Infill Design

Code Amendments Recommended Draft

November 18, 2005

ADOPTED

The *Infill Design Code Amendments Recommended Draft* was adopted without change by City Council on December 21, 2005.

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CITY OF PORTLAND, OREGON
BUREAU OF
Planning

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Design Principles for Multidwelling Infill Development

Based on design guidance from the Comprehensive Plan, Community Design Guidelines, Zoning Code, and other City documents. Included to help clarify the principles are bulleted statements, listed below the basic principles, that indicate potential ways of implementing the principles.

1. Contribute to a Pedestrian-Oriented Environment

- Use architectural features (such as façade articulation, window and entrance details, and porches or balconies) that provide a human-scaled level of detail
- Avoid large areas of blank wall
- Minimize the prominence of parking facilities
- Provide strong connections between main entrances and sidewalks

2. Respect Context and Enhance Community Character

(note: while the continuation of existing community character may be a priority in established neighborhood areas, contribution to a desired future character may be more important than compatibility in areas where change is expected and desired, such as in mixed-use centers)

- Arrange building volumes and use setback patterns in ways that reflect neighborhood patterns or that contribute to its desired character
- Consider utilizing architectural features (such as window patterns, entry treatments, roof forms, building details, etc.) and landscaping that acknowledge the surrounding context and neighborhood
- Use site design that responds to natural features of the site and its surroundings
- Minimize solar access impacts on adjacent properties

3. Consider Security and Privacy

- Orient windows and entrances to the public realm to provide opportunities for "eyes on the street" and community interaction
- Minimize impacts on the privacy of neighboring properties

4. Provide Usable Open Space

- Maximize the amenity value of unbuilt areas, providing usable open space when possible
- Make usable open space, not surface parking, the central focus of larger projects

5. Design for Sustainability

- Use durable building materials
- Use energy-efficient building design and technologies
- Minimize stormwater runoff

A. Background

The code amendments included in this report are intended to implement strategies identified as part of the Planning Bureau's Infill Design Project. The objective of the Infill Design Project was to foster medium-density infill development that contributes to meeting City design objectives, such as those calling for design that is pedestrian oriented and serves as a positive contribution to neighborhood context. Other key considerations of the project were implementation of City objectives calling for housing diversity and for accommodating new housing near transit facilities and centers. The project sought to achieve a balance between goals for accommodating additional housing in established neighborhoods with community concerns for reinforcing cherished aspects of community character.

This document contains the recommended code amendments component of the Infill Design Project. The following provides background on the Infill Design Project and its wide range of implementation strategies, of which the recommended code amendments should be considered an integral component. Additional information on the project can be found in the Planning Bureau's *Infill Design Project Report: Medium-Density Residential Development*.

Project Focus

The Infill Design Project's primary focus was the design of development in the low- and medium-density multidwelling zones, particularly the R2 and R1 zones, which constitute the majority (89 percent) of the City's multidwelling-zoned land area. Development in these zones typically consists of rowhouses, plexes, and low-rise apartment projects (2 to 4 stories). The emphasis of the project was on development on small infill sites in established neighborhood areas outside the Central City and other mixed use centers.

The Infill Design Project was not a re-consideration of the City's design objectives, which have been developed through many years of planning efforts and public involvement. Rather, its intention was to find ways of better achieving these objectives. The City's design objectives, as they pertain to multidwelling infill development, are summarized on the facing page. The project did not address the appropriateness of where multidwelling zoning is mapped or the required densities. Instead, the project examined ways of improving the design of new infill development, given the location and required densities of the multidwelling zones.

Reasons for the Infill Design Project

In recent years, Portland has experienced a substantial amount of infill development in neighborhood areas with multidwelling zoning, most of which is located along transit corridors or at the edges of mixed-use centers. This infill development is helping to realize macro-level design goals calling for higher-density development to be concentrated near transit facilities. However, the design of individual projects is frequently not contributing to the community's design objectives and aspirations. Reasons for the Infill Design Project's particular focus on rowhouse and multidwelling development in the low- and medium-density multidwelling zones (referred to in this report as "medium-density" development and zones) included:

- Past design-related projects focused on single-dwelling development (e.g., the Base Zone Design Standards Project) and on specific 2040 mixed-used centers (such as Gateway,

Hollywood, and St. Johns), but there had been no focus on design in the medium-density zones, most of which is located outside areas where design review applies.

- The majority of apartment and rowhouse building permits in recent years have been for projects in the medium-density zones (from 1997-2004, 66 percent of all apartment and rowhouse permits were for projects in these zones). Also, more residential *units* have been built in recent years in the medium-density multidwelling zones than in either the commercial or employment zones. This is despite the fact that the latter two types of zones predominate in areas such as the River District where the larger, high-density projects are located.
- The medium-density zones will likely continue to be the location of a large proportion of the City's multidwelling and rowhouse construction, as these zones constitute the majority of Portland's multidwelling-zoned land area and include considerable amounts of vacant or underdeveloped land.

Project Approach and Considerations

The Infill Design Project report proposed a multifaceted approach to improving the design of infill development. The range of implementation strategies placed an emphasis on non-regulatory, collaborative approaches. While the central objective of the Infill Design Project was to improve the design of medium-density infill development so that the community's design objectives could be better met, the following also served as guiding project considerations:

- Find ways of encouraging *desirable* development, rather than simply regulating against "bad" design.
- Minimize regulatory complexity.
- Think broadly about potential implementation strategies, relying on regulatory approaches only when there are no other realistic strategies.
- Consider impacts on other issues and priorities, such as environmental sustainability, construction costs, and livability for the residents of new housing. Whenever possible, pursue strategies that can meet multiple community objectives.
- Identify and promote additional housing types that hold potential to serve as positive contributions to neighborhoods, including owner-occupied alternatives to rowhouses.
- Focus on basic design principles and patterns, not on architectural style.
- Solutions should be supportive of Portland's *Comprehensive Plan* and adopted neighborhood plans.

Summary of Issues

The following is a summary of topics the Infill Design Project identified as key infill design issues:

Compatibility and desired community character. Most neighborhood plans call for infill development in established residential areas to be "compatible" with existing neighborhood character. However, little guidance is provided as to what aspects of neighborhood character are especially important to continue in new higher-density development that might provide some

measure of compatibility with surrounding lower-density housing. Compounding the confusion about compatibility is that some areas, such as mixed-use centers and main streets, are intended to be places where growth and change is concentrated and where a desired future character may be more important than compatibility with existing development.

Patterns in inner neighborhoods versus outer east neighborhoods. Differences in lot and block patterns between inner neighborhoods and outer neighborhoods require different housing types, site configurations and design approaches. Medium-density housing types common in inner neighborhoods, such as street-oriented apartment buildings and rowhouses, are often not practical on Outer East Portland's characteristically narrow, deep lots. A challenge for Outer East is to identify higher-density housing types appropriate to the area's lot configurations that can contribute to a future transit- and pedestrian-oriented urban environment.

Street frontages dominated by vehicle facilities. The street frontages of new rowhouse and multidwelling projects are often dominated by vehicle facilities, such as driveways, garages, and parking areas. The impacts of this include interruption of neighborhood patterns, such as landscaped setbacks and street-oriented facades, as well as the loss of on-street parking. Most medium-density multidwelling development is not subject to limitations on front parking, while City driveway-width requirements sometimes dictate that large portions of small infill sites be devoted to vehicle circulation space.

Scale contrasts. Contrast in scale between existing development and new, higher-density development is often a key community concern, particularly in areas where detached houses predominate. While there are numerous ways of minimizing scale contrasts, relatively few infill projects use such strategies. Instead, neighborhood residents frequently perceive infill projects as "out-of-scale" and disruptive of the established character and built environment of surrounding neighborhoods.

Additional housing diversity. The rowhouse building type provides many advantages and serves as Portland's most common form of medium-density, owner-occupied housing. However, there has been criticism that Portland has been over-reliant on the rowhouse for infill housing and that additional types of housing should be encouraged to promote housing diversity. Community members have expressed interest in cluster housing, such as cottage clusters and courtyard townhouses, as alternative housing types. A need has also been identified for additional forms of owner-occupied housing appropriate for small sites in the R1 zone, where density requirements often make conventional rowhouse development impractical.

Competing City priorities. An issue of particular concern to developers is that the City's various regulations sometimes work at cross-purposes, and that this can be particularly debilitating for higher-density infill development on small sites. An example of this are Office of Transportation requirements for wide driveways, which conflict with other City objectives for minimization of impervious surfaces and for design that minimizes the prominence of vehicle areas. Developers indicate that reducing regulatory conflicts between various City bureaus will be key to facilitating well-designed development on small sites.

Summary of Recommendations from the Infill Design Project Report

The Infill Design Project Report recommended a range of implementation strategies, of which code amendments were an integral component, intended to help address the above issues. The four primary thrusts of the proposed implementation strategies were to:

1. **Educate and foster dialogue about design**. Pursue strategies that increase developers', designers', and the general public's awareness of infill design strategies. Also, foster dialogue about design among a wide range of community stakeholders. Recommended implementation strategies include:
   - Creation of a "Portland Infill Design Guide," consisting of: (1) a collection of housing prototypes highlighting design solutions and alternative housing configurations for typical infill situations, (2) a guide to various strategies for addressing problematic infill design issues (e.g., illustrating ways of ameliorating scale contrasts, minimizing the prominence of vehicle areas, reducing privacy impacts, managing stormwater, etc.), and (3) case studies highlighting exemplary infill projects from Portland and elsewhere. Work on a draft set of housing prototypes, which were used to help identify some of the potential code amendments recommended in the report, has since been completed.
   - Establishment of a neighborhood contact requirement for new construction in the multidwelling zones, triggered by a project size threshold, in order to encourage dialogue between neighborhood residents and developers and to provide opportunities for community input regarding the design of large projects.
   - Investigate the possibility of holding workshops for builders and the public on infill design strategies.

2. **Remove barriers to desirable design and development**. As much as possible, make desirable development the "easy thing to do." Recommended implementation strategies include:
   - *Zoning Code* amendments to facilitate rear parking arrangements and to provide additional flexibility in the design of outdoor spaces, pedestrian areas, and setbacks along busy streets.
   - Regulatory changes to minimize the amount of site area that must be used for driveways and other impervious surfaces.
   - Investigation of the feasibility, in partnership with implementing bureaus, of a range of strategies intended to facilitate desirable infill development. These include: expedited permit processing or reduced fees for projects meeting specified design criteria; reducing regulatory barriers to the use of existing alleys; and City participation in providing sidewalks in areas zoned for multidwelling development.

3. **Adopt a limited number of regulatory design standards** to bring conformance with the community's most fundamental design principles and to provide greater consistency in how multidwelling development is regulated. Recommended implementation strategies include *Zoning Code* amendments to:
   - Limit the amount of property frontage that can be used for vehicle areas, possibly by extending the 50 percent limitation that already applies to transit streets.
   - Require street-facing windows for all multidwelling development (this requirement currently applies to development in multidwelling zones, but not to multidwelling development in commercial zones).

4. **Facilitate a wider range of housing types and configurations** that hold potential for meeting the community's design objectives. Recommended implementation strategies include *Zoning Code* amendments that would:

   - Adjust common green requirements and other regulations to facilitate courtyard-oriented housing arrangements on small sites that can serve as alternatives to rowhouses.
   - Facilitate duplex development in higher-density zones.
   - Provide greater flexibility for attached house arrangements.
   - Create a new "shared court" provision, that would allow residential lots in higher-density zones to front onto a courtyard-like "shared court," designed for both vehicles and pedestrians and characterized by paving blocks and traffic-calming features (similar to the Dutch *woonerf* concept). This would facilitate homeownership opportunities and additional housing types on small sites zoned for higher-density development.

Summary of the Infill Design Code Amendments

The recommended code changes now included in the *Infill Design Code Amendments* report are a refinement of those included among the broader range of strategies listed above. The recommended code amendments are intended to achieve the following:

1. Foster pedestrian-friendly street frontages by:

- Requiring the street-facing facades of multidwelling projects in all zones to include 15 percent window coverage;
- Limiting vehicle areas to 50 percent of the street frontage of multidwelling projects; and
- Eliminating requirements for loading spaces for small residential projects on transit streets.

2. Facilitate rear-parking arrangements by:

- Allowing narrower driveways and reducing driveway setback requirements to make it easier to access rear parking on small multidwelling sites; and
- Reducing code barriers to rear-accessed rowhouses.

