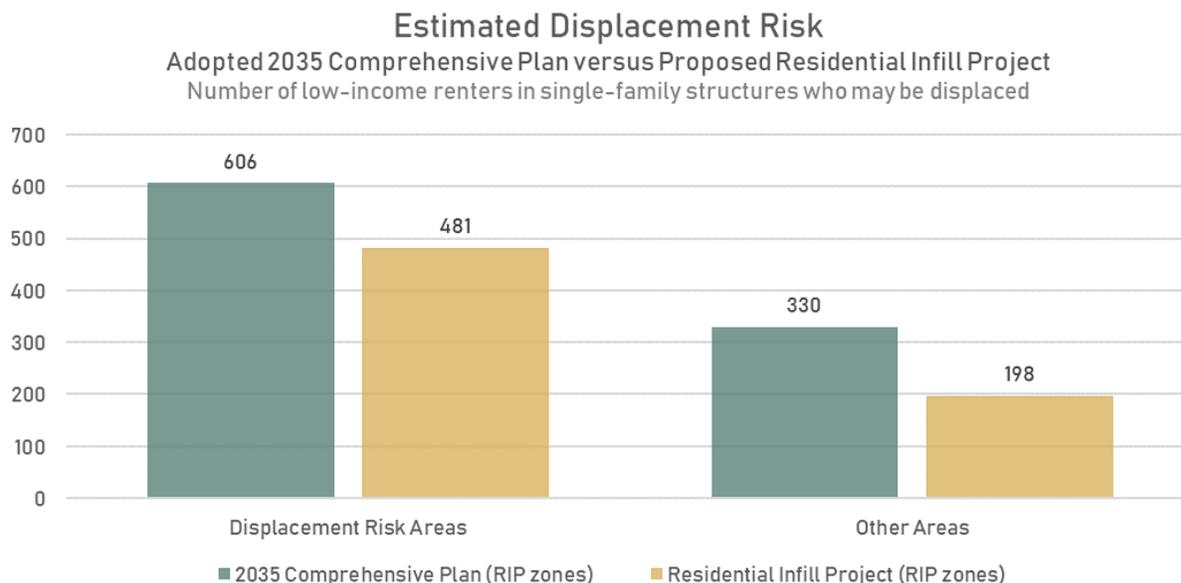
The areas with less severe displacement risk include portions of St. Johns, East Columbia, Cully, and Centennial neighborhoods. Areas with more significant displacement risk include portions of Montavilla, Brentwood-Darlington, and Lents. In addition, there is more significant displacement risk for low-income renters in single-family structures in parts of Brentwood-Darlington that are not identified as a Displacement Risk Area.

Map 11. Displacement Risk Areas with increased displacement burden under the proposal.



Further examination of the Displacement Risk Areas in Figure 4 indicates **aggregate net reductions across all Displacement Risk Area typologies**. Additionally, **areas of Portland not identified as Displacement Risk Areas saw large decreases in potential displacement of low-income renters** in the proposal scenario.

Figure 4. Estimated displacement risk by gentrification typology area.



TECHNICAL METHODOLOGY

This analysis of displacement for the Residential Infill Project relies on the following sources of data and methods:

1. **Severity:** This section relied on demographic data from the American Community Survey (ACS) from the Census Bureau and the Comprehensive Housing Affordability Strategy (CHAS) data from HUD. Some data are published in standard tables from these two sources, while other data required custom analysis using the Public Use Microdata Samples (PUMS), which are person- and household-level ACS data.
2. **Probability:** Finding the likelihood of redevelopment required modifying and running the Buildable Lands Inventory (BLI) capacity and allocation models. The capacity model identifies parcels that are more likely to redevelop given their current value and the proposed development allowances under the project. The allocation model estimates which parts of the city will see new development based on the capacity and recent development trends. This analysis compared the BLI models of the proposal to that of the Adopted 2035 Comprehensive Plan. More details are described below.
3. **Risk Assessment:** The bulk of this analysis focuses on the assessment of severity and probability to estimate displacement risk.

