

# Residential Infill Project

AN UPDATE TO PORTLAND'S  
SINGLE-DWELLING ZONING RULES

DISCUSSION DRAFT  
OCTOBER 2017

## VOLUME 1: STAFF REPORT AND MAP AMENDMENTS

Comments due by November 20, 2017  
See inside cover for more information



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

City of Portland, Oregon  
Ted Wheeler, Mayor • Susan Anderson, Director



The Bureau of Planning and Sustainability is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact at 503-823-7700, or use City TTY 503-823-6868, or Oregon Relay Service 711.

Traducción o interpretación	Chuyển Ngữ hoặc Phiên Dịch	翻译或传译	Письменный или устный перевод
Traducere sau Interpretare	Письмовий або усний переклад	翻訳または通訳	Turjumida ama Fasiraadda
	الترجمة التحريرية أو الشفهية	ການແປພາສາ ຫຼື ການອະທິບາຍ	

503-823-7700 | [www.portlandoregon.gov/bps/71701](http://www.portlandoregon.gov/bps/71701)

## For more information:

Visit the web: [www.portlandoregon.gov/bps/infill](http://www.portlandoregon.gov/bps/infill)

### Contact staff:

Morgan Tracy, Project Manager

[morgan.tracy@portlandoregon.gov](mailto:morgan.tracy@portlandoregon.gov); 503-823-6879

Julia Gisler, Public Involvement

[julia.gisler@portlandoregon.gov](mailto:julia.gisler@portlandoregon.gov); 503-823-7624

## Residential Infill Project Kickoff Meeting

**Tuesday, October 10, 2017, 5 – 7:30 p.m.\***

\*Presentation starts at 6:30 p.m.

1900 Building, Room 2500

1900 SW 4<sup>th</sup> Avenue, 2<sup>nd</sup> floor

TriMet: Multiple bus, MAX and streetcar lines. Visit [TriMet.org](http://TriMet.org) for more information

## Drop-In Office Hours

<b>East</b> Wednesday, October 11, 2017 5 – 6 pm East Portland Neighborhood Office (EPNO) 1017 NE 117 <sup>th</sup> Avenue TriMet: Bus #25, #71 and #77	<b>Northeast</b> Monday, October 23, 2017 5 – 7 pm Central Northeast Neighborhoods (CNN) 4415 NE 87 <sup>th</sup> Avenue TriMet: Bus #12 and #71	<b>North</b> Thursday, November 2, 2017 5 – 7:30 pm Kenton Firehouse 8105 N Brandon Street TriMet: Bus #4, MAX Yellow Line
<b>Northeast</b> Thursday, October 19, 2017 5 – 7 pm Northeast Coalition of Neighborhoods (NECN) 4815 NE 7 <sup>th</sup> Avenue TriMet: Bus #6 and #72	<b>Southwest</b> Monday, October 30, 2017 5 – 7:30 pm Multnomah Arts Center 7688 SW Capitol Highway TriMet: Bus #44	<b>Southeast</b> Tuesday, November 7, 2017 5 – 7:30 pm Southeast Uplift (SEUL) 3534 SE Main Street TriMet: Bus #14, #15, #66 and #75

## How to Comment

Comments on the Residential Infill Project **Discussion Draft** are directed to city staff as part of developing a proposal. Comments from the public and other parties will be used to inform the **Proposed Draft** that will be considered by the Planning and Sustainability Commission early next year. The public will have an opportunity for formal testimony on the **Proposed Draft**.

Your comments on this **Discussion Draft** are requested by:

**5 p.m., Monday, November 20, 2017**

Send your comments to:

**Email:** [residential.infill@portlandoregon.gov](mailto:residential.infill@portlandoregon.gov)

**Mail:** City of Portland Bureau of Planning and Sustainability  
Attn: Residential Infill Project  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201

**Project Website:** [www.portlandoregon.gov/bps/infill](http://www.portlandoregon.gov/bps/infill)

## Next Steps:



**Proposed Draft:** Based on *Discussion Draft* feedback, a *Proposed Draft* will be published in early 2018 for Planning and Sustainability Commission (PSC) consideration. At that time, the public will be invited to submit formal public testimony to the PSC, in writing or in person, at a public hearing in the winter of 2018. The Commission may amend the proposal and will subsequently vote to recommend the changes to Portland City Council. This is then called the *Recommended Draft*.

**Recommended Draft:** City Council will hold an additional public hearing and take formal public testimony on the *Recommended Draft*. The City Council may amend the *Recommended Draft* before they vote to adopt the plan. This will likely occur in Spring of 2018.

# Acknowledgements

## City Council

Ted Wheeler, Mayor  
Chloe Eudaly  
Nick Fish  
Amanda Fritz  
Dan Saltzman

## Planning and Sustainability Commission

Katherine Schultz, Chair  
André Baugh, Vice Chair  
Chris Smith, Vice Chair  
Jeff Bachrach  
Ben Bortolazzo  
Mike Houck  
Katie Larsell  
Andrés Oswill  
Michelle Rudd  
Eli Spevak  
Teresa St Martin

## Bureau of Planning and Sustainability

Ted Wheeler, Mayor, Commissioner-in-Charge  
Susan Anderson, Director  
Joe Zehnder, Chief Planner

### Project Team

Sandra Wood, Supervising Planner  
Morgan Tracy, Project Manager  
Julia Gisler, City Planner  
Todd Borkowitz, Associate Planner  
Shannon Buono, Senior Planner  
Mark Raggett, Senior Urban Designer  
Tyler Bump, Senior Economic Planner  
Brandon Spencer-Hartle, Senior Planner  
Love Jonson, Community Service Aide

### Additional Contributors

Phil Nameny, City Planner  
Nick Kobel, Associate Planner  
Desiree Williams-Rajee, Equity Specialist  
Kevin Martin, Tech Program Manager  
Neil Loehlein, GIS Mapping  
Derek Miller, GIS Mapping  
Eden Dabbs, Communications  
Julie Hernandez, Map App Designer  
Leslie Wilson, Graphic Designer  
Krista Gust, Graphic Designer

Justin Voghel, Community Service Aide  
Pei Wang, Community Service Aide  
Christina Scarzello, East District Liaison  
Leslie Lum, North District Liaison  
Nan Stark, Northeast District Liaison  
Marty Stockton, Southeast District Liaison  
Joan Frederiksen, West District Liaison  
Jena Hughes, Community Service Aide  
Justin Voghel, Community Svc. Aide  
Pei Wang, Community Service Aide  
Quandre Rhodes, Summer Intern  
Darrick Marquez, Summer Intern

## Partner Bureaus/Agencies

Bureau of Development Services  
Kristin Cooper, Senior Planner  
Matt Wickstrom, Senior Planner  
Leah Dawkins, City Planner  
Sean Williams, City Planner

Bureau of Transportation  
Kurt Kruger, Development Review Manager  
Courtney Duke, Senior Planner  
Bob Haley, Senior Planner

Bureau of Environmental Services  
Elisabeth Reese Cadigan, Dev. Services Mngr  
Stephen Himes, Development Supervisor

Bureau of Housing  
Kim McCarty, Housing Program Coordinator  
Mathew Tschabold, Management Analyst

Portland Parks and Recreation  
Katie Dunham, Senior Planner

Fire Bureau  
Dawn Krantz, Land Use Review Technician

Police Bureau  
Richard Kepler, Crime Prevention Specialist

Water Bureau  
Mike Saling, Supervising Engineer

TriMet  
Vanessa Vissar, Planner

Metro  
Jonathan Williams, Senior Dev. Project Mngr

## Consultants

**Envirolsues** – Facilitation/Public Engagement  
**DECA Architecture, Inc.** – Architectural models  
**Dyett and Bhatia** – Urban and Regional Planners  
**Johnson Economics, Inc.** – Economic Analysis

# Table of Contents

## Volume 1

<b>Section 1: Introduction</b> .....	v
<b>Section 2: Public Involvement</b> .....	6
<b>Section 3: Summary of Amendments</b> .....	10
<b>Section 4: Analysis of Amendments</b> .....	11
<b>Section 5: Map Amendments</b> .....	38

## Volume 2 (under separate cover)

### **Section 6: Zoning Code Amendments**

## Volume 3 – Appendices (under separate cover)

**Appendix A:** Guidance from the Comprehensive Plan, BPS Staff, September 2017

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

**Appendix C:** R2.5 Catalogue of 2015 New Single Family House Permits, BPS Staff, 2017

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

**Appendix E:** Map Refinements by District, BPS Staff, 2017

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



# Section 1: Introduction

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

## We all know Portland is changing.

You can feel it in the streets, on the freeways and in our neighborhoods. By 2035, the number of households in the city will increase by approximately 123,000. That's roughly 260,000 new residents — or 40 percent more people than live here today. About 20 percent of this growth will occur in single-dwelling residential zones.