3. Facilitate courtyard-oriented housing and other alternative housing arrangements by:

- Adding various provisions to facilitate the use of "common green" housing arrangements, oriented to shared open space, on small infill sites;
- Creating new provisions to allow residential lots in higher-density zones to front onto a "shared court" designed for both vehicles and pedestrians, characterized by paving blocks and traffic-calming features;
- Allowing shared open space to meet required outdoor area requirements;
- Adding provisions to allow small-lot duplexes to serve as a higher-density housing type;
- Allowing reduced side setbacks within the interior of detached house projects in the multidwelling zones;

- Providing additional flexibility in the design of rowhouse projects by reducing requirements for the portion of wall area that must be attached; and
- Allowing accessory dwelling units to count toward minimum density requirements in higher-density zones.

4. **Minimize impervious surface area by:**
   - Allowing "shared driveways" and "shared courts" designed to accommodate pedestrians and vehicles within the same space, accompanied by requirements for surfacing with paving blocks or bricks, which may provide additional stormwater management opportunities when sand-set pavers are used; and
   - Allowing narrower walkways for portions of pedestrian systems serving no more than 4 units.

5. **Provide additional flexibility for front building setbacks to acknowledge site-specific conditions by:**
   - Allowing buildings on transit streets or in pedestrian districts to continue the established setback patterns of adjacent structures that may be less than currently required (as is currently allowed in all other areas of Portland); and
   - Allowing buildings in most multidwelling zones to be set back up to 20 feet (instead of the current 10 foot requirement) from transit streets and streets in pedestrian districts.

6. **Provide additional opportunities for community input regarding the design of multidwelling projects** by establishing a neighborhood contact requirement for multidwelling projects with five or more units.

B. Impact Assessment

The Impact Assessment process is intended to provide a standard process to consider and assess proposed land use and development actions, including legislative code amendments. Although the following paragraphs summarize the rationale for this set of code amendments, more detailed information can be found in the *Infill Design Project Report: Medium-Density Residential Development*. This report identified the need for a range of implementation strategies, of which the *Infill Design Code Amendments* package is a component. The parent *Infill Design Project Report* provides comprehensive information on the issues being addressed by the code amendments, identification of desired outcomes, relationship of the code amendments to other implementation strategies, and consideration of alternatives. Within the *Infill Design Code Amendments* report is staff commentary accompanying the recommended code amendments, which should be consulted for an explanation of the rationale and intended outcomes specific to each code amendment.

Issues and Desired Outcomes

The Infill Design Project's focus on medium-density residential development, and the resulting code amendments recommended in this report, address issues regarding a category of housing that has become a significant component of Portland's new housing production. Multidwelling and attached house development, much of which has been built in the medium-density multidwelling zones, now constitute the majority of new housing units in Portland. While not as high profile as the large-scale projects typical in Central City areas such as the Pearl District, medium-density infill projects in neighborhoods outside the Central City hold potential to become important parts of the architectural mosaic that makes up the built environment of neighborhoods. Because of their location within established neighborhoods, medium-density infill projects, such as fourplexes and rowhouses, impact community character in ways out of proportion to their size and have often been at the heart of community controversy regarding growth and change. The *Infill Design Code Amendments*, together with other implementation strategies identified as part of the Infill Design Project, thus address issues that have been the subject of ongoing community concern.

As indicated in the preceding background section, the recommended code amendments are intended to improve implementation of established City policies regarding the design of higher-density residential development. During the initial phases of the Infill Design Project, Planning Bureau staff reviewed policies and directives from the *Comprehensive Plan*, adopted neighborhood and community plans, and other City documents that provide guidance regarding the community's design objectives relevant to infill development. The Infill Design Advisory Group, composed of a range of community stakeholders (see Stakeholder Outreach and Feedback below), provided feedback as to which design priorities should be the focus of the Infill Design Project. Three general issues were identified as representing key community design objectives that new infill development often fails to contribute toward and that should be a primary focus of the Infill Design Project. These key community objectives, and the implementing code amendments recommended in this report, are:

- **Pedestrian- and transit-orientation.** Several *Comprehensive Plan* goals, including Goal 2 (Urban Development), Goal 6 (Transportation) and Goal 12 (Urban Design) include policies that call for higher-density development to be pedestrian- and transit-oriented. Intended to

help implement these policies, the code amendments include several provisions to foster pedestrian- and transit-oriented street frontages. Among these are requirements for street-facing windows, limits on front vehicle areas, allowances for narrower driveways to facilitate rear parking, elimination of code barriers to rear-accessed rowhouses, and reduced requirements for loading spaces along transit streets.

- **Respect for context and enhancement of community character.** Respect for positive aspects of community character is a common theme among the policies of Goal 4 (Housing) and Goal 12 (Urban Design). It is also the most frequently recurring theme found in the adopted policies of neighborhood and community plans regarding the design of infill development. Among the code amendments that would help implement these policies are some already noted above, such as those encouraging rear parking arrangements which allow the continuation of neighborhood patterns of landscaped front setbacks and street-oriented buildings. Other implementing code amendments are those that would facilitate housing arrangements (such as courtyard housing and house-like duplexes) that hold potential to accommodate higher residential density in ways that reflect common neighborhood patterns. Other recommended code amendments would help implement these policies by providing additional regulatory flexibility for building setbacks along transit streets to better respond to site-specific conditions.

- **Housing diversity and increased opportunities for ownership housing.** *Comprehensive Plan* Goal 2 (Urban Development) and Goal 4 (Housing) include several policies that encourage a variety of housing types and opportunities for ownership housing. Following from this, many of the recommended code amendments are intended to facilitate an expanded diversity of housing types, including arrangements oriented toward ownership housing. Among these are provisions facilitating courtyard-oriented housing (with units on separate lots), small-lot houses and duplexes, and alternative forms of attached houses. Recommended code provisions that would facilitate alternative ownership housing types, such as common green and shared court housing, are also intended to address community concerns that Portland has been over-reliant on the rowhouse as a medium-density ownership housing type and that additional types of housing are needed. These code amendments also implement past Planning Commission recommendations. In a report issued in January of 2000 that examined rowhouse design issues, a Planning Commission subcommittee recommended that, instead of focusing solely on refining rowhouse design standards, the Planning Bureau should identify and promote housing types that can serve as alternatives to rowhouses.

The recommended code amendments are also intended to help implement City goals for **sustainable design** and **community involvement.** Sustainable design is promoted through code amendments that encourage less impervious surface area by allowing narrower driveways; provisions for "shared courts" and "shared driveways" that enable the same circulation space to be used by both pedestrians and cars; and allowances for narrower walkways for small projects. Community involvement is promoted by a code provision that would require neighborhood notification for multidwelling projects. See Appendices B and C of the *Infill Design Project Report* for a compilation of citywide and neighborhood-specific design policies.

Progression from Past Projects

The Infill Design Project and the *Infill Design Code Amendments* package are a continuation of infill design efforts dating from the mid-1990s. In 1997, the Planning Commission initiated a project to develop objective design standards that would apply to housing occurring outside of situations where design review was required. Subsequent work by a Planning Commission subcommittee and Planning Bureau staff resulted in draft regulations called the *Interim Design Regulations for Infill Development*. The goal of this work was to identify a small subset of design standards – drawn from the much more extensive Community Design Standards that then applied only in areas with design review – which could apply more broadly throughout the city. Subsequently, the scope of the project was further narrowed and split into phases based on public input. "Phase 1" was adopted as the Base Zone Design Standards project in 1999 and resulted in zoning standards that regulate the design of single-dwelling development in all zones, in particular restricting the ability of houses to rely on garage-forward designs.

The intention was that a subsequent phase ("Phase 1.a") would refine base zone standards for the design of rowhouses and that "Phase 2" would develop base zone standards for higher-density residential projects. In January 2000, the Planning Commission reported to the City Council on preliminary findings related to the design of housing on small lots, and regulatory approaches that could be taken to intervene in their design. While the City Council did not approve a specific work program to address the findings, many of the findings were ultimately incorporated into the work program of the Land Division Code Rewrite project, which resulted in new standards for the design of detached and attached houses in the single-dwelling zones. Until the Infill Design Project, however, no work was undertaken on Phase 2's intended focus on design standards for multidwelling and other higher-density housing.

The Infill Design Project was envisioned as the project that would take up where the Base Zone Design Standards and Land Division Code Rewrite projects left off, completing phases 1 and 2 of the original Design Regulations for Infill Development Project. The Infill Design Project's focus on medium-density development and the resulting *Infill Design Code Amendments* thus address design issues not completed by these previous projects.

Stakeholder Outreach and Feedback

Infill development and design involves or impacts a wide range of community stakeholders, including builders, designers, neighbors, occupants, and the staff of City regulatory agencies. Because of this, project staff sought input from a diversity of community groups and information sources. The Infill Design Advisory Group, which met monthly from April of 2004 through early 2005, played a particularly important role in identifying issues and considering potential solutions. This group consisted of 24 community members, including developers, builders, architects, Realtors, representatives from City regulatory agencies, as well as representatives from each of the city's seven neighborhood coalition areas. The recommended code amendments were an outcome of several months of deliberation by the advisory group.

Three public open houses, attended by over 100 community members, were held in different parts of the city in the Spring of 2004 to solicit initial public input. These events featured a design preferences survey, which was used to help inform the project. Interest in courtyard-oriented housing expressed by open house participants contributed to the inclusion of provisions facilitating the development of courtyard housing among the recommended code amendments.

From the Fall of 2003 through the Summer of 2005, other stakeholder outreach undertaken by project staff included:

- Two presentations to the Citywide Land Use Group (the first was in September of 2003 at the project's inception, the second was in June of 2005 to present the project's recommended implementation strategies);
- Several presentations to neighborhood associations and neighborhood coalition groups;
- Three presentations and discussion sessions hosted by the Portland chapter of the American Institute of Architects;
- A discussion session involving local builders;
- Briefings to the Planning Commission (January 11, 2005) and the Design Commission (February 17, 2005);
- Presentations to the Regulatory Improvement Stakeholder Advisory Team (April 7, 2005) and to the Development Review Advisory Committee (August 11, 2005); and
- Ongoing discussions with staff from the Bureau of Development Services, Office of Transportation, and Bureau of Environmental Services. Note that Office of Transportation staff were the authors of the proposed amendment to Title 17 included in this report.

A *Discussion Draft* of the *Infill Design Code Amendments* was published on August 8, 2005, to solicit public comment. Notice of the *Discussion Draft* and a public open house was mailed to over 1,600 people on July 29, 2005. Sixty community members attended the open house, held on August 17th, which served as an opportunity for the public to learn about and comment on the draft code amendments. Public comments received on the code amendments were generally supportive, with the proposals for neighborhood notification, expanded requirements for street-facing windows, and the shared court provisions receiving the greatest number of positive comments. Comments received were considered and, in some cases, incorporated into the *Proposed Draft* of the *Infill Design Code Amendments*.

Additional stakeholder input was received through individual interviews with numerous builders and designers, which served to inform the Infill Design Project and development of the Infill Design Code Amendments. Work on the Infill Design Project was also informed by a Portland State University research project, undertaken in conjunction with the Infill Design Project, which focused on development and design issues in an area of Outer East Portland. The Portland State University research project included a survey administered to nearly 100 neighbors and occupants of recent infill housing projects.

A *Proposed Draft* of the *Infill Design Code Amendments* was published on September 9, 2005 for consideration by the Planning Commission, which held a public hearing on the *Proposed Draft* on October 11, 2005. Notice of the Planning Commission hearing and the *Proposed Draft* was mailed to over 1,600 people on September 9, 2005. 11 community members testified during the hearing and the Planning Commission also received written testimony from seven people. Public testimony was mostly supportive of the *Infill Design Code Amendments* package. Testifiers most frequently expressed support for front window requirements, limitations on front vehicle areas, and neighborhood contact requirements. The most recurrent concern of testifiers was that the proposed neighborhood contact requirement of 20 units was too high and that a lower threshold was needed to provide opportunities for community dialogue regarding a greater number of multidwelling development proposals. During the same session as the hearing, the

Planning Commission unanimously passed a motion to recommend adoption of the code amendments, as amended with a reduced neighborhood contact requirement threshold of five units.

Proposal Development

In addition to input from stakeholders, work on the Infill Design Code Amendments was informed by an analysis of over 75 recent infill projects and evaluation of existing regulations through code modeling. Related to the latter was the development of a series of housing prototypes, which involved the modeling of various housing configurations based on typical small infill site situations. The housing prototypes, which explored various ways of meeting density requirements while minimizing the prominence of parking and reflecting typical neighborhood development patterns, were used to help identify regulatory barriers to housing configurations that otherwise held potential to meet the community's design objectives.