Moving from Unit Allocation to Parcel Redevelopment Count

The BLI allocation model estimates the number of new units an area will see between 2010 and 2035. Within the model, 123,000 units must be placed somewhere in the city, and the model uses a combination of capacity (zoning allowances and development constraints) and market trends to make a best guess as to which parts of the city will see more or less development.

The number of new units is reported in two scenarios: the zoning rules and assumptions under the adopted 2035 Comprehensive Plan and those under the proposed RIP. However, the model does not report the number of parcels that will develop or redevelop—only the number of units. Since displacement risk measures the number of low-income renters in single-family homes (i.e., one-unit parcels) who may be displaced due to redevelopment, this analysis created a way to turn the BLI unit allocation into an estimate of parcels redeveloped.

Under the proposal, new-construction detached single-family homes are less likely to be built than duplexes, triplexes, and fourplexes. The 2035 Comprehensive Plan baseline analysis assumed 1.5 units per parcel that is redeveloped based on recent development trends. That is, one lot yields on average one and a half single-family homes, with accessory dwelling units accounted for separately. Under the proposal scenario, the assumption is that three units will be produced for every parcel that is redeveloped—one lot yields a triplex or three townhomes in R2.5, R5, and R7 zones. Although duplexes and fourplexes are allowed, this analysis uses a most likely average new development scenario of three units per parcel to account for a variation of densities between one and four units per parcel.

For example, if an area zoned R2.5, R5, or R7 was expected to see 47 new units (allocation), then the number of corresponding parcels would be $47 / 3 = 15.66 = 16$ parcels redeveloped. The unit-to-parcel adjustment factor is applied after the unit allocation is aggregated to census tracts.

Accounting for Vacant Parcels

Known vacant capacity must also be accounted for. Recent development trends show that vacant lot development varies by geography but comprises a smaller share of total redevelopment. Staff applied an adjustment factor to account for vacant development versus redevelopment involving demolition. This adjustment factor considered development trends between 2013 and 2018 to estimate the share of anticipated development that would involve demolition of existing structures. This figure was applied at the census tract level and averaged about 80 percent across Portland, meaning 20 percent of development scenarios were estimated to occur on vacant parcels.

Accounting for Accessory Dwelling Units

The analysis did not examine potential accessory dwelling unit (ADU) development for two reasons. First, for the purposes of evaluating displacement impacts, the addition of an ADU to an existing property is unlikely to result in indirect displacement for a renter of the existing primary structure. Second, ADUs created by homeowners are largely built using home equity and are sensitive to other factors that the model cannot readily predict. Therefore, the production of ADUs would occur in

addition to the units included in this analysis. Current ADU projections, based on 2010 to 2016 trends, assume 5,000 more ADUs between 2017 and 2035, or about 280 per year.

Part II: POTENTIAL MITIGATION STRATEGIES

This Part includes a variety of potential displacement mitigation strategies, including programs and funding mechanisms, for both renters and homeowners. Because the Residential Infill Project affects single-dwelling neighborhoods, these strategies specifically address the needs of low-income renters and homeowners that live in single-family houses. They build on previous work, especially the SW Corridor Equitable Housing Strategy and Dr. Lisa Bates' 2013 Gentrification and Displacement Study.⁶ New ideas for reducing the risk of displacement also came from nonprofit housing providers, anti-displacement organizations, and housing advocates.

These strategies face three main challenges—funding resources, organizational capacity, and scattered sites. First, the demand for housing assistance programs already exceeds available resources. Successful implementation of these programs will require additional resources. In addition to resources, there is a need to build organizational capacity, especially in Montavilla, Brentwood-Darlington, and Lents. These neighborhoods are expected to see increased displacement burden under the Residential Infill Project proposals, even as the rest of the city sees a reduction in displacement risk. Fortunately, community organizations like Impact Northwest and Rose Community Development Corporation can provide an organizational structure for these types of programs. Finally, single-family dwellings and other middle housing types are located on scattered sites that are time- and resource-intensive to administer and maintain. Some groups, like Portland Community Reinvestment Initiatives, Proud Ground, and Habitat for Humanity, have been successful with these types of programs. It will be important to learn from their experience to create an effective program.