The **composition of our neighborhoods** is also changing. The city is becoming more diverse, the overall population is aging and the number of people per household is getting smaller (from 2.3 to 2.1 persons in 2035). But despite shrinking households, there are few options for smaller households to live in single-dwelling neighborhoods, where increasing land costs and market trends have produced mostly larger houses.

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

Portlanders are also worried about **increased demolitions** and replacements homes that are larger, more expensive and sited differently than surrounding older homes.

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

Earlier we shared a concept report with the community. This Discussion Draft reflects the feedback from robust public engagement and new direction from City Council as well as research and analysis. The proposed amendments are organized under three topics: scale of houses, housing opportunity and narrow lots.

## Why is this project important?

The Residential Infill Project will help to incrementally increase the overall supply of housing units while maintaining the character of long-established single-dwelling neighborhoods. By applying better controls on house size and improving how houses relate to each other, additional units in the form of accessory dwelling units (ADUs), duplexes and triplexes can be better integrated into single-

dwelling neighborhoods. As well, by refining the rules around narrow lot development, more units — at a smaller scale — can become available for entry-level homeownership or rental.

Increasing the supply of housing helps to keep home prices in check. By expanding housing development options within single-dwelling neighborhoods, we also make it easier and more attractive for developers to creatively meet demand for a variety of single-family dwellings. This means more people can live in and enjoy the benefits of single-dwelling neighborhoods, if they want to.

## Addressing inequity in our community

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

Portland's new Comprehensive Plan includes policies to address equity, prevent displacement and provide for ongoing affordability. The Residential Infill Project is consistent with these policies. It is intended to create opportunities for more types of housing development but also to manage the risk this may create for involuntary displacement of households. Its recommendations were evaluated in terms of whether, how and where proposed land use changes could cause further harm to historically under-served and under-represented communities.

This is part of the reason that the proposal limits where new housing types will be allowed and where historically narrow lots will be allowed to be developed. *Section 5* of this report describes the methodology for determining displacement risk and how staff applied it to the Zoning Map.

## Direction from the 2035 Comprehensive Plan

Portland's 2035 Comprehensive Plan guides how and where land is developed to prepare for and respond to population and job growth. The Residential Infill Project is proposing amendments to some of the Comprehensive Plan's most important implementation tools — the Zoning Code and Zoning Map. In addition, the project is proposing to amend the Comprehensive Plan map itself.

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

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

policies in the 2035 Comprehensive Plan that direct the City to evaluate plans and investments for the potential to cause displacement and to mitigate the anticipated impacts.

## **Guiding Principles**

The 2035 Comprehensive Plan includes five guiding principles, recognizing that implementation of the plan must be balanced, integrated and multi-disciplinary. The Residential Infill Project helps advance these guiding principles in the following ways:

### **1. Equity**

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

This project furthers this principle by increasing the range of housing types and choices available in well-served locations across the city. Increased opportunity for additional housing supply, incentives for affordable housing and reductions in the allowed size of new houses help stabilize and impede rising housing costs. Intentional outreach was conducted to engage with historically under-represented populations and will continue in the Discussion Draft phase. Specific measures, described in in *Section 5: Map Amendments*, were also employed to reduce the risk of displacement of vulnerable populations.

### **2. Economic Prosperity**

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

This principle is furthered by providing for population growth and added housing choice in neighborhoods near or accessible to areas of retail and service-sector job growth as well as transit. More people in and near these areas help to encourage and sustain neighborhood businesses. Allowing increased and well-located housing options affordable to more families supports household prosperity. This helps people spend less of their income on combined housing, utilities and transportation costs and invest a greater percentage of their income in the local economy.

### **3. Human Health**

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

The Residential Infill Project furthers this principle in several ways. It increases personal well-being by allowing flexibility for privacy, sunlight and outdoor space; minimizes personal stress caused by housing instability by allowing diverse housing types that meet changing household preferences, needs, abilities and economic conditions; promotes social interaction through requirements that allow people of all abilities to visit others; and reduces financial stress and increases potential for active mobility through reduced automobile use.

#### **4. Environmental Health**

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

This project furthers this principle by increasing open space and natural features while promoting development that responds to positive qualities of the natural setting and site conditions. By increasing minimum setbacks in R2.5 and R5 and implementing a new floor area ratio (FAR) tool, the proposal better accommodates sustainable stormwater solutions and provides additional space to grow and preserve trees. Also, emphasizing compact housing in areas close to frequent transit, services and other amenities promotes lower carbon emissions through reduced driving demand, thus improving air and water quality.

#### **5. Resilience**

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

This principle is furthered by providing additional opportunities for compact housing development in areas near designated centers and corridors with frequent transit as well as areas close to downtown and near schools, parks and jobs. These smaller units are more energy-efficient than most older homes and comparable larger new homes. New housing and houses that are retrofitted for additional units will be built to modern seismic and fire safety codes, thereby providing additional resiliency. Areas prone to flooding, landslides, wildfire or inadequate utility infrastructure were carefully evaluated when determining where additional housing units should be allowed. Moreover, by providing for a broader range of housing types and sizes, people are better able to find a dwelling suited to their needs and circumstances in changing economic climates.

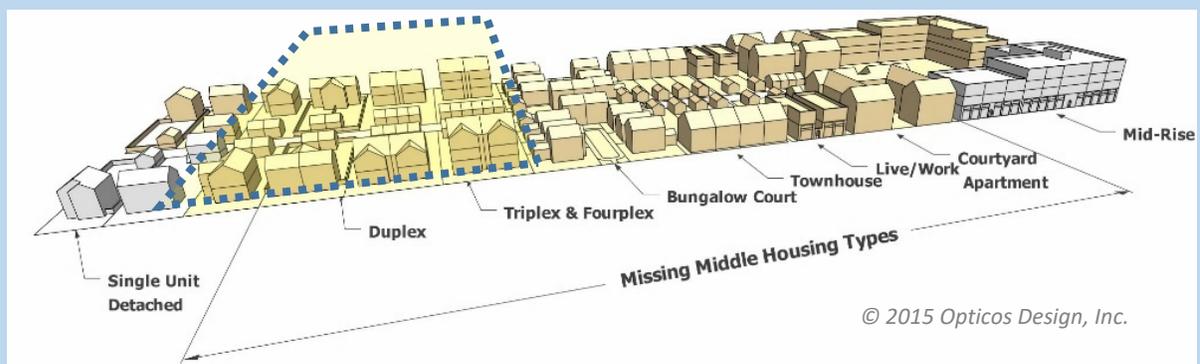
## A paradigm shift towards more “middle” housing

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

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

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

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



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

# Section 2: Public Involvement

For more information, see the [Project Public Involvement Plan](#).

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

This fall staff is sharing the draft code and mapping amendments with the public and taking comments to develop a Proposed Draft to present to the Planning and Sustainability Commission. This outreach period is focused on informing the public of the proposals and familiarizing interested parties with the detailed amendments in preparation for their testimony to the Planning and Sustainability Commission.

## Phase I: Concept Development

**Public involvement completed from July 2015 to December 2016**

### Stakeholder Advisory Committee (SAC)

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

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

The SAC was an advisory group and was not expected to come to a consensus. (See the [SAC Charter](#) and the June 2016 [SAC Summary Report](#).)