As indicated previously in this report, potential code amendments were not the sole focus of the Infill Design Project. A guiding principle of the project was to, "Think broadly about potential implementation strategies, relying on regulatory approaches only when there are no other realistic strategies." As a result, the Infill Design Project's implementation strategies include a range of non-regulatory approaches, summarized in the background section of this report, that complement the recommended code amendments that are the focus of this report. A review of implementation strategies used in other cities, as well as stakeholder input, was used to help identify potential nonregulatory strategies and incentives.

Also considered as alternative implementation approaches as part of the Infill Design Project were the possibilities of expanding design review to apply more broadly to the multidwelling zones and creation of a more comprehensive set of regulatory design standards for multidwelling development. However, both of these alternative approaches were rejected because of the regulatory and procedural complexities and accompanying costs they would bring. More importantly, project staff sought to place an emphasis on exploring possibilities for nonregulatory implementation strategies, with most code amendments conceived of in terms of their potential to remove barriers to desirable design and development.

Benefits and Costs of the Recommended Code Amendments

Minimization of additional costs was a key consideration in the development of the recommended code amendments, and was also a significant reason for the Infill Design Project's broader focus on nonregulatory implementation strategies. Of the 17 items listed on pages vii-viii of this report, the majority are facilitative in nature and only two place greater restrictions on design, while one item (the neighborhood contact requirement) would add an additional process.

From a community perspective, the recommended code amendments would provide numerous benefits. Among their community benefits, the code amendments would: foster development that contributes to pedestrian-friendly streets and respects cherished aspects of community character; facilitate additional housing options and homeownership opportunities; expand possibilities for usable outdoor space as part of new development; help minimize environmental impacts; and provide additional opportunities for community input regarding multidwelling development proposals. These benefits are discussed in greater detail in the commentary that accompanies the recommended code amendments.

Developers and designers indicate that they would benefit from the increased flexibility provided by most of the recommended code amendments. Some of the code amendments would increase the flexibility to create housing types and configurations that are responsive to site and market conditions. Other code amendments, such as those allowing narrower driveways and walkways, would help reduce construction costs. Many code amendments would also reduce the need for code adjustments, saving applicants process time and costs. The requirement for street-facing windows and the requirement that these windows cover at least 15 percent of the façade could, however, potentially result in additional construction costs; as would the requirement limiting front vehicle areas to 50 percent of street frontages, which may sometimes necessitate more costly rear parking arrangements. The latter, however, is partially balanced by code amendments that would allow less paving and land area to be devoted to rear driveways.

The recommended neighborhood contact requirement, for projects of five or more units, would bring some additional procedural complexity. However, this impact is far less than would be the case with design review, which was sought by some neighborhood activists. The neighborhood contact requirement represented a compromise intended to provide an opportunity for community input regarding the design of multidwelling infill projects, while avoiding the regulatory and procedural complexity of design review.

Implementation

No new City resources are required for implementation or enforcement of most of the recommended code amendments since they are primarily modifications to existing regulations. Some of the amendments would also reduce the need for code adjustments and associated staff time. Code amendments that would involve additional staff time or impact City resources are:

- **Shared court provisions.** Bureau of Development Services (BDS) staff indicate that creating new private street standards for the new shared court concept may take up to six months, as part of a broader update of the City's private street standards. Approximately 120 hours of BDS staff time may be needed for this effort, which would also require several meetings with staff from other City bureaus. Until private street standards specific to shared courts are created, applicants seeking to include a shared court as part of a development proposal would need to undertake code appeals of existing private street standards. During this interim period, the resulting negotiations between applicants and City staff would likely require greater staff time than more typical proposals, but would also serve to help inform staff work on the shared court standards.
- **Accessory dwelling unit provision.** The proposal to allow accessory dwelling units (ADUs) to count toward meeting minimum density requirements in the higher-density zones may have a small impact on City collection of transportation system development charges. ADUs (which are limited to one-third the size of primary units) are assessed half of what is normally charged for primary residential units.

Monitoring Effectiveness

The success of the recommended code amendments will be monitored through the Planning Bureau's ongoing Monitoring and Evaluation Program, as well as through continuing work on infill design issues. The Planning Commission recommends that the Planning Bureau monitor the code amendments and provide a progress report three years after their adoption. Overall success of these amendments will also be monitored through future public feedback on these regulations.

C. Recommended Amendments to Title 33, Planning and Zoning

How changes are shown in this section
Language to be added to the *Zoning Code* is underlined; language to be deleted is shown in ~~strikethrough~~.

The left-hand page provides commentary on the recommended code language.

Commentary

A new section (33.120.050) is added for the recommended neighborhood contact requirement (see page 53).

Code Amendments

CHAPTER 33.120
MULTI-DWELLING ZONES

Sections:

Commentary

Chapter 33.120 Multi-Dwelling Zones
Table 120-3 Development Standards in Multi-Dwelling Zones
Amendments to Table 120-3 achieve the following:

1. **Changes to maximum setbacks on Transit Streets and Pedestrian Districts.** For most multidwelling zones, the changes would allow a maximum front setback of 20 feet for residential development along transit streets to allow more buffering from busy streets. The current maximum setback is 10 feet, which fosters the desired pattern of sidewalk-oriented storefronts for commercial development, but exacerbates traffic and privacy impacts for ground-level residential units. Also, the minimum and maximum transit street setbacks in the R2 zone are currently both 10', which provides little design flexibility. A 20' maximum building setback provides additional opportunities for buffering between ground-level residential units and busy streets, while keeping buildings close enough to the street to provide a pedestrian-friendly environment and strong street orientation. The maximum setback of 10' would remain applicable to the RX (Central Residential) zone because this zone is primarily located within the Central City, where a distinctly urban built environment is desired, and would also remain applicable to the IR (Institutional Residential) zone, which includes only limited amounts of frontage along major streets.

Streetcar-Era apartment building with 18' front setback, located on the Hawthorne Boulevard main street.

2. **Change to the street building setback for the R1 zone.** This change would allow a minimum setback of 3' along all street frontages in the R1 zone, instead of just along the front setback. This addresses a situation that currently results on corner sites in the R1 zone in which street-frontage side setbacks are required to be deeper (5 feet or more) than the front setbacks (3 feet), which is the converse of what applies in other zones, where required front setbacks are generally deeper than side setbacks. Also, a significant issue is that, because of the relatively high residential densities required in the R1 zone, the longer "side" street frontage on a corner site is typically where the greater number of units in a multidwelling project faces the street (for example, a relatively common R1 zone development configuration on a corner lot with dimensions of 50' by 100' is 3 to 5 townhouse-type units facing onto the longer 100' frontage, although the *Zoning Code* defines this frontage area as the side setback, because the "front" of a lot is defined as the frontage with the narrower dimension). This amendment would also bring the street building setback regulations that apply to the R1 zone more closely in line with what already applies in other higher-density multidwelling zones, such as RH and RX, which similarly allow buildings to be located close to all street lot lines.

3. **Changes to Table 120-3 information on Required Outdoor Areas.** The standards for required outdoor area shown in Table 120-3 are not being changed, but are being moved to Section 33.120.240 (Required Outdoor Areas) as part of a restructuring of the *Zoning Code* provisions for required outdoor areas and to accommodate a new allowance for individual outdoor areas to be combined into a larger shared area (see page 15).

Code Amendments

Table 120-3
Development Standards in Multi-Dwelling Zones [1]

Standard	R3	R2	R1	RH	RX	IR
Maximum Density (See 33.120.205)	[No change]					FAR of 2 to 1 [3,4,12~~3~~]
Minimum Density (See 33.120.205)	[No change]					
Maximum Height (See 33.120.215)	35 ft.	40 ft.	25/45 ft. [7]	25/65 ft. [4,13~~4~~]	100 ft.	75 ft. [4]
Minimum Setbacks - Front building setback - Street building setback - Side and rear building setback. [15~~6~~], [16~~7~~] - Garage entrance setback [9], [16~~7~~] (See 33.120.220)	10 ft. - - [14~~5~~] 5-14 ft. [8] 18 ft.	10 ft. - - [14~~5~~] 5-14 ft. [8] 18 ft.	3 ft. ~~—~~ 3 [14~~5~~] 5-14 ft. [8] 5/18 ft.[10]	0 ft. 0 ft.[14~~5~~] 5-14 ft. [8] 5/18 ft.[10]	0 ft. 0 ft.[14~~5~~] 0 ft. 5/18 ft.[10]	1 ft. for every 2 ft. of bldg. Height, but in no case less than 10 ft.
Maximum Setbacks (See 33.120.220) Transit Street or Pedestrian District	20 ~~10~~ ft.	20 ~~10~~ ft.	20 ~~10~~ ft.	20 ~~10~~ ft.	10 ft.	10 ft.
Max. Building Coverage (See 33.120.225)	[No change]					
Max. Building Length (See 33.120 230)	[No change]					
Min. Landscaped Area (See 33.120.235)	[No change]					
Required Outdoor Areas ~~Individual areas:~~ ~~- Minimum area~~ ~~- Minimum dimension [12]~~ ~~Combined areas:~~ ~~- Minimum area~~ ~~- Minimum dimension [12]~~ (See 33.120.240)	Yes ~~48 sq. ft.~~ ~~6 ft. x 6 ft.~~ ~~500 sq. ft.~~ ~~15 ft. x 15 ft.~~	Yes ~~48 sq. ft.~~ ~~6 ft. x 6 ft.~~ ~~500 sq. ft.~~ ~~15 ft. x 15 ft.~~	Yes ~~48 sq. ft.~~ ~~6 ft. x 6 ft.~~ ~~500 sq. ft.~~ ~~15 ft. x 15 ft.~~	No ~~none~~ ~~none~~ ~~none~~ ~~none~~	No ~~none~~ ~~none~~ ~~none~~ ~~none~~	No ~~none~~ ~~none~~ ~~none~~ ~~none~~

Notes:
[1] These standards may be superseded by the regulations of an overlay zone, ~~or~~ plan district, or the alternative development options in 33.120.270.
[1] – [11] [No change]
~~[12] The shape of the outdoor area must be such that a square of the stated dimension will fit entirely in the outdoor area.~~

[Renumber notes 13-17 to 12-16]

Commentary

33.120.220.B.1.a Setback averaging

These changes would allow the reduced front setbacks of the setback averaging provision to apply also to Pedestrian Districts and Transit Streets. Setback averaging allows continuation of established front building setback patterns that are less than what the *Zoning Code* normally allows. The current exclusion of Pedestrian Districts and Transit Streets from this provision dates from previous measurements of front setbacks from the street curb and was intended to ensure space for sidewalks. Front setback measurements are now measured from the front property line, rendering unnecessary the exclusion of Pedestrian Districts and Transit Streets from the setback averaging provision. Language is also being added that would clarify that the setback averaging provision allows a reduction, but not an increase, to required building setbacks.

Older neighborhood areas, some of which are designated as Pedestrian Districts, often feature front building setback patterns that are shallower than what the Zoning Code normally requires. The setback averaging provision allows continuation of such setback patterns.

Code Amendments

33.120.220 Setbacks

A. Purpose. [No change]

B. Building setback standard. The required minimum or maximum building setbacks, if any, are stated in Tables 120-3 and 120-4, and apply to all buildings and structures on the site except as specified in this section. Transit street setbacks apply only to buildings. Setbacks for parking areas are in Chapter 33.266.

1. Exceptions to the required minimum building setbacks.

   a. Setback averaging. ~~Outside of Pedestrian Districts and along non-transit streets, t~~The front building setback and the setback of decks, balconies, and porches may be reduced, but not increased, to the average of the respective setbacks on the abutting lots. See Chapter 33.930, Measurements, for more information.

   b-c. [No change]

Commentary

Chapter 33.130 Commercial Zones
33.130.215.B.2.a Setback averaging

Similar to what is recommended for the multidwelling zones, this change would allow the setback averaging provision to apply also to Pedestrian Districts and Transit Streets in commercial zones (see commentary on page 6). Note that this amendment would only be relevant to development in the CN2, CO1, CO2, and CG zones, as the other commercial zones have no minimum setback requirements.

Code Amendments

33.130.215 Setbacks

A. Purpose. [No change]

B. Building setback standard. The required minimum and maximum building setbacks, if any, are stated in Table 130-3. The setback standards apply to all buildings and structures on the site except as specified in this section. Setbacks for exterior development are stated in 33.130.245 below, and for parking areas in Chapter 33.266.