Next Steps

Although the changes proposed in the Residential Infill Project reduce the risk of displacement citywide, there are still households at risk of displacement, particularly in the three neighborhoods mentioned above. These potential strategies provide a starting point for a community conversation between BPS, other city bureaus, community organizations, and community members to determine which strategies will be most effective in mitigating potential displacement impacts.

The next steps are to engage service providers, community organizations, and low-income renters and homeowners to understand the scope of the challenge, the most effective strategies, and the funding and organizational capacity needed to support these programs. As part of this engagement, BPS will work with the Portland Housing Bureau to analyze the effectiveness and cost of different strategies and how they fit into the City's overall housing affordability efforts.

⁶ *SW Corridor Equitable Housing Strategy*, City of Portland and City of Tigard (2018), www.portlandoregon.gov/bps/article/675321.

OVERVIEW

In general, these strategies apply to two types of clients (renters and homeowners) and include four types of programs (education, technical assistance, financial assistance, and regulatory incentives).

Renters	Education – tenant rights, financial literacy Financial assistance – stabilization Incentives to property owners Expanding supply – land trusts, co-housing, cooperative housing
Homeowners	Education – combating predation of vulnerable homeowners Technical assistance – understanding development opportunities Financial assistance – increasing access to capital for development

The anti-displacement strategies below are detailed in the following pages.

Strategies	Renters	Homeowners
Education		
Tenant rights and legal services	X	
Financial literacy	X	X
Anti-predation/fraud	X	X
Foreclosure prevention		X
Financial Assistance		
Short-term rent assistance (STRA)	X	
Stabilization incentives		X
Home repair loans and grants	X	X
SDC waivers and tax abatements		X
ADU construction	X	X
Community land trusts and co-housing	X	X
Technical Assistance		
ADU construction		X
Pre-approved plans		X
Access to home equity loans		X

STRATEGIES FOR VULNERABLE RENTERS

Renter Education

Providing anti-displacement and prevention services is the most immediate step that can be taken to retain community members in neighborhoods undergoing change. These relatively quick-to-implement services are critical. Other measures to prevent displacement can take years to fund and implement, during which time large turnover of community residents can occur. Anti-displacement services can span a broad range, from legal support to education and outreach. Outreach and education efforts could build on Portland's network of existing community-based organizations that provide education, tenant services, and homeowner assistance. Education programs for low-income renters regarding tenants' rights, understanding lease agreements, financial literacy, and relocation assistance could help them stabilize their housing situation. Funding to support and extend those efforts could focus on people and/or neighborhoods at the highest risk of displacement.

As an example, while doing engagement with renters in the St. Johns neighborhood, the Community Alliance of Tenants (CAT) met a group of renters facing harassment, eviction, and steep rent increases. BPS funded CAT and the St. Johns Center for Opportunity to support these renters so they could learn more about their rights to get repairs completed and advocate to remain in their homes. CAT provides renter's rights education and information and direct tenant support through trained volunteer tenant rights specialists. CAT also provides a renter's rights hotline that focuses on tenant education. CAT does not provide legal advice; rather, they provide support for tenant rights up to the point at which a participant needs legal aid. At this time, CAT can make a referral to Portland Defender, a private law firm, and Legal Aid Services of Oregon. In 2017 the Portland Housing Bureau, through its tenant protection program, provided CAT with an additional \$270,000 for outreach and engagement, renter services, and renter legal advocacy.