## Public Outreach and Feedback

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

### Project Updates

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

### Transparency in SAC Meetings

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

### Online Questionnaire

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

### Public Review of Concept Report

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

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the proposals;
- A series of open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Neighborhood drop-in hours with staff available to discuss the draft proposals;

- Meetings in collaboration with community members including Oregon Opportunity Network’s public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and
- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

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

The [Summary Report of Public Comments on the Draft Proposal](#) includes six appendices that provide the entire text of the comments received, the notes from the open house question and answer sessions and demographic cross-tab tables for the questionnaire responses.

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

### **Media Coverage**

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

### **City Council Public Hearing**

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



## **Phase II: Code and Map Amendments**

### **Upcoming public involvement from October 2017 through project completion**

This Discussion Draft includes the proposed code and map amendments to implement City Council's concepts from Phase I. Comments received during the Discussion Draft public review period will inform the Proposed Draft, which is staff's proposal to the Planning and Sustainability Commission (PSC). The PSC will hold hearings in the winter of 2018 and provide their recommendations to City Council, which will hold public hearings in the spring of 2018 before making a final decision.

### **Discussion Draft Public Review**

There will be a seven-week public review of the Discussion Draft (October 2 through November 20). During this time the public can learn about the proposals at a kick-off meeting and provide feedback at a series of drop-in office hours. Staff will also be working with Neighborhood Coalitions and presenting at various neighborhood meetings.

In addition to these public events, staff will be available to help groups and organizations participate in the Discussion Draft review. This can be done through staff presentations at meetings or other ways to share information about the project. Comments can be submitted via mail or email, or online using a comment form on the project website. Furthermore, parcel-specific information that shows which proposals will affect each specific property is available through the Map App ([www.portlandoregon.gov/bps/infill/mapapp](http://www.portlandoregon.gov/bps/infill/mapapp)), an interactive online map.

*For more information about providing feedback, please see the inside cover of this report.*

# Section 3: Summary of Amendments

In December 2016, City Council heard public feedback on the proposals of the concept phase of the Residential Infill Project. City Council directed staff to prepare amendments to the Zoning Code and Zoning Map that do the following:

- Reduce the **scale of houses** in Portland’s single-dwelling neighborhoods.
- Create more **housing opportunity** in the right locations.
- Improve rules for **narrow lots**.

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

## Scale of Houses

1. Limit the size of houses while maintaining flexibility. *Page 11*
2. Revise how height is measured. *Page 14*
3. Improve front setbacks to better reflect those of adjacent houses. *Page 15*
4. Improve building design. *Page 17*

## Housing Opportunity

5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone. *Page 18*
6. Apply the new ‘a’ overlay zone in select areas. *Page 20*
7. Provide incentives for affordable housing and historic preservation. *Page 23*
8. Encourage more cottage cluster development. *Page 25*

## Narrow Lot Development

9. Rezone some historically narrow lots from R5 to R2.5. *Page 28*
10. Revise rules for all narrow lots. *Page 31*
11. Revise rules for parking and garages on all narrow lots. *Page 33*
12. Make improvements to the R2.5 zone. *Page 35*

# Section 4: Analysis of Amendments

The goal of the Residential Infill Project is to update Portland’s single-dwelling zoning rules to better meet the changing housing needs of current and future residents. Over the next 20 years:

- Portland will grow by 260,000 people and will need 123,000 more units to house them. About 25,000 of those units will be in single-dwelling neighborhoods. Still, two-thirds of our housing in 20 years will be the housing that exists today.
- The average age of city residents is increasing, yet most of our housing supply will not be able to meet the mobility needs of these older adults and will provide a barrier to aging-in-community.
- The average number of people per household will continue to decrease, while the average new house size continues to increase.

The proposals in this report reflect three key changes to the Zoning Code and Zoning Map in single-dwelling areas. These proposals are intended to allow for a gradual transition to a more prosperous, healthy, equitable, and resilient city.

## Scale of Houses

The proposals apply new tools to limit the *scale of houses*, resulting in:

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

### 1. Limit the size of houses while maintaining flexibility.

**Affects** R7, R5 and R2.5 zoned properties.

#### The proposal

- Establish a limit on house size by zone that is proportional to lot size using a floor area ratio (FAR) calculation.
- Exclude attics with low ceilings and basements from house size limits.
- Allow an additional .15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).

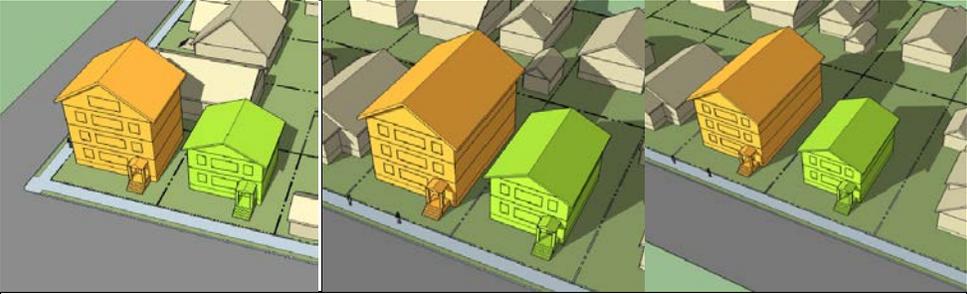
#### What is the intended benefit?

Using FAR is intended to **prevent disproportionately large buildings, while retaining flexibility** that does not create a barrier to new development or remodels. There are other approaches like reduced building coverage, lower heights and increasing setbacks that could be applied; however, they can excessively limit development of smaller lots, while still allowing overly large buildings on larger lots.

Reducing building coverage alone encourages taller buildings. Combining height limits with building coverage limits creates a complicated set of rules that are inflexible. FAR provides for a

proportionate amount of square footage that is linked to lot size. How that square footage is allocated (either spread out or stacked up) remains flexible.

The proposed FARs have been set to **encourage, but not mandate, two-story buildings**. This can result in much lower building coverage than the maximum that is allowed (25 percent vs 45 percent on a 5,000-square-foot R5 zoned lot). For example:

	<b>R2.5 – 2,500 square foot lot</b>	<b>R5 – 5,000 square foot lot</b>	<b>R7 – 7000 square foot lot</b>
<b>Current Code maximum size</b>	4,375 square feet <i>This is roughly 1.75 to 1 FAR.</i>	6,750 square feet <i>This is roughly 1.35 to 1 FAR.</i>	7,650 square feet <i>This is roughly 1.1 to 1 FAR.</i>
<b>Proposed Code maximum size</b>	1,750 square feet <i>Maximum 0.7 to 1 FAR</i>	2,500 square feet <i>Maximum 0.5 to 1 FAR</i>	2,800 square feet <i>Maximum 0.4 to 1 FAR</i>
	 <p><i>Images: Current limit (house on left) vs. proposed limit (house on right) in each zone</i></p>		

**What else about the proposal should I know?**

An additional .15 FAR is allowed for detached accessory structures on lots to encourage detached garages and accessory dwelling units (ADUs), as well as to encourage breaking up the single massing of structures on the lot.

The calculation of total floor area does not include basements (floors located at least 4 feet below grade) or attics where the ceiling height is less than 80 inches (the minimum height required by the building code).

Houses built prior to the effective date of these new rules will be allowed to add up to 200 square feet without meeting the FAR limits. This allows for existing houses to make a small addition without having to provide floor plans for the entire house when they submit for building permits.

The proposed FAR limits take into consideration the typical sizes of new and existing homes in neighborhoods with different zoning. The first table below summarizes the average size of new houses built in 2015 by zone based on permit data. The second table shows the average size of existing houses by zone. This is based on tax assessor data, which has consistency and methodology issues but is the best available citywide data.