1. Building setbacks on a transit street or in a Pedestrian District. [No change]

2. Exceptions to the required minimum building setbacks.

   a. Setback averaging. ~~Outside of Pedestrian Districts and along non-transit streets, t~~The ~~street~~required setback from a street lot line for buildings, decks, balconies, and porches may be reduced, but not increased, to the average of the existing respective setbacks on abutting lots. See Chapter 33.930, Measurements, for more information.

   b. Split zoning. [No change]

3. Lot lines abutting a residential zone. [No change]

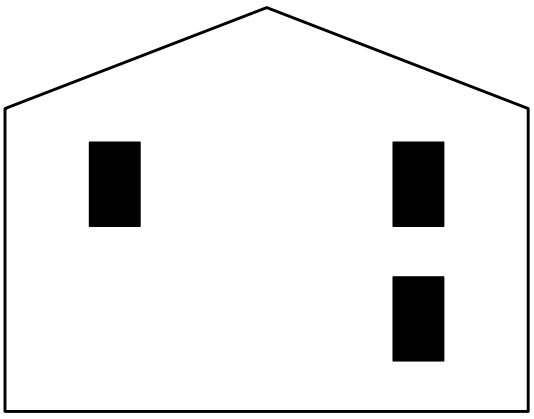
Commentary

Chapter 33.120 Multi-Dwelling Zones
33.120.232 Street-Facing Facades

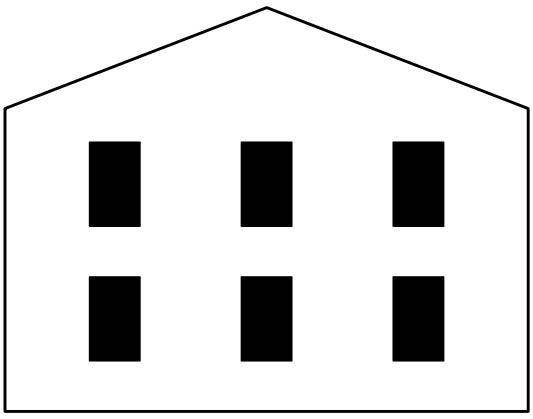
Amendments to this section would increase the amount of front façade window coverage required for multidwelling structures and development from 8 percent to 15 percent. This would be achieved by extending to all residential development the applicability of the window and door coverage standards that currently apply to detached houses, rowhouses, and duplexes. Unlike current standards that apply to multidwelling development, the amendments would allow main entrance doors to count toward this requirement, serving as an incentive for street-facing doors.

The increased amount of window coverage will foster multidwelling design that is oriented to the street, implementing City goals that call for higher-density development to be transit- and pedestrian-oriented. The increased visual connection also fosters a safer, more community-oriented neighborhood environment, providing opportunities for residents to survey activities in their neighborhood. Additional window coverage also helps to relieve what may otherwise be large areas of blank building wall, providing more human-scaled design and more visually interesting street frontages. (see illustration below)

The qualifier of "main entrance doors," regarding doors that may be counted toward meeting the requirements of this section, is being added to provide consistency with language in similar regulations applicable in the Commercial zones (33.130.250.D.3). This additional language does not change the requirements of this section, as existing language elsewhere within this section specifies that only main entrance doors count toward the requirements of this section.



8% window coverage



15% window coverage

Code Amendments

33.120.232 Street-Facing Facades

A. Purpose. These standards:

- Together with the main entrance and garage standards, ensure that there is a visual connection between the living area of the residence and the street;
- Enhance public safety by allowing people to survey their neighborhood from inside their residences; and
- Provide a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.

B. Where these standards apply. The standards of this section apply to the street-facing facades of buildings that include any residential uses. ~~The requirements of Paragraph B.1, below, apply to houses, attached houses, manufactured homes, and duplexes.~~ Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from Paragraph B.1, below. ~~The requirements of Paragraphs B.2 and B.3, below, apply to all other residential structures, including those that include more than one use.~~ Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing facade.

1. ~~Houses, attached houses, manufactured homes, and duplexes.~~ At least 15 percent of the area of each façade that faces a street lot line must be windows or <u>main entrance</u> 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 the street property line. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.

~~2. Other residential structures. At least 8 percent of the area of each facade that faces a street lot line must be windows.~~

~~3~~2. RX and IR zones. The portions of buildings in the RX and IR zones that have nonresidential development are subject to the ground floor window requirements of the CX zone in 33.130.230.B.2.

<u>3. For structures subject to ground floor window requirements, windows used to meet ground floor window requirements may also be used to meet the requirements of Paragraph B.1, above.</u>

Commentary

Chapter 33.130 Commercial Zones
33.130.250.D Street-facing facades

While a window coverage requirement of 8 percent currently applies to multidwelling development in the multidwelling zones, no window coverage requirement applies to such development in the commercial zones, which are the location of a large proportion of Portland's multidwelling development. Amendments to this section would ensure that window coverage requirements for multidwelling development would apply consistently, regardless of whether such development is located in a multidwelling or commercial zone, and would work in concert with transit street setback standards to foster building design that is oriented to the street and contributes to a pedestrian-friendly street environment. This would be achieved by extending the applicability of the 15 percent window/door coverage requirement that currently applies to detached houses, rowhouses, and duplexes in the commercial zones to all residential development in these zones.

Apartment building on a commercially-zoned main street. Meets transit street setbacks and front parking limits, which are intended to foster transit- and pedestrian-oriented design, but the lack of windows works against this intent.

Code Amendments

33.130.250 General Requirements for Residential and Mixed-Use Developments

A – C [No Change]

D. Street-facing facades.

1. Purpose. This standard:
   - Together with the main entrance and garage standards, 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 by preventing large expanses of blank facades along streets.

2. Where this standard applies. The standard of this subsection applies to ~~houses, attached houses, manufactured homes, and duplexes~~ the street-facing facades of buildings in commercial zones where any of the floor area is in Residential uses. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing facade. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.

3. The standard. At least 15 percent of the area of each façade 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 the street lot line.

4. For structures subject to ground floor window requirements, windows used to meet ground floor window requirements may also be used to meet the requirements of this subsection.

Commentary

Chapter 33.120 Multi-Dwelling Zones
33.120.240 Required Outdoor Areas
Amendments to this section would achieve the following:

1. **Allow space required for individual outdoor areas for ground-level units to be combined into a larger shared outdoor area, as is currently allowed for upper-level units.** This would facilitate courtyard housing arrangements by allowing shared outdoor space to serve as an alternative to private outdoor space. Applying a minimum dimensional requirement of 15' by 15' (as currently applies to shared outdoor space for upper-level units) ensures that the combined outdoor space will be usable (preventing narrow side and rear setbacks from being counted that would be unsuitable as shared outdoor space).

1920s Apartments with shared courtyard

2. **Drop requirement that required outdoor areas for each ground-level unit be screened from others by material that is totally site obscuring.** This change would allow more flexibility in the design of individual outdoor spaces, facilitating more open outdoor space arrangements as an alternative to the walled or visually segregated spaces that are currently required.

3. **Restructure the Required Outdoor Areas section to acknowledge that outdoor area requirements for both ground-level and upper-level units would now be the same, given the changes described above.** Also, the Required Outdoor Area standards currently found in Table 120-3 are being integrated into the amended section 33.120.240 to eliminate redundancies and to provided greater clarity.

Current outdoor space screening requirements can lead to walled balconies (first image), while preventing the more open arrangements typical of cottage clusters (second image).

Code Amendments

33.120.240 Required Outdoor Areas

A. Purpose. The required outdoor areas standards assure opportunities for outdoor relaxation or recreation. The standards work with the building coverage and minimum landscaped areas standards to assure that some of the land not covered by buildings is of adequate size, shape, and location to be usable for outdoor recreation or relaxation. Required outdoor areas are an important aspect in addressing the livability of a residential property by providing outdoor living opportunities, some options for outdoor privacy, and a healthy environment.

~~**B. Required outdoor area sizes.** The minimum sizes of required outdoor areas per dwelling unit are stated in Table 120-3.~~

B~~C~~. Requirements.

1. Amount required. At least 48 square feet of outdoor area is required for each dwelling unit on the site.

2. Size, location and configuration. Required outdoor area may be provided as individual, private outdoor areas, such as patios or balconies, or as common, shared outdoor areas, such as courtyards and play areas. There also may be a combination of individual and common areas.

   a. Individual unit areas. Where a separate outdoor area is provided for each individual unit, it must be designed so that a 6-foot x 6-foot square will fit entirely within it. The outdoor area must be directly accessible to the unit. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting this standard of this subsection. If the area is at ground level, it may extend into the required side and rear setback, but not into the required front building setback. Covered outdoor areas are subject to paragraph B.5 below.

   b. Common areas. Where outdoor areas are common, shared areas, each must be designed so that it is at least 500 square feet in area and so that a 15-foot x 15-foot square will fit entirely within it.

   c. Combination of individual and common areas. Where a combination of individual unit and common areas is provided, each individual area must meet B.2.a above and each common area must meet B.2.b. above, providing 48 square feet of outdoor area for each dwelling unit served by the common area.

3. Surfacing materials. Required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use.

4. User amenities. User amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

5. Enclosure. Required outdoor areas may be covered, such as a covered patio, but they may not be fully enclosed. Covered outdoor areas are subject to the setback standards of this Chapter.

Commentary

33.120.240 Required Outdoor Areas (continued)

This code language would be replaced with the language shown on page 15. See comments on page 14.

33.120.265 Amenity Bonuses

The bonus provision of this section, as applicable to larger required outdoor areas, would be amended to reflect that the code changes described above would subject required outdoor areas for both ground-level and upper-level units to similar requirements. The threshold required for projects to use this bonus option would be the provision of 96 square feet of outdoor area for each unit (both ground- and upper-level units), which is twice the outdoor area required by section 33.120.240 and is the same amount that is currently required for ground-level units in order to receive bonus density.

Code Amendments

~~1. Ground level units. The required outdoor area for ground level units must be individual areas and must be directly accessible from the unit. The area may be on the ground or above. Individual outdoor areas for ground level units must be visually screened from each other by walls, fences, or vegetation that is at least 6 feet high and totally sight-obscuring. 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.~~

~~2. Upper level units. For upper level units, the required outdoor area may be provided individually, such as by balconies, or combined into a larger area. If combined into a larger area, it must comply with the following requirements.~~

~~a. The total amount of required outdoor area for upper level units is the cumulative amount of the required area per dwelling unit stated in Table 120-3 for individual areas, minus any upper level units that provide individual outdoor areas. However, a combined required outdoor area must comply with the minimum area and dimension requirements in Table 120-3 for combined outdoor areas.~~

~~b. The combined outdoor area may be developed for active or passive recreational use. Examples include play areas, plazas, roof-top patios, picnic areas, and open recreational facilities. 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.~~

~~3. Placement. Uncovered ground-level required outdoor areas may extend into the required side and rear setback, but not into the required front building setback.~~

33.120.265 Amenity Bonuses

A-B. [No change.]

C. The amenity bonus options.

1-7. [No change.]

8. Larger required outdoor areas. The density bonus for this amenity is 5 percent. To qualify for this amenity, ~~ground level~~ at least 96 square feet of outdoor area is required for each dwelling unit. All other standards of ~~required outdoor areas must be twice the area required by~~ 33.120.240, above, must be met. ~~Upper level outdoor required areas must be 1 1/2 times the area required by 33.120.240. In both cases, the areas must be clearly delineated and allow for privacy from other outdoor areas.~~

Commentary

33.120.255 Pedestrian Standards

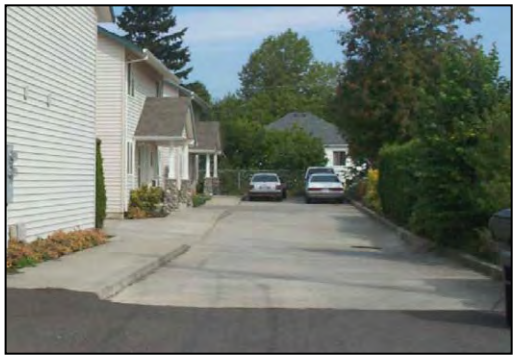
Amendments to this section include the following:

33.120.255.B.2.a

This subparagraph would be amended to allow portions of the pedestrian system serving less than 5 units to include walkways as narrow as 3' wide, instead of the 5' width now required. The current requirement of 5' is excessive for walkways serving only a few units and complicates the design of courtyard or cluster housing configurations on small sites, resulting in unnecessary amounts of impervious surface. The 3' width still meets Americans with Disabilities Act standards.