Financial Assistance

Financial assistance programs provide an array of monetary support, either with assistance in emergency situations or to access housing. Home Forward's Short-Term Rent Assistance (STRA) program pools funding from the their organization along with the City and County Joint Office of Homeless Services, Multnomah County Department of County Human Services, United Way, and the City of Gresham. Home Forward contracts with providers to deliver the STRA program to households who are experiencing homelessness or are at risk of homelessness in Multnomah County. Eligible expenses for STRA include financial assistance with rent, rent arrears, mortgages, motel vouchers, application fees, deposits and move-in expenses, housing debt, and limited "non-leasing" expenses needed to reduce or eliminate barriers to housing.

Incentives for Property Owners to Stabilize Renters

Providing incentives to property owners to rent to existing or new low-income tenants could help stabilize vulnerable groups.

The City could build on existing assistance efforts to homeowners for weatherization and home repairs by subsidizing weatherization or home repairs for property owners renting to low-income tenants.

Further, the City could incentivize property owners to rent new dwelling units to low-income tenants. Multnomah County's A Place for You pilot program built accessory dwelling units (ADUs) as transitional housing for homeless families and could be extended for other housing types allowed by the Residential Infill Project.⁷ In Austin, Texas, the Alley Flat Initiative supports the creation of affordable rental units if the homeowners offer the units at a rent affordable to people making 80% of the median family income or below (with rent not exceeding 28% of the tenant's income) for five years. Assistance includes reduced fees; expedited services; a design catalogue with a step-by-step guide to development and City-approved building plans for ADUs; and advocacy in resolving issues with City departments.⁸

The City of Portland offers System Development Charge (SDC) waivers for ADUs that will not be used for short-term rentals for 10 years. The City could extend SDC waivers to other types of housing units allowed through the Residential Infill Project if the property owner signs a covenant agreeing to rent to a household at a specified income level (60% to 80% median family income) for 10 years.

Expanding Homeownership Opportunities

Programs can help low- and moderate-income tenants purchase their homes. Limited equity cooperative homeownership models or other forms of cooperative or co-housing models of ownership can make homeownership more affordable. Cooperatives allow members to share the risk and responsibility involved in owning and maintaining a home. Peninsula Park Commons in North Portland, established in 2004, provides an example of co-housing with nine units. When available, units can be rented or purchased. Another project underway in the Interstate Urban Renewal and North/Northeast Housing Strategy Plan area will be developed by Proud Ground with 41 of the 50 condominium units to be permanently affordable, family-sized units serving households at a range of 35% to 100% of median family income.

Community land trusts are organizations that own land and provide long-term ground leases to low-income households to purchase homes on the land with agreement on purchase prices, resale prices, equity capture, and other terms. This model allows low-income residents to become homeowners and capture some limited equity as the home appreciates but ensures the home remains affordable for future homebuyers. Community land trusts may also lease land to affordable housing developers for the development or management of rental housing.

⁷ "A Place for You August 2018 Briefing," Multnomah County Idea Lab (August 2018), <https://multco.us/file/77423/download>.

⁸ *The Alley Flat Initiative* (2019), http://thealleyflatinitiative.org/?page_id=41.

STRATEGIES FOR VULNERABLE HOMEOWNERS

Combating Predation of Vulnerable Homeowners

The complexity of information about regulations, financing, and the development process has allowed for predation of vulnerable homeowners in the past. Much can be learned from the causes of and responses to the 2008 foreclosure crisis, which uncovered racially discriminatory real estate practices that resulted in a disproportionate number of homeowners of color losing their homes. The City could consult with nonprofits currently offering services to at-risk homeowners in order to learn more about the dynamics of vulnerability and predation (for example, targeting a vulnerable homeowner by reporting nuisance violations to coerce a quicker sale or reduced sales price) and collaborate on a variety of anti-predation education efforts.

One form of predation comes in predatory speculation, leading to “voluntary” displacement of homeowners (i.e., homeowners who sell their home after being given misleading information). The City could support educational and public awareness campaigns aimed to help low-income homeowners resist predatory real estate practices.

Homeowner Stabilization

The Portland Housing Bureau currently provides assistance to at-risk homeowners through home repair loans as well as foreclosure prevention assistance.⁹ These programs could be marketed in areas anticipated to see increased displacement risk.