<b>2015 Houses</b>	<b>R2.5</b>	<b>R5</b>	<b>R7</b>
<b>Number of permits</b>	99	275	51
<b>Largest house size</b> (square feet)	4,574	4,627	4,809
<b>Largest FAR</b>	1.32 to 1	1.27 to 1	.96 to 1
<b>Average house size</b> (square feet)	2,381	2,669	3,252
<b>Average FAR</b>	.75 to 1	.64 to 1	.47 to 1
<b>Percentage of permits above the proposed FAR</b>	51%	76%	59%
Includes data for habitable area only, excluding low attics, utility areas, garages and unfinished basements.			

<b>Existing Houses</b>	<b>R2.5</b>	<b>R5</b>	<b>R7</b>
<b>Number of houses</b>	13,279	76,027	27,669
<b>Average FAR</b>	0.31 to 1	0.30 to 1	0.21 to 1
<b>Number and percent of houses that are nonconforming with proposed FAR</b>	476 (3.5%)	9159 (12%)	1412 (5.1%)

This comparison shows that while many of the new houses being built today surpass the proposed FAR limits, the majority of the housing stock – older, existing houses – would fall within the proposed limits. This means the proposed FAR limits would help the size of new houses align with what has historically been built in Portland.

#### **What changed from the Concept Report?**

The approach to FAR in the code proposal mirrors what was in the Concept Report with different floor area ratios established for each of the three affected residential zones.

City Council asked staff to establish **two different house sizes**: a smaller size for single houses inside the overlay and a larger size for single houses outside the overlay. Duplexes and triplexes inside the overlay would be allowed to be as large as single houses outside the overlay. The intent was to discourage one-for-one demolition and replacement (i.e. tearing down one house to build only one new house). The provision was thought to encourage building duplexes when houses were demolished.

Staff evaluated this approach and concluded that the FAR for a single-unit house would have to be significantly and impractically decreased to provide an effective disincentive. This approach also began to undermine the idea that total allowed building square footage should be set to be consistent with the development pattern of a zone regardless of whether the building contained one or more units.

## 2. Revise how height is measured.

**Affects** All zones, including non-residential zones.

### The proposal

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

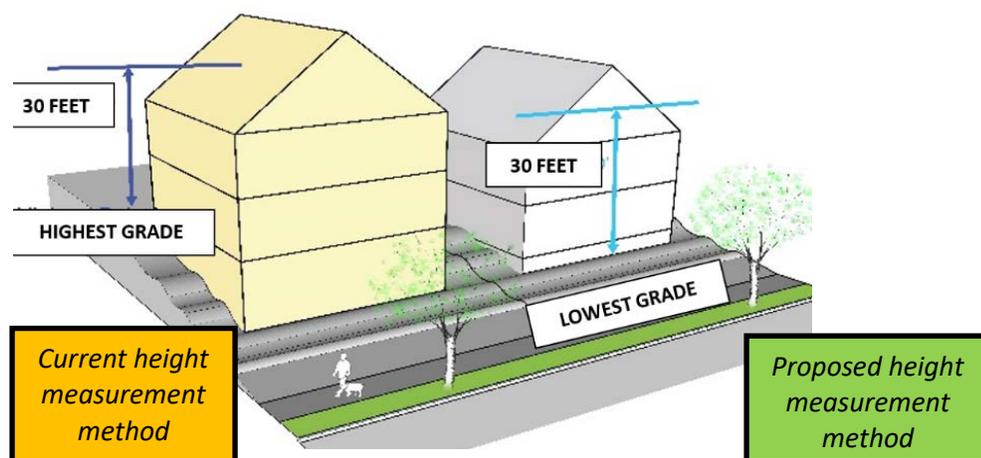
### What is the intended benefit?

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

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

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

For example:



Dormers (which are often not measured under current code and frequently yield a higher roof) would be counted unless they maintain a minimum 3:1 pitch, are set back from exterior walls by one foot and are less than 75 percent of the width of the roof they are on.

For example:

*Currently, dormers are not included in height measurements.*



*pro.homeadvisor.com*

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



*finehomebuilding.com*

#### **What else about the proposal should I know?**

Since the height measurement is taken along a perimeter that sits five feet away from the edge of the building, window wells and exterior stairs to basements would not affect the new height measurement, provided they fall inside the 5-foot perimeter distance.

Alternative height measurement methods for mixed use zones and steeply sloping lots are unchanged.

#### **What changed from the Concept Report?**

There were no significant changes from the Final Concept Report. However, the code changes to the height methodology will apply to how *all* building heights are measured (not just in single-dwelling residential zones).

### **3. Improve front setbacks to better reflect those of adjacent houses.**

**Affects** R7, R5 and R2.5 zoned properties.

#### **The proposal**

- Increase front setbacks in R5 and R2.5 from 10 feet to 15 feet.
- Allow a front setback reduction to align with the house next door.

### What is the intended benefit?

The increased setback will help prevent newer homes from being built in front of and out of the established line of houses along a street. The setback matching provision enables the established building line – sometimes less than 15 feet in older neighborhoods or in newer development – to be continued by allowing the new houses to line up with neighboring houses.

For example:



*This photograph shows houses set back to the older 15-foot requirement.*



*This photograph shows houses set closer to the street.*

### What else about the proposal should I know?

The current setback averaging provisions are replaced for the R7, R5 and R2.5 zones but continue to apply to larger-lot RF, R20 and R10 zones. The averaging method applied to RF through R10 zones allows for gradual transitions, which works better with larger side setback separation between structures. The intent of the setback matching requirement is to reinforce an established building line along the street, formed by equally lining up houses when they are spaced closer together. Setback matching does not apply to garages.

### What changed from the Concept Report?

City Council suggested allowances for **setback flexibility if trees were being retained**. The larger front setback requirement will increase the likelihood that trees in the front yard are retained. The ability to reduce the minimum front setback is an allowance (only where adjacent homes have smaller setbacks) and not a requirement, so builders can still choose to set houses farther back to save front yard trees.

Larger front setbacks could impact the ability to retain rear yard trees, if the site was unable to reduce the front yard setback to match an adjacent house. Flexibility for additional tree retention is currently provided through an Adjustment process, which can evaluate the condition and viability of the tree, impose a condition of approval requiring the tree's long-term retention and apply mitigating measures to the design of the house to ensure that any deviation from the setback will equally or better meet the purpose of the setback regulation. The ability to apply this type of discretion cannot be achieved through clear and objective standards in the Zoning Code.

## 4. Improve building design.

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

### The proposal

- Limit the number of exterior, above-grade stairs that lead to the main entrance.
- Allow eaves to project up to 2 feet into setbacks.
- Require large, street-facing facades to be divided into smaller planes.

### What is the intended benefit?

In zones with a required side yard setback of 5 feet, current projection allowances only provide for a 1-foot-deep eave when the house is built to the setback limits. On taller, wider houses these eaves appear disproportionately narrow, making the roof appear “unsettled” on the house. In addition to **enhanced building feature proportions**, wider eaves also afford better weather **protection from sun and rain**.

Changes to the street-facing façade requirements ensure that large flat walls are broken into distinct planes to add more **visual interest** and to **diminish the apparent bulk of a structure**. Features that meet this requirement for articulation include dormers, porches or façade off-sets.

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

For example:



### What else about the proposal should I know?

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

### What changed from the Concept Report?

The concept report included a proposal to allow **bays and bay window projections** into setbacks to be increased from one foot to 1½ feet. Staff felt the increase, while nominal, could negatively impact privacy for adjacent properties.

## Housing Opportunity

The proposal provides for more *housing opportunity*, resulting in:

- Increased potential for “middle housing” choices such as ADUs, duplexes and triplexes.
- Greater opportunities for affordable housing production.
- More “age-friendly” housing.
- Added protections and incentives for historic resources.