33.120.255.B.2.d

This new subparagraph provides the option of a "shared driveway" arrangement, allowing driveways designed to accommodate pedestrians and vehicles within the same space, as an alternative to requirements for raised walkways adjacent to private driveways. This shared driveway alternative includes a requirement for the driveway to be surfaced with paving blocks or bricks to clearly indicate that it is intended for pedestrians as well as vehicles. The shared driveway option would allow more efficient use of the limited site area typical of infill projects in the multidwelling zones, minimize impervious surface area, and allow the entire driveway width to be designed to accommodate pedestrians instead of just a narrow walkway. This shared driveway option is also intended to encourage vehicle circulation areas to be designed to accommodate a wider range of activities for residents, instead of just vehicle maneuvering. The use of a shared driveway arrangement is limited to driveways serving no more than 16 parking spaces, as this arrangement is intended for driveways with low levels of vehicle traffic. The shared driveway option's requirement for paving blocks or bricks may also provide opportunities for stormwater management when sand-set pavers are used and engineered to provide a semi-pervious surface.



Left: Example of a shared driveway configuration, which would serve as an alternative option to requirements for grade-separated walkways (above image) and allow less impervious surface area.

Code Amendments

33.120.255 Pedestrian Standards

A. Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between the street and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible. The standards promote configurations that minimize conflicts between pedestrians and vehicles. In order to facilitate additional pedestrian oriented space and less impervious surface, the standards also provide opportunities for accessways with low traffic volumes, serving a limited number of residential units, to be designed to accommodate pedestrians and vehicles within the same space when special paving treatments are used to signify their intended use by pedestrians as well as vehicles.

B. The standards. The standards of this section apply to all development except houses, attached houses, and duplexes. An on-site pedestrian circulation system must be provided. The system must meet all standards of this subsection.

1. Connections. [No change]

2. Materials.

   a. The circulation system must be hard-surfaced~~,~~ and be at least 5 feet wide. Segments of the circulation system that provide access to no more than 4 residential units may be 3 feet wide.

   b. Except as allowed in subparagraph d, below, w~~W~~here the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.

   c. Except as allowed in subparagraph d, below, w~~W~~here the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

   d. The pedestrian circulation system may be within an auto travel lane if the auto travel lane provides access to 16 or fewer parking spaces and the entire auto travel lane is surfaced with paving blocks or bricks.

3. Lighting. [No change]

Commentary

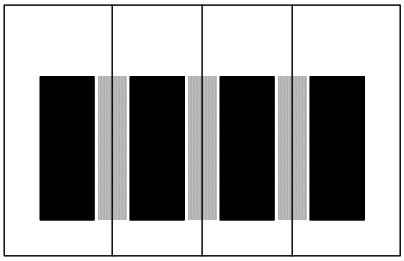
33.120.270 Alternative Development Options

Amendments to this section include the following:

33.120.270.C.7 Attached houses.

This paragraph is being deleted as it is a hold-over from the old land division code, which has since been superceded by changes brought by the Land Division Code Rewrite Project (2001). This paragraph is now in conflict with current land division requirements for tracts and has become meaningless.

33.120.270.D Detached house reduced side setbacks.



Area where side setbacks could be reduced to 3'

This is a new provision that would allow the side setbacks of detached houses to be reduced to 3 feet (leaving 6 feet between houses) within the interior of a project, while retaining the usual building setbacks for the perimeter of a project. This regulatory change is intended to facilitate detached house that are wider than the "skinny" houses that result on narrow lots (such as 25-foot wide lots on which 5-foot side setbacks result in 15-foot wide houses) and to allow more efficient use of site area, while limiting impacts to adjacent properties. Reduced side setbacks for small lot detached houses were identified during the City's "Living Smart" project as a means of improving the design of houses on narrow lots. This provision is only being considered for the multidwelling zones, not the single-dwelling zones (such as R2.5, where narrow lot detached houses are also allowed), as the latter zones are not intended to have as intensely developed an urban character as the multidwelling zones. Note that this provision would not affect limits on the amount of lot area that may be covered by buildings, and may facilitate larger backyards by allowing buildings to be wider and less deep.

Portland precedents for reduced side setbacks for small lot detached houses:

Above: Turn of the 19th/20th-century houses on narrow lots with minimal side setbacks

Left: While similar in basic form to other narrow houses, this house's porch extends beyond the usual 15'-wide dimension, helping to counter this housing type's narrow, vertical appearance and providing a better contextual fit with nearby bungalows

Above and below: Typical contemporary "skinny houses" (houses are 15' wide on 25'-wide lots, with 10' between houses)

Code Amendments

33.120.270 Alternative Development Options

A. Purpose. The alternative development options provide increased variety in development while maintaining the residential neighborhood character. The options are intended to:

- Encourage development which is more sensitive to the environment, especially in hilly areas;
- Encourage the preservation of open and natural areas;
- Promote better site layout and opportunities for private recreational areas;
- Allow for greater flexibility within a development site while limiting impacts to the surrounding neighborhood;
- Promote more opportunities for affordable housing; and
- Allow more energy-efficient development.

B. General requirements for all alternative development options. [No change]

C. Attached houses. The development standards for attached housing are:

1 – 6 [No change]

~~7. Commonly owned areas. Up to 20 percent of the project may be in commonly owned open space, access drives, and parking area and is included in the overall density and setback calculations.~~

D. Detached house reduced side setbacks. For land divisions that include lots created for detached houses, where the lots are at least 25 feet wide, the detached houses may have their side setbacks reduced to 3 feet on lot lines internal to the land division site. The reduced side setbacks must be shown on the supplemental plan of the land division at the time of final plat approval. All building setbacks around the perimeter of the land division site are those of the base zone.

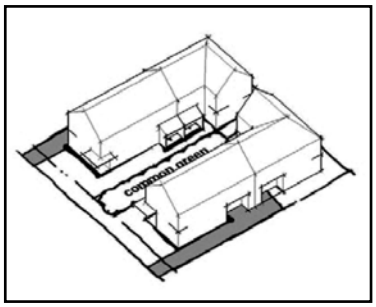
Commentary

33.120.270 Alternative Development Options (continued)

33.120.270.E Additional standards for attached houses, detached houses, and duplexes accessed by common greens, shared courts, or alleys.
This new section is intended to facilitate housing configurations featuring common greens, shared courts, or rear-alley access (see page 42 for more detailed explanation of the shared court concept). The components of this new section achieve the following:

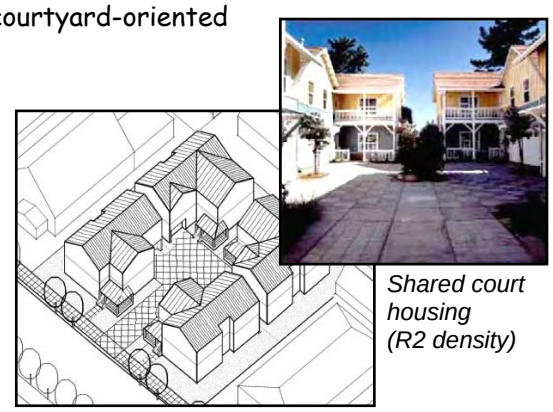
Setback provisions include:

1. **Reduced front setbacks for structures fronting onto a common green to allow this configuration to be used on small sites.** Currently, front setback requirements for lots fronting onto common greens are the same as for setbacks on public street frontages. In the R2 zone, common green configurations could serve as alternatives to rowhouses, but are problematic on small sites because of requirements for 10' setbacks from the common green, which result in insufficient space for buildings and enclosed garages. Code modeling indicates that reducing setbacks on common greens to 3' would allow common greens to be practical on sites with as little as 100' of frontage. This would facilitate the development of courtyard-oriented attached and detached houses on small sites.



Code modeling of housing on a 10,000 sq.ft. site, oriented around a common green.

2. **Reduced front setbacks for frontage on shared courts.** Reducing the front setback required for frontage on a shared court, from the 10' usually required in the R2 and R3 zones to 3', is necessary in order accommodate shared court arrangements on small sites. This decreased setback standard would not impact frontage on existing streets, as portions of shared court projects fronting onto other types of streets, such as public streets, would still need to meet the usual front setback requirements.



Shared court housing (R2 density)

3. **Reduced garage entrance setbacks for frontage on shared courts.** Allowing garage entrances within 5' of a shared court lot line is necessary to accommodate shared court configurations on small sites in the R2 and R3 zones, as the usual requirement for an 18' garage entrance setback would otherwise make such configurations impractical on small sites. The 18' garage entrance setback would remain applicable to the street frontages along existing neighborhood streets.

Buildings clustered closely around shared courts are necessary for this arrangement to be practical at higher densities.

Maximum height provisions for frontage on shared courts would preserve requirements for building height in the R1 and RH zones to step-down to 25' within 10' of public street frontages, while allowing more flexibility for building heights along shared court frontages.

33.120.270 Alternative Development Options [continued]

E. Additional standards for attached houses, detached houses, and duplexes accessed by common greens, shared courts, or alleys. These standards promote courtyard-oriented housing by facilitating the use of common greens and shared courts as part of housing projects on small sites. Standards within this section also promote pedestrian-oriented street frontages by facilitating the creation of rear alleys and allowing more efficient use of space above rear vehicle areas.

1. Setbacks.

   a. The front and side minimum building setbacks from common greens and shared courts are reduced to 3 feet; and

   b. The setbacks of garage entrances accessed from a shared court must be either 5 feet or closer to the shared court property line, or 18 feet or further from the shared court property line. If the garage entrance is located within 5 feet of the shared court property line, it may not be closer to the property line than the residential portion of the building.

2. Maximum height. In the R1 and RH zones, where the front lot line abuts a shared court:

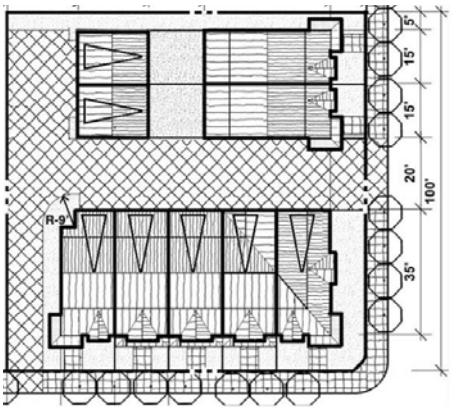
   a. In the R1 zone, the maximum building height within 10 feet of a front property line on a shared court is 45 feet.

   b. In the RH zone, the maximum building height within 10 feet of a front property line on a shared court is 65 feet.

Commentary

33.120.270.E Additional standards for attached houses, detached houses, and duplexes accessed by common greens, shared courts, or alleys (continued)

Building coverage



Rear-accessed rowhouses at R1 densities fail to meet minimum lot requirements and building coverage limits, due to site area devoted to alley tract. Front-accessed rowhouses have no such regulatory hurdles.

Subparagraph "a" allows maximum building coverage requirements for projects with access tracts that are common greens, shared courts, or alleys to be calculated on a per site basis, rather than separately for each lot. Such access tracts result in less land area for each lot, leaving less potential building area compared to more typical arrangements of rowhouses with front garages (which do not require access tracts). Code adjustments are often necessary to make rear-accessed rowhouses possible, particularly at higher densities. Current building coverage requirements can thus be a disincentive to rowhouses with rear alley tracts and common green configurations, unintentionally favoring rowhouses with front garages.

Rowhouses with cantilevered rear balconies over rear alley.

Subparagraph "b" allows uncovered rear balconies to exceed lot coverage limits for rowhouses with rear-accessed parking as an incentive to such arrangements. Rear parking arrangements facilitate pedestrian-friendly street frontages and preserve on-street parking. This provision would also allow more efficient use of site area otherwise used only for vehicle maneuvering while removing a disincentive to rear-accessed parking arrangements. Note that ground-level patios, common with rowhouses with front garages, do not count against lot coverage requirements. Also, required outdoor areas are not allowed within front setbacks, which often necessitates the inclusion of rear decks or balconies in rear-accessed rowhouses.

See recommended code amendments on page 31 for additional allowances (for parking locations and front yard standards) intended to facilitate common green and shared court housing.

3. Building coverage.

a. When a land division proposal includes common greens, shared courts, or alleys, maximum building coverage is calculated based on the entire land division site, rather than for each lot. The amount of building coverage calculated for the area of the common green, shared court or alley will be allocated evenly to all of the lots within the land division, unless a different allocation of the building coverage is approved through the land division decision. The building coverage allocated to the lots will be in addition to the maximum allowed for each lot.

b. For attached houses, uncovered rear balconies that extend over an alley or vehicle maneuvering area between the house and rear lot line do not count toward maximum building coverage calculations.