Development Assistance and Financing

The complexity of information about regulations, financing tools, and the development process also creates a knowledge gap between well-resourced homeowners and low-income homeowners. Programs offer technical assistance to help low-income homeowners add ADUs and other housing types on their property. For example, Verde leads a community-based affordable ADU collaborative, with programs focused on creating benefits for both modest-income host families and lower-income rental housing occupants in displacement-impacted neighborhoods throughout Portland.

Pre-approved plans for ADUs or other housing types could help low- and/or moderate-income homeowners overcome barriers in the permitting process. The City could host a design competition to solicit plans and partner those with a lineup of potential funding partners for interested homeowners. City precedents for such a program include the Courtyard Housing Design Competition, which called for infill housing designs that promote more affordable family housing, and the Living Smart competition, which sought aesthetically pleasing designs for narrow houses and resulted in two permit-ready plan

⁹ “Homeowners,” Portland Housing Bureau (2019), www.portlandoregon.gov/phb/72624.

sets.^{10,11} The Living Smart program and its resultant permit-ready plan sets were cancelled due to lack of interest by developers, perhaps because of the plans' costly design, so any design competition or pre-approved plans created now should include strict cost constraints to remain relevant to both affordable housing developers and homeowners with moderate budgets.

Low-income homeowners also face barriers accessing capital to further develop their property, whereas access to capital is less of a barrier for developers and high-income homeowners. The City could help lower these barriers by partnering with local banks to offer home equity lines of credit and/or low-cost loans. The Federal Deposit Insurance Corporation (FDIC) promotes partnerships between banks and Community Development Financial Institutions (CDFIs). CDFIs fill a niche by specializing in providing credit to borrowers and communities that may be difficult for traditional banks to serve. Many borrowers may be creditworthy but often lack credit history, have a poor past experience with alternative or predatory credit providers, or have a minimal amount of personal savings. CDFIs offer products with more flexible underwriting standards, combine a range of below-market financing with their own resources, and provide technical assistance with their lending activities to help ensure that borrowers use credit and capital effectively.¹²

Efforts to combat disparities in both information and financing could include collaboration with existing efforts, such as the Portland State University's Small Backyard Homes Initiative, which is working with CDFIs and other financial institutions on loan products to make ADU development more affordable.¹³

As an example of a program supporting ADU development from another city, the West Denver Single Family Plus initiative will address involuntary displacement of homeowners through resources addressing general refinancing options, home equity, basics of ADU development, and high-risk mortgages, as well as an ADU handbook.¹⁴

A pilot "developer hub" in East Portland or other areas of the city with low-income homeowners and/or residents vulnerable to displacement could convene financing opportunities and education for low-income homeowners looking to develop additional units. Private developers could provide technical assistance to community development corporations looking to develop affordable housing or low-income homeowners looking to develop additional units.

¹⁰ "About the Project," *Portland Courtyard Housing Design Competition* (Bureau of Planning and Sustainability), www.courtyardhousing.org/about.html.

¹¹ *Living Smart: Designs of Excellence*, City of Portland (2004), www.portlandonline.com/bds/Living_Smart_Design_Excellence_Monograph.pdf.

¹² "Community Affairs Program – Strategies for Community Banks to Develop Partnerships with Community Development Financial Institutions," Federal Deposit Insurance Corporation (2014), www.fdic.gov/consumers/community/cdfi/index.html.

¹³ "Small Backyard Homes Initiative" (Portland State University, 2019), <https://www.pdx.edu/sustainability/small-backyard-homes-accessory-dwelling-units-adus>.

¹⁴ "Housing (the WDSF+ Initiative)," West Denver Renaissance Collaborative (2019), <http://www.mywdrc.org/wdsf.html>.