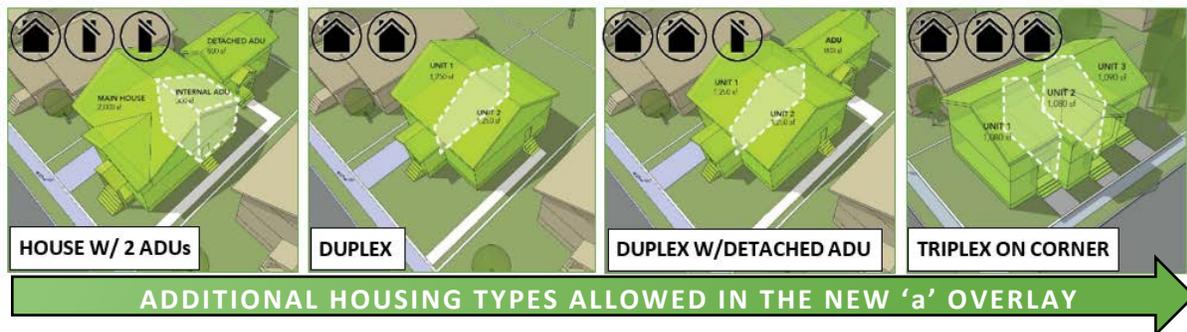
### 5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone.

**Affects** Specific R7, R5 and R2.5 zoned properties (those inside the new ‘a’ overlay).

#### The proposal

- Allow the following additional housing types in the new ‘a’ overlay if one of the units is “visitable”:
  - House with two accessory dwelling units (ADUs), one attached and one detached
  - Duplex
  - Duplex with one detached ADU
  - Triplex on corner lots
- Require the following visitability features for one unit: a low- or no-step entry, wider halls and doors, and living space and bathroom on the ground floor.
- Allow an additional 0.15 FAR for triplexes on corner lots.

For example:



#### What is the intended benefit?

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

In addition, allowing additional housing types **uses land efficiently**, by allowing two or three families to live where just one family is allowed today. The proposal also limits the size of duplexes to the same overall size limit as a house on the same lot. This ensures that a duplex is compatible in scale with what is allowed for a house, but also that the physical development impacts are roughly equivalent.

Average household sizes have declined in Portland from nearly 4.2 persons a century ago to just about 2.3 persons today. At the same time, national home sizes have increased from just over 1,000 square feet to more than 2,600 square feet today. Smaller unit sizes are also more **energy-efficient** than a single unit twice the size. In addition, these smaller units also provide more options at varying **price levels** for people to locate or remain in areas with services, amenities or transit, beyond just a large single house or an apartment.

**“Visitability” requirements** promote a growing share of housing that can be accessed and visited by people with mobility impairments (including elderly and disabled persons), while also providing convenience to other users of all ages, who, for example, use strollers or bicycles. These requirements ensure that people can easily enter and move about at least one floor of a house and have access to a bathroom and an area to socialize. This helps remove barriers that can lead to social isolation.

To meet the visitability requirements, the dwelling must have a no- or low-step entry, wider hallways and doors (34 inches minimum), a bathroom with adequate maneuvering area and an area to socialize (10-foot by 10-foot room dimension) on the same floor as the bathroom and visitable entrance.

The visitability requirements are intended as low-cost, high-performing basic standards but do not meet the level of truly “accessible” living. Complete accessibility throughout a house can add cost and may not be needed by as many residents. The visitability standards instead provide a platform for future home modifications that can be tailored to meet the specific needs of the occupant.

**What else about the proposal should I know?**

The additional housing types proposed would only be allowed on lots that meet the following **minimum lot sizes**:

	Minimum Lot Size Requirement (square feet)		
	R2.5	R5	R7
House (with or without ADU)	1,600	3,000	4,200
House with two ADUs	3,000	4,500	6,300
Duplex (with or without ADU)	3,000	4,500	6,300
Triplex	4,800	4,800	6,300

An **additional 0.15 to 1 FAR for corner lot triplexes** (and conversions of historic properties, discussed below) is proposed. This aligns with the FAR limits proposed for a house and a detached accessory structure, combined. For example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while a 0.15 to 1 FAR detached accessory structure is proposed. For a triplex, these two

FAR limits could be combined to develop a single building with three units (i.e., a triplex) at 0.65 to 1 FAR. For triplexes, the separate allowance for a detached accessory structure is less useful. Unlike the house or duplex where a detached ADU or garage could be accommodated in the accessory structure, a triplex is less likely to have use for a detached structure. Therefore, the space allocated for that structure is simply folded into the triplex. While this can result in slightly larger single structures, their location on corner lots helps to mitigate this with increased separation on two street sides.

### **What changed from the Concept Report?**

Staff was asked to explore requirements and bonus units for age-friendliness, affordability and tree preservation. Affordability and tree preservation are discussed in Proposal #7, below.

Age-friendly requirements have been incorporated into “**visitability**” standards, which are required when building an extra unit (i.e., second ADU, duplex or triplex). A summary of the research and findings around visitability is included in Appendix D: *Visitability Best Practices*.

The Final Concept Report called for requiring **design controls** for additional housing types. Several design controls are proposed for *all* housing types, including duplexes and triplexes: a covered entry for each primary entrance, limits to large unarticulated building elevations and limits on long elevated “jetway” stairs that serve the front door (see Proposal #4). Therefore, additional design standards specifically for duplexes and triplexes are not proposed.

## **6. Apply the new ‘a’ overlay zone in select areas.**

**Affects** R7, R5 and R2.5 zoned properties in the new ‘a’ overlay zone.

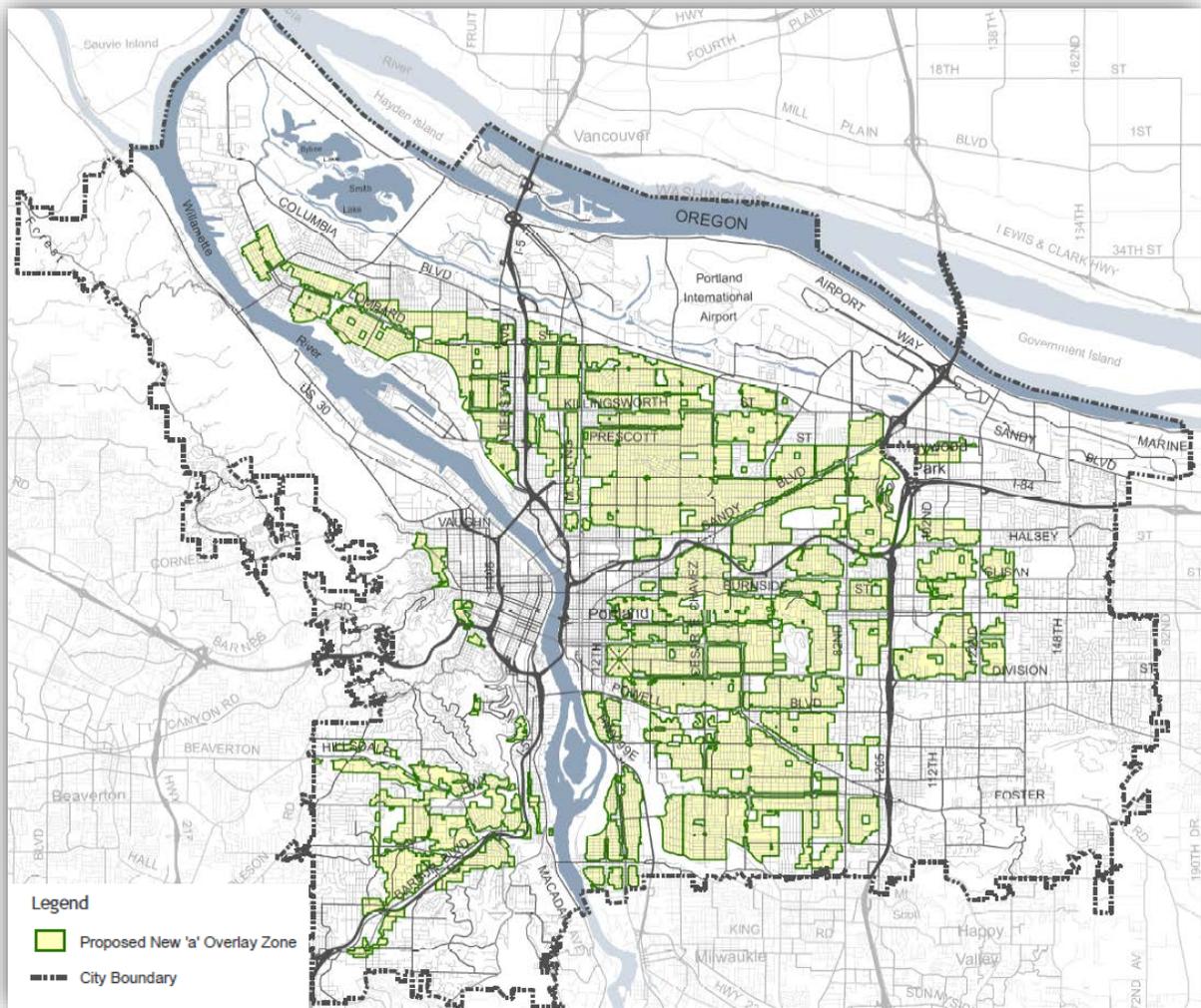
Also affects all properties that have the current ‘a’ overlay zone, which will be removed.