Reletter subsections D through G to F through I

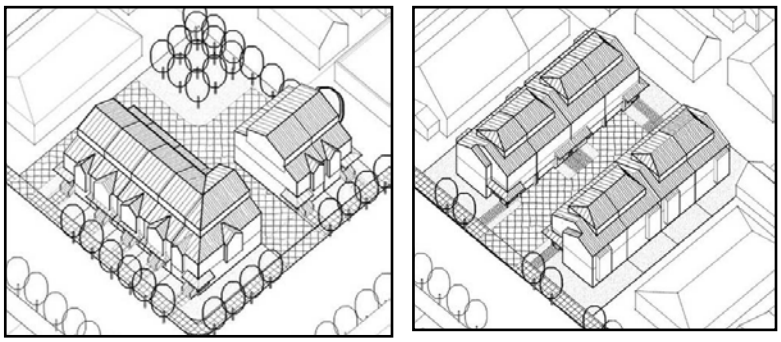
Commentary

Chapter 33.612 Lots in Multi-Dwelling Zones

Table 612-1 Minimum Lot Dimensions

Amendments to Table 612-1 include the following:

1. **Elimination of minimum lot size requirements for attached or detached houses in the R1 and RH zones. This amendment would facilitate rowhouses with rear parking as well as common green and shared court housing arrangements.** Current requirements for access tracts result in less land area for each lot and make meeting minimum lot size requirements problematic at higher densities. Elimination of minimum lot sizes for attached/detached houses in the R1 and RH zone would remedy this and remove a disincentive to courtyard-oriented or alley-accessed ownership housing. Attached and detached housing proposals in the R1 and RH zones would remain subject to minimum and maximum density requirements. BDS Land Division staff indicate that the lack of minimum lot size requirements in the commercial zones has not resulted in problems with attached housing projects in those zones.



Attached housing accessed by rear alleys or shared courts (left images) meet R1 density requirements and limit parking impacts on street frontage, but do not meet minimum lot size requirements.

2. **Reduction of minimum lot size requirements for duplexes.** Duplexes on small lots provide opportunities for accommodating density in a form that maintains fine-grain neighborhood patterns. However, minimum lot sizes for duplexes conflict with minimum density standards in the R1 zone, complicating the creation of new duplex lots. In other zones, minimum lot size requirements do not provide sufficient flexibility to accommodate rear alley tracts, common greens, or shared courts. Reducing minimum lot sizes for duplexes would expand their possibilities as infill housing solutions. These amendments would not affect allowed densities for duplex development.

Duplexes, such as those shown below, provide opportunities for small-scale, higher density infill development, but do not meet R1 minimum lot size requirements

Duplex on 2670 SF lot

Duplex on 2498 SF lot

Duplex on 1450 SF lot

Code Amendments

For clarity, table cells to be amended are shown with shading.

Table 612-1
Minimum Lot Dimensions

	R3	**R2**	**R1**	**RH**	**RX**	**IR** (1)
Lots to be developed with:						
Multi-Dwelling Structures or Development:						
Minimum Lot Area	6,000 sq. ft.	4,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	None	10,000 sq. ft.
Minimum Lot Width	50 ft.	33 ft.	70 ft.	70 ft.	None	70 ft.
Minimum Lot Depth	70 ft.	70 ft.	70 ft.	100 ft.	None	100 ft.
Minimum Front Lot Line	50 ft.	30 ft.	70 ft.	70 ft.	10 ft.	70 ft.
Attached or Detached Houses						
Minimum Lot Area	1,600 sq. ft.	1,600 sq. ft.	~~800 sq. ft.~~ None	~~800 sq. ft.~~ None	None	None
Minimum Lot Width	None	None	None	None	None	None
Minimum Lot Depth	None	None	None	None	None	None
Minimum Front Lot Line	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Duplexes						
Minimum Lot Area	~~6,000~~ 4,000 sq. ft.	~~4,000~~ 2,000 sq. ft.	~~4,000 sq. ft.~~ None	~~2,000 sq. ft.~~ None	None	2,000 sq. ft.
Minimum Lot Width	50 ft.	33 ft.	~~33 ft.~~ None	None	None	None
Minimum Lot Depth	~~70~~ 50 ft.	~~70~~ 50 ft.	~~70 ft.~~ None	None	None	None
Minimum Front Lot Line	50 ft.	30 ft.	~~30~~ 10 ft.	~~30~~ 10 ft.	10 ft.	30 ft.

Notes:
[1] This regulation may be superseded by an Impact Mitigation Plan.

Commentary

Chapter 33.205 Accessory Dwelling Units

33.205.040 Density

Amendments to this section would allow accessory dwelling units (ADUs) to count toward minimum density requirements in the multidwelling zones. This would provide additional owner-occupied housing possibilities in the higher density zones, such as the R1 zone, by increasing the ability of rowhouses, in conjunction with ADUs, to meet minimum density requirements. In contrast to the approach taken in the St. Johns/Lombard Plan, which reduced minimum density requirements for small R1 sites to accommodate rowhouses, this code amendment would not result in a reduction in housing unit density. It would also increase the range of medium-density housing configurations and facilitate a mix of owner-occupied and rental housing. This provision would also facilitate the development of rowhouses on lots deep enough to allow both rear garages and rear yards, as the inclusion of ADUs in density calculations would allow land divisions with deeper lots to meet density requirements. This allowance for ADUs to count toward minimum density requirements would be restricted to zones intended for higher-density development as a means of helping to overcome site and market constraints that sometimes pose a challenge to meeting the minimum density requirements of the higher density zones.

Rowhouses, in Ladd's Addition, which met R1 zone density requirements by including ADUs over rear garages. This configuration was encouraged by City design review staff. Neighbors considered it an ideal project for the site, given the zoning. More recent Zoning Code amendments, which exclude ADUs from density calculations, now prevent this configuration, as mid-block R1 sites lack enough street frontage to accommodate the number of rowhouses needed to meet density requirements.

Code Amendments

Chapter 33.205 Accessory Dwelling Units

33.205.040 Density

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

Commentary

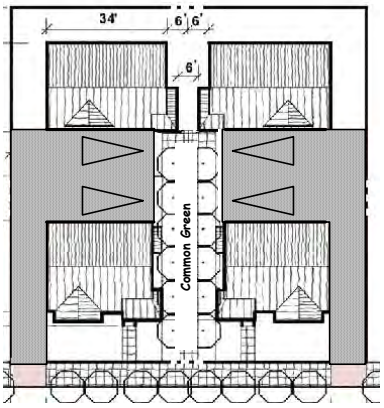
Chapter 33.266 Parking and Loading

33.266.120 Development Standards for Houses, Attached Houses, and Duplexes

This section would be amended to facilitate the use of common green configurations on small sites, allowing increased flexibility for the location of parking within a site, while preserving provisions limiting the impacts of parking on public street frontages. This section is also being amended to accommodate the new shared court concept.

33.266.120.C.1 (Required parking)

This paragraph would be amended to provide an exemption necessary to allow parking pads as an alternative to enclosed garages for common green and shared court housing configurations on the small sites typical of medium-density infill development. On small sites, areas adjacent to common greens are often the only practical location for parking pads, if forward entry and exit is to be accommodated for vehicles. This exemption would not apply to public street frontages.

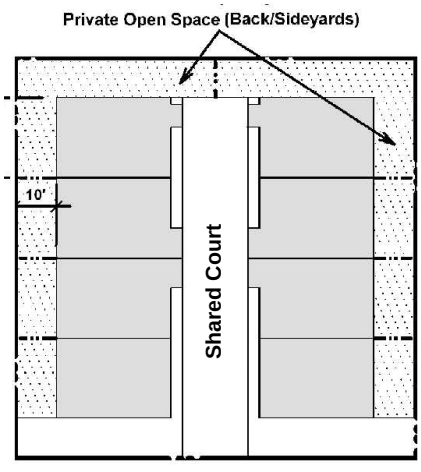


Common green cluster with parking pads

33.266.120.C.3 (Front yard restrictions)

This paragraph would be amended to provide an exemption to facitilate shared court-oriented housing by allowing front setbacks on shared courts to be surfaced with paving blocks or bricks, instead of landscaped, as is characteristic of shared court housing. Note, however, that buildings fronting onto shared courts would remain subject to the base zone limitations on garage width. Also, this exemption to front setback paving limitations would not apply to frontage on other types of streets, such as existing public streets. This amendment would not preclude BDS from establishing requirements for street trees for shared courts.

Shared court



While the recommended code amendments would allow flexibility for paving blocks or bricks in the shallow setbacks along shared court tracts, landscaping requirements would remain applicable to public street frontages and the project periphery. A purpose of the shared court concept is to limit the amount of area devoted to vehicle and pedestrian circulation areas, allowing more opportunities for landscaping elsewhere on the site.

Code Amendments

Chapter 33.266 Parking and Loading

33.266.120 Development Standards for Houses, Attached Houses, and Duplexes

A – B [No Change]

C. Parking area locations.

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. Nonrequired parking. [No change]

3. Front yard restrictions.

   a. [No change]

   b. In the multi-dwelling, C, E, and I zones, no more than 20 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 paragraph, the following is allowed:

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

      (2) On lots where the front lot line abuts a shared court, paving blocks or bricks may be used to surface the entire area located between the front lot line and the front building line.

   c. [No change]

4. Parking in garages. [No change]

D – E [No change]

Commentary

33.266.130 Development Standards for All Other Uses

This section is being amended in order to limit the amount of property frontage that can be used for vehicle areas in multidwelling zones. These amendments effectively extend the 50 percent frontage limitation that now applies to transit streets to all development in the low- and medium-density multidwelling zones (R3, R2, R1). Extending this front vehicle area limitation would serve to acknowledge that most areas with multidwelling zoning are located near transit facilities and are intended to be transit oriented, regardless of whether or not property frontage is directly on a transit street. This parking limitation would prevent configurations where the majority of the front setback is devoted to vehicle areas and would help preserve the pattern of landscaped front setbacks that characterize Portland's residential areas and implement City goals that call for a pedestrian-oriented environment in areas zoned for higher-density development.

Triplex with driveway occupying most of the street frontage, interrupting surrounding neighborhood's character-giving pattern of landscaped setbacks.

Triplex with rear parking (same site size as previous example) that meets front parking limitation, allowing a better contextual relationship to the neighborhood.

Code Amendments

33.266.130 Development Standards for All Other Development~~Uses~~

A. Purpose. The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
- Create an environment that is inviting to pedestrians and transit users.

The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

B. Where these standards apply. The standards of this section apply to all vehicle areas whether required or excess parking, except for residential parking areas subject to the standards of 33.266.120.

C. On-site locations of vehicle areas.

1-2. [No change].

3. Frontage limitation.

a. The standard of this subparagraph applies outside the Central City plan district in the R3, R2 and R1 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 ~~R1,~~ RH, RX, IR, CN, CO, CG, CX, EG1, and EX 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.

D-F [No change]

Commentary

33.266.130 Development Standards for All Other Uses (continued)

Modifications to Table 266-3 would subject vehicle areas in the R3 and R2 multidwelling zones to the same transit street limitations that currently apply in the other multidwelling zones. These limitations prevent vehicle areas from being located in front of portions of buildings subject to transit street maximum setback requirements (which call for buildings to be located close to sidewalks along transit streets). Together, the vehicle area limitations and maximum setback requirements foster transit- and pedestrian-oriented street frontages along transit streets.

Code Amendments

For clarity, table cells to be amended are shown with shading.

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 – ~~R2~~5, R2.5, EG2, I	No restrictions.		
R3, R2, R1, RH, IR, CN, CO, CG, EG1	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.
CM, CS	Prohibited between a building and any street. [2]	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.
RX, CX, EX	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.

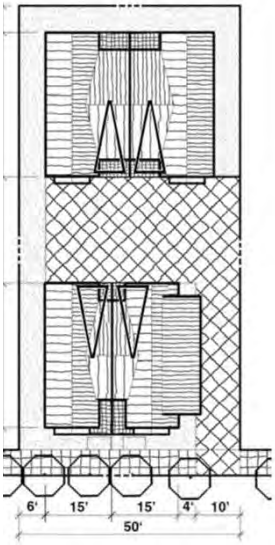
Notes:
[1] Driveways that provide a straight-line connection between the street and a parking area inside a building are not subject to these regulations.
[2] Existing Development: Where the vehicle area exists, and an existing building is being expanded, the location of vehicle area between the building and any street is not allowed, rather than prohibited.