The Fair Housing Council of Oregon’s guide to examining local land use with a fair housing lens notes that certain groups of people have historically been excluded from amenity-rich housing areas. A 2015 rule from the U.S. Department of Housing and Urban Development requires jurisdictions receiving federal money to affirmatively further fair housing and identifies increasing integration and overcoming historic segregation patterns; and narrowing disparities in access to transit, education, and employment as key actions. In addition to increasing access to affordable development in high-displacement-risk areas, the City could use its housing opportunity lens to identify more exclusive neighborhoods and partner with community-based organizations to increase affordable housing options in those neighborhoods, consistent with Policy 5.22 of the 2035 Comprehensive Plan.

FUNDING MECHANISMS

Delivery of these programs will require additional resource commitment from the City of Portland, which could result in new programs for other bureaus and agencies (e.g., the Portland Housing Bureau) and partnerships with nonprofit organizations that serve low-income communities. Potential funding mechanisms are outlined below.

Housing Investment Fund

Funding for these strategies could come from the Housing Investment Fund, created to develop or preserve affordable housing in Portland or help low- and moderate-income individuals access affordable housing. Revenue sources for this fund include the short-term rental lodging tax, loan interest income, fee payments, cash transfers, and local shared revenues.

Affordable Housing Construction Excise Tax

The City’s Affordable Housing Construction Excise Tax (CET), effective August 1, 2016, provides another potential funding source. It levies a tax of 1 percent on all permits valued at \$100,000 or more to help fund affordable housing programs. All single-dwelling development over this value threshold is subject to this tax. Revenue from single-dwelling development after the proposed zoning changes go into effect could be earmarked for affordable housing development in single-dwelling zones or anti-displacement programming. The Residential Infill Project’s November 2018 economic analysis predicts \$6.1 billion in construction investment in the single-dwelling zones over 20 years, which would work out to \$61 million in Affordable Housing CET revenue. Assuming a construction cost of \$300,000 per affordable unit in the single-dwelling zones, for example, this revenue could fund 10 affordable units per year for 20 years, help bridge the gap between existing subsidies and financial need, or fund a variety of anti-displacement programs.

Charge an Anti-Displacement Fee

Similar to an SDC, requiring a fee for anti-displacement programming or affordable housing development would result in some public benefit in exchange for the increase in property value, sales price, and/or rental revenue that property owners could receive due to increased zoning allowances.

The fee could be structured as an additional construction excise tax that could be dedicated to development assistance for low-income homeowners and/or the creation of affordable units. This could be applied to development in single-dwelling zones. This fee would need authorization from the Oregon Legislature.

Leverage City and Regional Funds

Sources of City funding can be leveraged with grant funds and philanthropic program-related investments. Measure 102, passed by voters in November 2018, changed the Oregon constitution to remove the requirement that local governments retain ownership of housing projects funded with bond money, potentially opening new opportunities to fund and collaborate with nonprofit organizations and private-sector developers for affordable housing.

Voters have recently passed bonds for affordable housing in the City of Portland and Metro, part of which could be spent on affordable housing development in single-dwelling zones.

OTHER STRATEGIES

A number of policy toolkits can help inform the creation of a mitigation strategy:

- Partnership for Working Families: Policy and Tools www.forworkingfamilies.org/resources/tools
- HousingPolicy.org: Toolbox www.community-wealth.org/resourcetype/Toolbox
- PolicyLink: Equitable Development Toolkit www.policylink.org/resources-tools/affordable-housing
- All-In Cities: Policy Toolkit www.allincities.org/toolkit
- Association for Neighborhood and Housing Development: Policy Tools www.antidisplacementtoolkit.org/
- Grounded Solutions Network: Policy Toolkit www.groundedsolutions.org/sites/default/files/2018-11/17%20What%20About%20Housing%20-%20A%20Policy%20Toolkit%20for%20Inclusive%20Growth.pdf



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

MEMO

DATE: February 22, 2019

TO: Planning and Sustainability Commission

FROM: Morgan Tracy, Residential Infill Project Manager
Tyler Bump, Senior Economic Planner

CC: Joe Zehnder, Director
Sandra Wood, Principal Planner

SUBJECT: Residential Infill Project Additional Displacement Risk Analysis

At the February 12, 2019 Planning and Sustainability Commission (PSC) worksession, staff presented Appendix H, Displacement Risk and Mitigation. The Commission requested additional information to address questions raised about the demographic composition of certain neighborhoods where the risk analysis showed a net increase in displaced households. The Commission also wanted to determine whether the reallocation of displacement, while an overall net reduction, had a potential disparate effect on any particular community of color. The following summarizes the additional analysis and provides key findings.