(See *Section 5: Map Amendments* for a description of the methodology used for this proposal.)

### **The proposal**

- Apply the new ‘a’ overlay to properties zoned R7, R5 and R2.5 within:
  - ¼ mile of centers; corridors with 15-minute bus service; and/or MAX stations;
  - Inner ring districts; and/or
  - Higher opportunity housing areas (with services, amenities, jobs, schools, parks).
- Reduce the new ‘a’ overlay based on infrastructure and environmental constraints and in areas with vulnerable populations at risk of displacement.
- Expand the new ‘a’ overlay based on proximity to other amenities, such as community centers, parks, schools and multiple bus lines.
- Remove the *existing* ‘a’ overlay (Alternative Design Density overlay zone) from all properties. Delete the current ‘a’ overlay zoning code provisions.

**Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)**



**What is the intended benefit?**

The 2035 Comprehensive Plan focuses growth in areas of the Central City, in Neighborhood and Town Centers and along corridors. In addition to ensuring there is a sufficient supply of housing to accommodate projected population growth, the Plan emphasizes diversifying the types of housing available in all neighborhoods of the city.

Staff proposes to reuse, update and redraw the 'a' zone overlay. The current version of the 'a' overlay has outlived its utility. It was designed for the Albina Community Plan. Over time the area covered by the 'a' overlay grew and **does not align with the centers and corridors growth strategy**. Also, many of the original 'a' overlay provisions have been incorporated into base zone provisions

that apply citywide. The other provisions have never attracted use. Of the nearly 45,000 properties in the overlay, fewer than 250 properties used these ‘a’ overlay provisions.<sup>1</sup>

Under the proposal, areas in the new ‘a’ overlay would have access to **new provisions that encourage additional housing types**. The new ‘a’ overlay zone is proposed to be redrawn to better match the new Comprehensive Plan strategy:

- Target growth to areas around existing centers and corridors and, where appropriate, use growth to help support newly designated centers.
- Increase housing supply in areas that are well-served by transit and close to services, jobs, retailers and other amenities.
- Increase affordable and other less expensive housing options in these areas so lower-income households have greater access to the cost savings and benefits of these locations.

Approximately **3.5 to 5.5 percent of eligible lots** are estimated to utilize the additional allowances of the new ‘a’ overlay over the 20-year planning period, based on rates of use for similar allowances for corner lot duplexes that have been allowed citywide since 1991.<sup>2</sup>

### **What else about the proposal should I know?**

The proposal is for a new ‘a’ overlay zone. It also deletes the current ‘a’ overlay zone. Properties that have the current ‘a’ overlay will no longer have the following allowances:

- Density bonus with Type III design review in R3, R2, and R1: The Type III design review, allowing up to a 50 percent density bonus, has not been used. Density bonuses granted as part of amenity bonuses in the multi-dwelling base zone were more frequently used.
- Flag lots in R2 and R2.5 zones: Newer provisions already allow flag lots in the R2.5 zone without design review. Flag-like lots are allowed in the R2 zone when the houses are attached.
- Attached houses in R5 zones: Newer provisions already allow attached houses on standard lots in R5 without design review.
- Triplexes in R2.5 zones: With the new ‘a,’ triplexes will be allowed on corner lots, and duplexes plus a detached ADU will be allowed on other lots.

### **What changed from the Concept Report?**

In response to the public testimony during the concept phase, City Council asked staff to develop a **range of options** for areas where additional housing types would apply (the new ‘a’ overlay). Rather than having staff develop and provide public notice for several different proposed boundaries, Mayor Wheeler then directed staff to use the original concept boundary as a starting place for refining the boundary. This still allows the Planning and Sustainability Commission and City Council

---

<sup>1</sup> Staff analyzed building permit records for properties in the current ‘a’ and flagged those that either went through a design review or used the Community Design Standards (prerequisites for use of the ‘a’). Of the 45,420 properties, there were 5,889 permits for new construction or exterior alterations between 1995 and 2016. Of those, 68 properties applied for design review, and 144 properties used Community Design Standards. In addition, according to the 2003 Accessory Dwelling Unit Monitoring Project Inventory, there were 13 ADUs created in the ‘a’ before they were allowed more broadly.

<sup>2</sup> Duplexes have been allowed on all R20 through R2.5 zoned corner lots since 1991. Staff examined the number of duplexes that existed in 2016 on corner lots in the R7, R5 and R2.5 zones (the zones that are subject to the new ‘a’ overlay) and found that citywide, corner lot duplexes existed on about 3.5 percent of all corner lots. Within a ¼ mile of centers, about 5.5 percent of corner lots in these zones had duplexes on them.

to refine the proposal. These refinements could either expand the overlay, constrict the overlay and/or modify the methodology applied to create it.

Council asked staff to explore whether the **David Douglas School District** should be omitted from the overlay until school capacity issues are addressed. An omission would be consistent with the school-related development constraints identified in the 2035 Comprehensive Plan. Project staff met with David Douglas School District staff to discuss the relative impacts of the Residential Infill Project. There are roughly 4,200 lots in the proposed new ‘a’ overlay that fall inside the David Douglas School District.

Staff found that current utilization of additional housing allowances (i.e. duplexes on corner lots and accessory dwelling units) in East Portland tended to be low.<sup>3</sup> This amounts to about 100 to 250 additional dwelling units for the district over 20 years. On a yearly basis, this equates to five to 12 units per year, which does not pose a significant concern to district staff. Portions of David Douglas School District were therefore included in the overlay boundary.

## **7. Provide incentives for affordable housing and historic preservation.**

**Affects** Specific R7, R5 and R2.5 zoned properties (those inside the new ‘a’ overlay).

### **The proposal**

- Allow one bonus unit if all units are affordable (up to 80 percent of median family income).
- Promote preservation of historic resources when adding units through incentives such as waived parking requirements, additional FAR and flexibility in housing types.

### **What is the intended benefit?**

The **affordability bonus** will capitalize on existing nonprofit and community development corporation programs that develop affordable units. A major barrier for these organizations is the escalating cost of land. By offering one additional unit over market rate projects, those **land costs can be distributed across more units**, putting the 80 percent of the median family income level closer within reach and requiring less subsidy or program assistance per unit.

**Preserving historic resources** helps maintain an area’s character and provides visual examples of our history and of Portland’s significant architectural lineage. For some of these resources, protections to prevent them from being demolished are insufficient. There are also limitations at the State level on the degree of protections the City can impose.

---

<sup>3</sup> While the citywide average “capture rate” for corner lot duplexes ranged between 3.5 and 5.5 percent (147 to 231 households), this rate was between 2 and 3 percent in East Portland, or between 84 and 126 additional households.

The additional housing options, described in Proposal #5, and historic preservation can coexist and may even be mutually beneficial. However, internally converting a house into two or three units can be uniquely challenging and costly, and each project has custom needs requires specialized knowledge. Certain structures offer better layout potential, while others may require extensive work to upgrade the construction to meet current building code requirements. Moreover, existing site layout and other code requirements can make adaptive reuse more challenging.