Commentary

33.266.130.G. Parking area setbacks and landscaping.

Amendments to this section would allow the driveways and parking areas of small multidwelling projects to be located closer to property lines than the 5' currently required. This would facilitate the ability to provide access to rear parking on small sites, provide opportunities for more street-oriented building frontage, and make more efficient use of site area. Current requirements, in conjunction with other *Zoning Code* requirements, present significant barriers to locating parking toward the rear of small sites. On a site with 50' of frontage, for example, current requirements can result in 25' of frontage devoted to setbacks, driveway and walkway areas, leaving only 25' available for building frontage (on a major street, where the City may require wider driveways, the amount of building frontage on such a lot may be reduced to 15'). The amendments would allow the use of a 3'-high fence as an alternative to screening provided by the usual requirement for a landscaped buffer. This provision would be limited to small multidwelling projects with 5 or fewer parking spaces to acknowledge the relatively small size of their vehicle areas and correspondingly lesser visual impacts. Note that driveways or alleys accessing rear parking for rowhouses or detached houses are not subject to requirements for landscaped setbacks.

Other changes to this section are re-organizational in nature. They are necessary in order to accommodate the exceptions for small multidwelling projects.



Four-unit townhouse project with rear parking in Seattle. This configuration is a common higher-density infill type in Seattle, but is not feasible in Portland because of current driveway setback requirements, which leave insufficient space for street-facing units on small sites.

Code Amendments

G. Parking area setbacks and landscaping.

1. [No change].

2. Setbacks and perimeter landscaping.

   a. Where these regulations apply. The regulations of this paragraph apply to: ~~where a surface parking area abuts a lot line. The setback and perimeter landscaping requirements also apply to any portion of a structured parking area where the parking area is within 4 feet of adjacent grade and there is no roof over it. The perimeter landscaping requirements also apply to parking area driveways. For stacked parking areas, see Section 33.266.140, below.~~

      (1) Surface parking areas abutting a lot line.

      (2) Any portion of structured parking areas where the parking area is within 4 feet of adjacent grade and there is no roof over it.

      (3) Driveways.

   b. Exceptions.

      (1) Shared driveways and parking aisles that straddle a lot line do not need to meet setback and perimeter landscaping requirements.

      (2) Sites containing 5 or fewer parking spaces and developed only with residential development may provide a 3 foot high fence meeting the F2 standards as an alternative to the perimeter setback and landscaping requirements on any lot line not abutting a street.

      (3) Stacked parking areas must meet the requirements of Section 33.266.140, below.

   c~~b~~. Setbacks. The minimum required setbacks for surface parking areas are stated in Table 266-5. ~~Lot lines lying within shared driveways are exempt from setback and perimeter landscaping requirements.~~

Table 266-5
Minimum Parking Area Setbacks and Landscaping

Location	**All zones except EG2 and IG2**	**EG2, IG2**
Lot line abutting street	5 ft. of L2	10 ft. of L2
Lot line abutting a C, E, or I zone lot line	5 ft. of L2	5 ft. of L2
Lot line abutting a OS or R zone lot line	5 ft. of L3	10 ft. of L3

   d~~c~~. Perimeter landscaping. The minimum setbacks and landscaping standards required are provided in Table 266-5.

   (1-2)[No change].

3. Interior landscaping. [No change].

Commentary

33.266.310 Loading Standards

Amendments to this section would change requirements for loading spaces for residential projects on transit streets. The requirements of this section serve as a significant barrier to residential infill development on small sites along transit streets. As currently written, this section requires that every residential project (even as small as a single house or duplex) include a 35'-long loading space if the site's only street frontage is on a transit street. This makes development on the small building sites (often just 5000 sq.ft.) common in the multidwelling zones along transit streets almost impossible without an adjustment to this standard.

An exemption to the loading space requirement currently applies to small projects that include any non-residential uses (when floor area is less than 20,000 sq.ft.), but not to purely residential projects. Note that if a purely residential building abuts a local service street no loading space is required for buildings of less than 50 units.

The amendments would simplifying the code so that the 50 unit threshold, beyond which a loading space is required, would apply to all purely residential projects, except those whose only frontage is on streets that are streetcar or light rail alignments. For the latter two types of streets, a loading space would be required for buildings with 20 or more residential units, but not for residential buildings below this threshold. This lower threshold for streetcar and light rail alignments accommodates Office of Transportation (PDOT) concerns about delivery vehicles potentially obstructing streetcar or light rail alignments, or causing other vehicles to detour over rails, if no off-street loading spaces are provided for larger residential projects. Replacing the current loading space requirements for "transit streets" with those for light rail and streetcar alignments would also be in accordance with the genesis of the transit street residential loading requirements, which were adopted in 1996 as part of *Zoning Code* amendments for the Goose Hollow Station Community Plan, which focused on planning related to the introduction of light rail service through the Goose Hollow district.

Also note that, for brevity, this section would be amended to omit language regarding situations when no loading spaces are required. Instead, the amended code language would only indicate when loading spaces are required.

Code Amendments

33.266.310 Loading Standards

A. Purpose. A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

B. Where these regulations apply. The regulations of this section apply to all required and nonrequired loading areas.

C. Number of loading spaces.

1. Buildings where all of the floor area is in Household Living uses must meet the standards of this Paragraph.

   a. One~~No~~ loading space~~s are~~ is required where there are ~~less~~more than 50 dwelling units in the building and the site abuts a ~~local service~~ street that is not a ~~transit street~~streetcar alignment or light rail alignment.

   b. One loading space is required ~~for all other buildings.~~ where there are more than 20 dwelling units in a building located on a site whose only street frontage is on a streetcar alignment or light rail alignment.

2. Buildings where any of the floor area is in uses other than Household Living must meet the standards of this Paragraph.

   ~~a. No loading spaces are required for buildings with less than 20,000 square feet of floor area.~~

   a~~b~~. One loading space is required for buildings with 20,000 or more square feet, up to 50,000 square feet of floor area.

   b~~e~~. Two loading spaces are required for buildings with more than 50,000 square feet of floor area.

D-G. [No change.]

Commentary

Chapter 33.654 Rights-of-Way

Section 33.654.120.C (Local street approval criteria and standards)
Language is being added to this section to acknowledge the separate set of approval criteria and standards being added for streets that are "shared courts" (see page 43).

Section 33.654.120.D (Common green approval criteria and standards)
Language is being added to this section to clarify the purpose of the common green provision and the approval criteria and standards that follow. No changes are being recommended to the current common green approval criteria and standards.

Code Amendments

33.654.120 Design of Rights-of-Way

A – B [No Change]

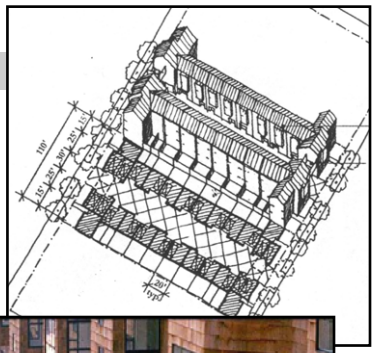
C. Local street approval criteria and standards. The following approval criteria and standards apply to all local service streets except for common greens and shared courts:

D. Common green approval criteria and standards. The purpose of the following standards is to allow streets designed to provide access for only pedestrians and bicycles to abutting properties. Common greens are also intended to serve as a common open space amenity for residents. The following approval criteria and standards apply to common greens:

1-2 [No Change]

E – F [No Change]

Commentary



Chapter 33.654 Rights-of-Way

Amendments to this chapter establish provisions for residential lots in higher-density zones to front onto a "shared court," designed to accommodate both vehicles and pedestrians within the same space. The shared court concept would involve creation of a private street tract and will require the establishment of Bureau of Development Services (BDS) right-of-way standards for shared courts. These standards will include requirements for surfacing with paving blocks or bricks to clearly indicate that the space is intended for pedestrians as well as vehicles. BDS anticipates that private street standards for shared courts will not be ready until at least July 2005. Until then, proposals for shared courts would require code appeals of existing private street standards.

Shared court configurations would facilitate homeownership opportunities and additional housing types on small sites zoned for higher-density development, which often lack sufficient street frontage for typical rowhouses and do not have enough site area for the creation of a conventional street with separate roadway, curbs and sidewalks. Among the other issues this concept addresses, shared courts would:

- Allow for efficient use of limited site area.
- Diversify the range of ownership housing types, allowing fee-simple courtyard housing configurations at higher densities that would otherwise require condominium arrangements (many builders and architects avoid small-scale condominium projects because of liability issues and prefer fee-simple arrangements with each unit on a separate lot).
- Preserve on-street parking and allow a more pedestrian-friendly street frontage on existing streets by allowing a single curb cut, rather than the multiple curb cuts common with rowhouses.
- By providing an alternative to the usual requirements for roadway plus sidewalks, they would allow for less impervious surface, thus contributing to minimizing stormwater impacts and urban heat island effects.
- If sand-set pavers are used to provide a pervious street surface and City regulatory practices are changed to allow for this, shared courts could provide additional stormwater management solutions (note that BDS does not currently allow private streets to be paved with pervious materials).
- Provide for a larger pedestrian-oriented area than a conventional street with sidewalk arrangements (the whole street, rather than just the sidewalk), since rowhouse-type projects at R1 and higher densities typically have sidewalks interrupted by frequent driveways.

33.654.120 Design of Rights-of-Way

The criteria and standards for shared courts are intended to:

1. Provide an exemption to requirements for a turnaround, while limiting the allowed length of a shared court, to facilitate the use of shared courts on small sites;
2. Limit their use to dead-end streets, as PDOT has not approved shared court configurations as through streets;
3. Limit the use of shared courts to zones intended for higher density residential development; and
4. Limit the number of lots and types of housing that may have frontage on a shared court to ensure that such streets will have the low traffic volumes necessary for a safe mixing of pedestrians and vehicles. The threshold of 16 units is intended to allow shared court housing to meet density requirements on relatively small sites, particularly those ranging from 10,000 to 20,000 square feet, in higher-density zones.

As with other street types, shared courts would need to meet City stormwater management requirements.

Code Amendments

33.654.120 Design of Rights-of-Way

A – F [See above]

G. Shared court approval criteria and standards. The purpose of the shared court standards is to allow streets that accommodate pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following approval criteria and standards apply to shared courts:

1. Right-of-way.

   a. Approval criterion for width of the right-of-way. The size of the shared court right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court.

   b. Standards for length of the right-of-way. A shared court may be up to 150 feet long.

   c. Standards for configuration of elements within the right-of-way.

      (1) The Bureau of Development Services has approved the configuration of elements within the street right-of-way, including a specific paving treatment and traffic calming measures.

      (2) Shared courts must be dead-end streets. Through shared courts are not allowed.

   d. Standards for turnarounds. Turnarounds are not required for a shared court, unless required by the City Engineer, Bureau of Development Services, or Fire Bureau.

2. Standards for land divisions with shared courts. Land divisions that include a shared court must meet the following standards:

   a. A shared court is allowed only in multidwelling, commercial, or employment zones;

   b. Up to 16 lots may have a front lot line on a shared court;

   c. Lots with a front lot line on a shared court must be developed with attached houses, detached houses, duplexes or attached duplexes; and

   d. The Fire Bureau has approved the land division for emergency access.

Commentary

33.654.150 Ownership, Maintenance, and Public Use of Rights-Of-Way

Shared courts would be required to be private streets as PDOT has not approved of such configurations as public streets.

Code Amendments

33.654.150 Ownership, Maintenance, and Public Use of Rights-Of-Way

A. Purpose. [No Change]

B. Ownership. Ownership of rights-of-way is determined through the following standards:

1 – 4 [No Change]

5. Exceptions for common greens and shared courts. Common greens and shared courts must be privately owned. They must be in a tract, and owned by the Homeowners' Association or owned in common by the owners of property served by the common green or shared court ~~or by the Homeowners' Association~~.

6 – 10 [No Change]

C – D [No Change]

Commentary

Shared Court Provisions – Continued

Chapter 33.910 Definitions

This is a new definition for the "shared court" concept.

Shared courts – Portland precedents: The following images are of condominium projects that include features similar to what would be allowed by the shared street concept, such as circulation space designed for both cars and pedestrians.

River Place, Downtown Portland

Townhouse cluster with central driveway, Southwest Portland. General configuration is similar to what would be facilitated by the shared street concept. In contrast to typical rowhouse projects, curb cuts are minimized and end units reflect the massing of detached houses.