Limitations on Data

The data used in the analysis is drawn from the American Community Survey (ACS), Comprehensive Housing Affordability Strategy (CHAS) and Public Use Microdata Samples (PUMS). With each further grain of detail, the margin of error is increased. When the margin of error approaches the sample size, the data can no longer be assumed to be statistically valid.

The determinants of vulnerability are based on a composite score of four factors: tenure, race, income, and education attainment. We used “low income renters residing in single dwelling structures” as the indication of vulnerable households in the original Displacement Risk Analysis. Data is not available or is not statistically reliable to determine “low income renters of color residing in single dwelling structures.” Therefore, to build on the prior analysis, staff identified areas at the census tract level that had higher shares of populations of color (when compared against the citywide average), as an indication of the likelihood of



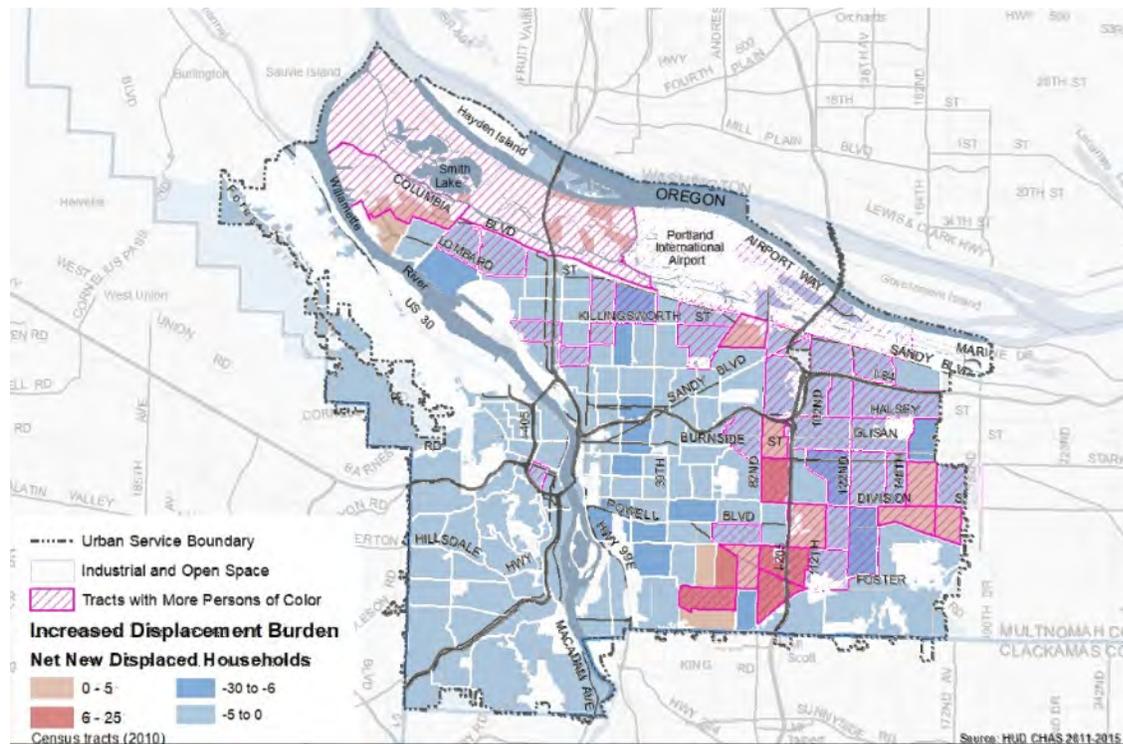
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when displacement is more likely to impact a low-income renter of color. Staff also examined average rent profiles in areas with net increased displacement risk.