To encourage the retention of historic and potentially historically-eligible properties ranked on the City’s Historic Resource Inventory, added flexibility is proposed:

- Reduced parking requirements,
- Additional FAR,
- Smaller lot size threshold, and
- Additional housing arrangement flexibility (allows two ADU units, both of which may be inside or outside the existing house).



*This graphic shows the different types of historic resource designations and their accompanying levels of resource protection.*

For properties subject to discretionary historic resource review (National Register listings, historic landmarks and contributing structures in historic districts), the existing review process will ensure that proposed changes to the structure maintain the historic character and significance. For conservation landmarks, contributing structures in conservation districts and ranked properties on the Historic Resources Inventory, where there is no requirement for discretionary review, additional limits on exterior changes are proposed when these properties are being converted for additional housing units. Deviations from these additional limits may be sought through the discretionary historic resource review.

**What else about the proposal should I know?**

Additional housing types described in Proposal #5 are only allowed on lots that meet a minimum lot size. For example, a house in the R5 zone is allowed on a lot that is at least 3,000 square feet in area, whereas a duplex requires 4,500 square feet, and a triplex requires 6,300 square feet of lot area.

Conversions of houses that are historic resources are not subject to these minimum lot size requirements. Sites with historic resources that are either landmarks or contributing structures may not utilize the bonus provisions of the ‘a’ overlay if the resource has been demolished. This strengthens the relationship between the City’s various historic preservation policies by increasing flexibility and incentives for adaptive reuse while simultaneously providing additional housing options and opportunities.

In addition, for conversions of historic resources (and corner lot triplexes, described above), the FAR limit includes a small amount of additional floor area. This FAR limit includes the primary structure plus any detached accessory structure area and applies to all structures combined for the site. For

example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while a 0.15 to 1 FAR detached accessory structure is proposed. For historic resources, the combined allowable FAR for all structures would be 0.65 to 1. The intention is to provide greater flexibility for historic resource conversions where the house (which may be less than the FAR maximum for a primary structure) is maintained, such that the leftover FAR can be allocated to detached structures instead. At the same time, for larger historic resources, additions to the house can be made, provided that detached structures are smaller or not present.

#### **What changed from the Concept Report?**

In addition to exploring age-friendly provisions and historic preservation measures, City Council asked staff to explore requirements and bonus units for affordability and tree preservation.

The proposal includes **one bonus unit if all units on the site are affordable** to those making up to 80 percent of median family income. Staff recognizes that 100 percent of four units is a high bar. For comparison, in multi-dwelling and mixed use zones only 10 percent of units in buildings with 20 or more units are required to be affordable. Nevertheless, as this is a bonus and not a requirement, staff is proposing this incentive recognizing that other subsidies and program assistance can bridge the gap for nonprofit housing providers and help deliver affordable units to more areas of the city.

Staff also explored **tree preservation** bonuses but ultimately determined to not include these in the proposal. There are several reasons for this. First, the Tree Code already requires that one-third of 12-inch diameter and larger trees be preserved for each lot. Second, multi-dwelling zones allow a 10 percent density bonus for tree preservation, but the provision has not been used. Third, staff was concerned about offering a 33 percent bonus (one extra unit) without the discretion to evaluate the quality, significance or viability of the tree being retained. Finally, trees are subject to eventual decline and removal – meaning that at some point in the future, when the tree is removed, there would be a nonconforming extra dwelling on the site. Nonconforming density severely complicates purchase and refinance lending for the units on the site.

## **8. Encourage more cottage cluster development.**

**Affects** All single-dwelling (RF, R20, R10, R7, R5 and R2.5) zoned properties.

#### **The proposal**

- Continue allowing multiple houses to be built on a site through a Planned Development Review, but allow an ADU to be built with each house.
- Require at least half of the units in a cottage cluster development to be oriented around a common open space.
- Reduce the procedure type for some Planned Developments from Type III to Type IIx.



*For example: Smaller homes clustered around a common open space in Edgewood.*

### **What is the intended benefit?**

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

**Planned Development reviews (PDs)** provide opportunity for these innovative developments while assuring that they are well-designed and complement neighborhood character. The primary difference between a cottage cluster PD and a standard subdivision is the lack of individual lots. Some or all of the units are on one shared site. This enables structures to be situated in a manner that is more flexible and responsive to site characteristics, constraints and opportunities. Because a cottage cluster is a break from the standard lot pattern, these proposals are reviewed for their site layout and architecture to ensure compatibility with the positive aspects of the surrounding neighborhood.

The proposal accomplishes **four key objectives**. First, it provides the same opportunities for ADUs as is allowed for houses in a subdivision, whereas the current PD rules do not. Second, it aligns the type of review type procedure with subdivisions proposing the same number of units, while applying criteria that are more relevant to the cluster proposal. Third, more specific criteria heighten the importance of the shared open space and elevate it to be a central feature of the PD site when proposing detached primary units (multiple houses). Finally, it provides the opportunity for community members to receive public notice and comment on the proposal.

### **What else about the proposal should I know?**

Land use review procedures, in order from least to greatest level of process, include Type I and Ix, Type II and IIx, Type III and Type IV. Most PDs currently go through a Type III procedure, which is decided by a Hearings Officer and, if appealed, by City Council. By comparison, a Type IIx land use review, which applies to smaller land divisions, is less expensive, requires less time to process and is

a staff decision. Both procedure types utilize the same approval criteria and provide opportunities for appeals at both the City and State level.

The proposal changes the threshold for PDs so that proposals that include up to ten units (excluding ADUs) are processed as a Type IIX case, the same as a standard subdivision. Any proposal in a single-dwelling zone that includes commercial or multi-dwelling structures (structures containing four or more units), regardless of the number of units being proposed, remains a Type III review procedure.

The proposal maintains the current rule that density (which does not include ADUs) must be met. For example, an R5 lot would need to be 10,000 square feet before two primary houses and two ADUs could be developed. In R7 it would need to be 14,000 square feet, and in R2.5 it would be 5,000 square feet.

### **What changed from the Concept Report?**

The Final Concept Report envisioned having detailed rules for cottage cluster development – minimum site size, specific limits on house size and additional standards for open space, parking and circulation in exchange for additional housing unit allowances.

Staff now recommends a **different approach** that uses the existing rules and procedures for PDs with a few changes. The changes include allowing each house in a PD to have an ADU and changing the PD review procedure and criteria to match those used for with similarly-sized land divisions. Criteria in the PD rules are proposed to be modified to ensure better open spaces and pedestrian circulation. There will be no restriction on unit size specific to cottage cluster proposals. Unit size will instead be established through the PD process to ensure compatibility with the surrounding neighborhood.

Staff explored, but ultimately did not propose, **bonus units for affordability or accessibility** in these PDs. In addition to the added regulatory complexity these bonuses would introduce, utilizing the existing PD regulations would have also meant that potential bonuses could have applied to a much broader range of development than just cottage clusters. In addition, these bonuses would not be limited to areas inside the new 'a' overlay, as cottage clusters through PD review are allowed citywide.

## Narrow Lots

The proposals address historically narrow lots and improve regulations for all *narrow lot* development, resulting in:

- Understandable rules and predictability for neighbors and property owners
- Increased compatibility with neighboring houses
- Opportunities for smaller, less expensive houses

### 9. Rezone some R5 historically narrow lots to R2.5.

**Affects** Historically narrow lots in the R5 zone.

#### The proposal

- In the ‘a’ overlay, rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, do not allow development unless the lot meets the minimum dimension standards for the R5 zone – 3,000 square feet and 36 feet wide.

Summary of Lots and Area Proposed for Rezoning		
Citywide Statistics*	Lots	Acres
R5 historically narrow lots	14,435	1,804
<b>R5 to R2.5 Rezoning</b>		
R5 Historically narrow lots	7,147	837
Other R5 rezones (not historically narrow lots)	355	42
<b>Total properties rezoned to 2.5</b>	<b>7,502</b>	<b>879</b>

\* Reflects zoning as adopted with the 2035 Comprehensive Plan

#### What is the intended benefit?

There are areas of the city where the **underlying platting pattern does not match the zone**. These areas are mostly zoned R5. Whereas a typical R5-zoned property is 50 feet wide by 100 feet deep (5,000 square feet), historically narrow lots are 25 feet wide by 100 feet deep (2,500 square feet). The platting pattern and the concentration of historically narrow lots in certain areas of the city predates modern zoning and their location is an artifact of history.