Jake's Run townhouses, Northwest Portland

Shared streets – Dutch precedents ("woonerfs"): *Special paving and other features provide traffic calming and a pedestrian-friendly environment, with little or no grade-separated sidewalk areas. Woonerfs have become a standard street type in rowhouse neighborhoods in the Netherlands, particularly for residential streets that are not intended to be through ways for automobile traffic.*

Code Amendments

Chapter 33.910 Definitions

Transportation-Related Definitions [New definition]

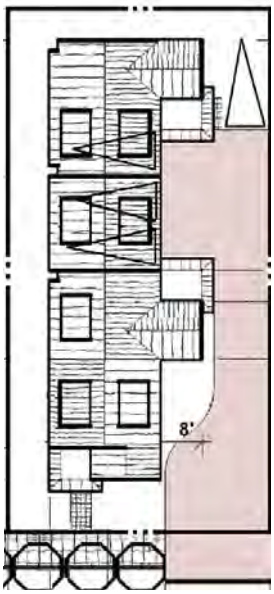
- **Shared Court.** A street that is designed to accommodate – within the same circulation space – access for vehicles, pedestrians, and bicycles to abutting property. Instead of a sidewalk area that is separate from vehicle areas, a shared court is surfaced with paving blocks, bricks or other ornamental pavers to clearly indicate that the entire street is intended for pedestrians as well as vehicles. A shared court may also include traffic calming measures to ensure safe co-existence of pedestrians, vehicles, and bicycles. Like a common green, a shared court may function as a community yard. Hard and soft landscape features and street furniture may be included in a shared court, such as trees, shrubs, lighting fixtures, and benches.

Commentary

Chapter 33.910 Definitions

The definition of "driveway" would be amended so that its width is not dependent on PDOT's curb cut width requirements. This would allow for narrower driveway dimensions in situations in which additional space is not needed for vehicle maneuvering or fire equipment access. PDOT staff has indicated that their primary concern is with the driveway throat where it meets the street, and that they are amenable to narrower driveway width elsewhere on a site.

Small multidwelling project with driveway that narrows down into the site, which the amendment to the "driveway" definition would allow. The wider driveway throat illustrates the dimension (20') the City sometimes requires for access from busy streets.



Code Amendments

Chapter 33.910 Definitions

Driveway. There are two types of driveways:

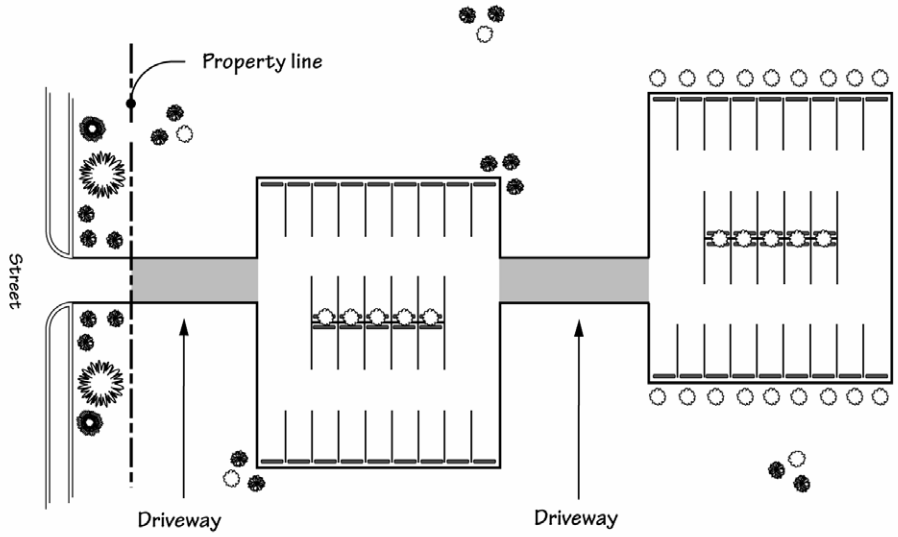
- The area that provides vehicular access to a site. ~~A driveway is the same width as the curb cut excluding any aprons or extensions of the curb cut.~~ A driveway begins at the property line and extends into the site. A driveway does not include parking, maneuvering, or circulation areas in parking areas, such as aisles; and

- The area that provides vehicular circulation between two or more noncontiguous parking areas. A driveway does not include maneuvering or circulation areas within the interior of a parking area. A driveway must be used exclusively for circulation, with no abutting parking spaces. See Figure 910-13.

See also Parking Area and Vehicle Areas.

Figure 910-13

Driveway



Commentary

Chapter 33.910 Definitions

This amendment would change the definition of "attached house," currently defined as attached along at least 50 percent of the side of each dwelling, to a 25 percent attachment requirement to allow additional housing configurations. The current requirement sometimes prevents spaces from being created between units which could provide opportunities for private outdoor space or allow building volumes to be divided in ways that reflect neighborhood patterns. The term "dwelling" would be replaced by "building" to clarify that the attachment requirement may be met by portions of buildings that are garage walls, rather than just the walls of living spaces.

The 50 percent attachment requirement was intended to foster energy-efficient design by reducing the amount of exterior wall area for each unit. Subsequent regulatory changes, including stronger building code requirements for insulation and *Zoning Code* amendments that allow detached houses in zones once reserved for attached houses, have weakened the rationale for the current attachment requirement.

Attached houses (joined at garage in above image) that fail to meet the 50 percent attachment requirement. The small area of attachment, however, allows them to reflect the surrounding neighborhood's pattern of detached houses.

Rowhouses, winners of the 1994 "City Life" design competition, which provide private outdoor space between each unit, but fail to meet the current 50 percent attachment requirement.

Code Amendments

Chapter 33.910 Definitions

Residential Structure Types

- **Attached House.** A dwelling unit, **located on its own lot**, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least ~~50~~ 25 percent of the length of the side of the ~~dwelling~~ building. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a rowhouse or a common-wall house.

Commentary

33.120.050 Neighborhood Contact

This is a new section that establishes a neighborhood contact requirement for new construction in the multidwelling zones, triggered by a project size threshold of five or more units. This would address a salient concern of neighborhood associations that they often have no opportunity for input regarding even large-scale multidwelling projects, while even mid-size multidwelling projects can bring significant change to neighborhoods where detached houses predominate. Most multidwelling development in Portland is not subject to discretionary design review or other discretionary land use review procedures, which are the primary mechanisms for public comment on development proposals. The neighborhood contact requirement would not apply to projects of less than five units because of the lesser impacts small projects have on the surrounding community.

This section would utilize the same neighborhood contact process (Section 33.730.045) currently required for proposals using the Community Design Standards, which are a regulations-based alternative to design review in areas subject to the Design Review Overlay. This neighborhood contact provision requires that applicants contact the relevant neighborhood association for a meeting, after which the latter has 14 days in which to reply and 45 days to hold a meeting. If the applicant receives no reply within 14 days, the development application may be submitted without further delay.

Neighborhood response to proposals presented at such meetings is advisory only and is not binding on the applicant. Neighborhood activists have related that meetings with developers who have voluntarily met with the community have provided the opportunity for community feedback, often resulting in improvements to the design of projects.

In acknowledgement of community interest in fostering such dialogue between neighborhoods and developers, the threshold for the neighborhood contact requirement has been reduced down to five or more units, instead of the 20 unit threshold included in the *Proposed Draft*.

The neighborhood contact requirement threshold of 5 or more units is a reduction from the threshold of 20 units recommended by Planning staff. We recommend this reduced threshold in acknowledgement of the interest expressed by community members in fostering dialogue between builders and neighborhoods. Many testifiers at the Planning Commission hearing related that the threshold of 20 units was too high and urged that a lower threshold was needed to provide more opportunities for community dialogue regarding a greater number of multidwelling development proposals.

> ***Neighborhood contact requirements in other Northwest cities:***
>
> *Most larger cities in the Puget Sound region, including Seattle, Olympia and Everett, require discretionary design review and public input for most multifamily development. More locally in the Portland region, Gresham and Lake Oswego generally require discretionary review and neighborhood contact for projects with two or more attached residential units, while Beaverton requires discretionary design review and community input for proposals for residential projects of 30,000 square feet or more.*

THIS IS A NEW SECTION. FOR READABILITY, TEXT IS NOT UNDERLINED

33.120.050 Neighborhood Contact

A. Purpose. Neighborhood contact is required for larger residential projects in the multidwelling zones because of the impacts that multidwelling projects can have on the surrounding community. The neighborhood contact requirement provides an opportunity for community input on the design of these projects by providing a setting for the applicant and neighborhood residents to discuss a proposal in an informal manner. By sharing information and concerns early, all involved have the opportunity to identify ways to improve a proposal and to resolve conflicts. This neighborhood contact requirement is limited to proposals that do not involve a land use review because there are separate procedures for public notification and input for such proposals.

B. Neighborhood contact requirement. Proposals meeting the following conditions are subject to the neighborhood contact requirement as specified in section 33.730.045, Neighborhood Contact Requirement. All of the steps in 33.730.045 must be completed before a building permit is requested.

1. The proposal does not involve a land use review, and

2. The proposal would create five or more new dwelling units. Dwelling units are created:

   a. As part of new development;

   b. By adding net building area to existing development that increases the number of dwelling units; or

   c. By conversion of existing net building area from non-residential to residential uses.

D. Amendments to Title 17, Public Improvements

How changes are shown in this section
Language to be added to Title 17 is underlined.

Commentary

Amendments to Title 17, Public Improvements
Chapter 17.28 Sidewalks, Curbs and Driveways

Section 17.28.110 Driveways – Permits and Conditions

This section would be amended to reduce driveway width requirements for small multidwelling projects. Current Title 17 requirements for 20'-wide driveways for multidwelling projects on sites wider than 50' complicate projects on relatively small sites and result in large portions of site area devoted to impervious surface. Currently, any multidwelling project with three or more units is classified in Title 17 as "Commercial," which results in a fourplex being subject to the same driveway width requirements as a convenience store, supermarket, or 200-unit apartment complex, despite their very different traffic generation characteristics. The amendments would allow a minimum driveway width of 10' for multidwelling projects with up to 10 parking spaces on local service streets, which generally have relatively low traffic volumes. The amendments would preserve the prerogative of the City Engineer and City Traffic Engineer to establish conditions regarding driveway width, based on site-specific conditions.

The minimum required width of 20' would remain applicable to larger projects on local service streets and to all multifamily residential projects, regardless of size, on streets with higher traffic classifications. The 20' dimension is intended to allow vehicles to safely pass by each other, which prevents vehicles entering a driveway from having to pause in traffic lanes (and potentially obstructing traffic and creating a safety hazard) while waiting for another vehicle to exit a driveway. Narrower driveways are more practical for residential projects with few parking spaces, as they result in a reduced frequency of vehicles needing to enter and exit driveways at the same time. Restricting the use of narrow driveways to local service streets reduces the potential for traffic conflicts that would be more likely with streets with higher traffic volumes.

Multidwelling projects with 20'-wide driveways meeting the minimum dimensions required by Title 17.

Multidwelling projects (with, respectively, 10.5' and 12'-wide driveways) in Seattle, which allows multidwelling driveways to be as narrow as 10'. This allows for less impervious surface and more pedestrian-friendly street frontages.

Title 17, Public Improvements

Amend Chapter 17.28 Sidewalks, Curbs and Driveways

17.28.110 Driveways – Permits and Conditions

A – B [No Change]

C. Width of driveways. A permit to construct a driveway in the street area is subject to the following conditions:

1. Residential driveway: [No change]

2. Commercial driveway:

Private Property Frontage	Minimum Width	Maximum Width
50 ft. or less	10 ft	20 ft
51 ft. to 100 ft.	20 ft*	30 ft

*A commercial driveway for a residential use that provides access for 10 parking spaces or less can be a minimum width of 10 feet, provided the access is on a local service street and will be designed to allow forward motion of all vehicles. However, the City Engineer or City Traffic Engineer may establish conditions regarding width that are deemed necessary to ensure the safe and orderly flow of pedestrian and vehicular traffic. These conditions are based on evaluation of speeds, volumes, sight distance, and any other transportation factors that are relevant.

If more than one driveway is desired for frontage up to 100 feet, the maximum width of the driveway shall be 20 feet with no more than two such driveways permitted within such frontage; provided, however, that no less than 5 feet of straight curb must separate service driveways under one ownership. Each 100 feet of frontage or fraction thereof under single ownership shall for purposes of this Chapter be considered a separate frontage.

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