Focus on Communities of Color

The map below shows the census tracts with higher shares of people of color (indicated by the pink cross-hatching). It also shows all census tracts where there is a net decrease from the baseline in displaced households (shown in light and dark blue), as well as all census tracts where there is a net increase in displaced households (shown in light and dark red). The table below the map tallies the net displaced households from only those census tracts with higher shares of communities of color.



	Number of tracts with higher shares of persons of color	Number of households affected	Citywide households affected
Medium displacement decrease (-30 to -6)	26	-157	
Low displacement decrease (-5 to 0)	3		
Low displacement increase (0-5)	11	73	
Medium displacement increase (6-25)	4		
TOTAL	42	-84	-257

This table indicates that the proposals decrease displacement for approximately 157 households in areas with more people of color but increases potential risk displacement risk



for approximately 73 households in other areas with more people of color. In total there are approximately 84 fewer low-income renters in single family structures at risk under the proposal compared to the 2035 Comprehensive Plan, or about a 16 percent reduction.

Staff also evaluated the racial and ethnic composition for the specific areas identified as having increased displacement risk under the RIP Proposals. In general, these neighborhoods have a higher share of Latinx and Asian households compared to both the city as a whole and compared to identified displacement risk areas.

Population	Neighborhoods with net increase in displacement risk				
	Citywide	Displacement Risk Areas	Brentwood-Darlington	Lents/ Mt. Scott-Arleta	Montavilla
White	630,331	335,863	13,192	37,589	15,870
Black	447,488	206,780	8,931	21,880	10,518
Latino	35,091	27,720	383	1,405	677
Asian	61,214	46,077	2,065	5,888	1,336
Native American	48,815	32,699	870	6,002	2,056
Hawaiian/Pacific	3,513	2,520	123	366	266
Another race	3,787	3,470	193	217	138
Multi-racial	1,941	1,129	33	113	33

Population share	Neighborhoods with net increase in displacement risk				
	Citywide	Displacement Risk Areas	Brentwood-Darlington	Lents/ Mt. Scott-Arleta	Montavilla
White	71%	62%	68%	58%	66%
Black	6%	8%	3%	4%	4%
Latino	10%	14%	16%	16%	8%
Asian	8%	10%	7%	16%	13%
Native American	1%	1%	1%	1%	2%
Hawaiian/Pacific	1%	1%	1%	1%	1%
Another race	0%	0%	0%	0%	0%
Multi-racial	5%	5%	5%	5%	5%

Rent Analysis

Current average rents for single family homes in areas identified as having more potential risk for displacement under the RIP proposals are currently around 80% MFI rent levels for two and three bedroom units. Using 2018 HUD rent limits published by the Portland Housing Bureau, 80% to 120% MFI for a two bedroom unit in Portland is between \$1,466 and \$2,197 per month. The economic analysis conducted by Jerry Johnson indicates that new units in triplex and fourplex development types would



likely be priced at 80%-120% MFI, at or close to current rents for detached single dwelling units in these neighborhoods today.

Zillow Rent Index (ZRI) for Single-family Residential by Neighborhood (Q3 2018).

Neighborhood	SFR ZRI
Brentwood-Darlington	\$1,630
Lents	\$1,560
Montavilla	\$1,680
Mount Scott-Arleta	\$1,630

Key findings:

- Communities of color overall are as likely or less likely to be displaced compared to the baseline scenario as a result of the proposals.
- In general, the three neighborhoods with a net increase in potential displacement risk have a higher share of people of color, especially Latinx and Asian households, compared to both the city as a whole and compared to identified displacement risk areas.
- Average rents in the three neighborhoods are around 90% MFI, which is at or near the average rents predicted for triplex and fourplex units under the economic feasibility analysis.