Current rules allow development on any legally-created property that meets the minimum lot dimension standards in the zone. For the R5 zone the minimum dimensions are 3,000 square feet and 36 feet wide. Current rules also allow development on sites that do not meet the minimum lot dimension standards if the lot has been vacant for five years. This applies to historically narrow lots. While the “vacant lot provision” has probably prevented some demolitions, it has also led to confusion about the zoning pattern and what is allowed and what is not. This issue is sometimes called the “Five-Year Moratorium.” For more information about historically narrow lots, see Appendix F: *Portland’s Historically Narrow Lots*.

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

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

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

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

As the table above lists, there are several benefits to rezoning some areas to R2.5. The top three are as follows.

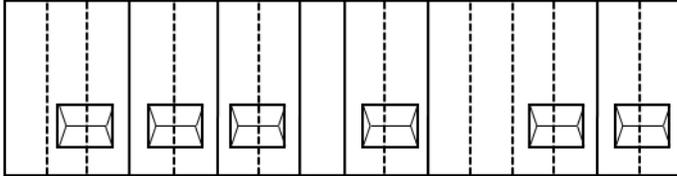
First, it provides **property owners and neighbors with long-needed clarity** regarding what can and cannot be developed on underlying platted historically narrow lots. Rezoning half of the historically narrow lots to R2.5 signals that these areas can and should support additional small lots. Conversely, maintaining the R5 zoning and removing the vacant lot provision for the other half of the properties clarifies what is allowed in those areas.

Second, the rezonings **increase the supply of housing in amenity-rich areas**, as called for in the Comprehensive Plan. The rezonings are based on their proximity to centers, parks, schools and other community amenities as well as consistent zoning extensions and patterns of development.

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

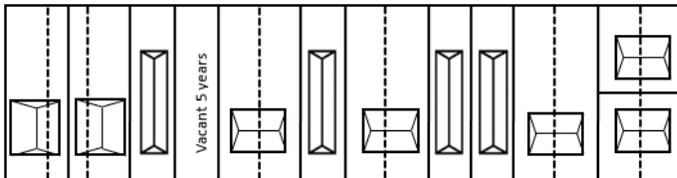
### What else about the proposal should I know?

There are exceptions that would still permit developing substandard R5 lots. For example, if there is already a narrow house built on a substandard lot, the house may be rebuilt if damaged or demolished. Also, if a substandard lot already exists under separate ownership from abutting lots, that stand-alone lot would be allowed to be built (subject to meeting other zoning requirements). Where two or more substandard lots are combined to meet the minimum lot dimension requirements, this combination of lots would also be allowed to build a primary structure.



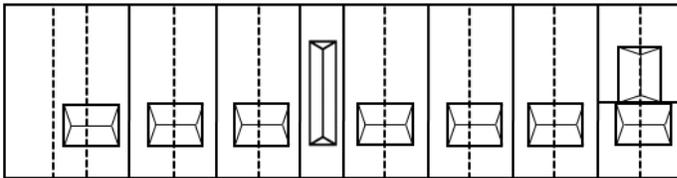
#### Existing historically narrow lots

This shows an example R5 zoned block with 7 tax lots (solid lines) and 16 historically narrow lots (dashed lines).



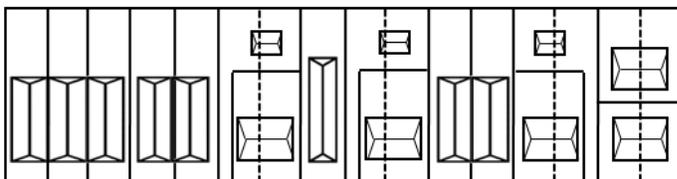
#### R5 - Current infill potential

Under current rules, property lines can be adjusted to create 2 lots. A house can be built on 1 side, leaving the other side vacant for 5 years. The stand-alone lot can be built, skinny houses can be built on the vacant lots, and the corner lot can rotate the property line for detached houses.



#### R5 - Proposed infill potential

With the proposed change, the vacancy rule is replaced with the requirement that lots must be at least 36' wide and 3,000 s.f. The stand-alone lot can still be built, and attached houses on corner lots continue to be allowed.



#### R2.5 - Proposed infill potential

Areas rezoned to R2.5 will have more infill opportunities. Attached houses will be required, and flag lots will be allowed through property line adjustments. Stand-alone lots can be built. Corner lots can rotate property lines for detached houses on wider lots.

### What changed from the Concept Report?

In December 2016, City Council did not accept staff's recommendation to rezone all the historically narrow lots inside the new 'a' overlay zone. The initial proposal affected nearly 90 percent of the more than 14,000 lots that have historically narrow lots. This proposal affects about **50 percent of historically narrow lots**.

This modified proposal, which applies a **focused analysis to identify lots** very close to centers, parks, schools and other community amenities; identify infrastructure and environmental constraints; and create consistent zoning extensions and patterns of development; represents about 7,150 lots, or about 50 percent of these historically narrow lots. Also, small pockets of R5-zoned areas that did not

include historically narrow lots have been included in the proposal (about 350 lots) to provide for a logical transition between existing higher density zones and proposed rezone areas.

(For more information about the criteria used to rezone areas, see *Section 5: Map Amendments*.)

## 10. Make citywide improvements to all narrow lots.

**Affects** Primarily R2.5 zoned properties but also any lot in single-dwelling zones less than 36 feet wide (for example, lots approved through a land division or substandard lots under separate ownership from abutting lots)

### The proposal

For development on lots less than 36 feet wide:

- Require attached houses on lots 25 feet wide or narrower.
- Allow attached and detached houses on lots wider than 25 feet.
- Limit height of a detached house to 1½ times its width.

For example:



*The proposal discourages detached tall houses, individual garages and minimal landscaping.*



*The proposal requires attached houses with landscaping and other design elements.*

### What is the intended benefit?

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

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

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

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

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



Energy Use comparison between detached and attached houses. Source: EPA

**What else about the proposal should I know?**

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

The current rules for narrow lots allow exceptions through either design review, Planned Development review or Adjustment review. The proposed change consolidates these into one land use review type: Adjustment review. The Adjustment review evaluates how a proposal will equally

or better meet the purpose of the requirement being adjusted, ensures that the proposal will not significantly detract from the livability or appearance of the residential area, and requires that any impacts are mitigated.

**What changed from the Concept Report?**

There were no significant changes from the Final Concept Report. However, the requirement for attached houses was expanded from sites where houses were demolished to apply to all narrow lots. In addition to the benefits for attached houses on narrow lots noted above, a uniform requirement is more predictable.

**11. Revise rules for parking and garages on all narrow lots.**

**Affects** Primarily R2.5 zoned properties but also any lot in single-dwelling zones less than 36 feet wide (for example, lots approved through a land division or substandard lots under separate ownership from abutting lots)

**The proposal**

For development on lots less than 36 feet wide:

- Allow, but don't require, parking on narrow lots.
- Continue disallowing at-grade garages on attached and detached houses less than 22 feet wide, but allow tuck-under garages on all attached houses.
- On a lot abutting an alley, require access from the alley when parking is proposed.

For example:



*Detached “skinny” houses with street-facing garages would not be allowed.*



*Wider houses (22 feet or wider) would be allowed to have a garage.*



*Attached houses with no off-street parking would be allowed.*



*If parking is proposed on a lot that abuts an alley, parking must be from the alley.*



*Parking alternative for attached houses:  
Parking pad, no garage.*



*Parking alternative for attached houses:  
Tuck-under garage.*

### **What is the intended benefit?**

Narrow lots present **unique challenges for accommodating parking**. First, their narrow width means that there is already limited curb space for on-street parking and each driveway curb cut removes 15 feet of curb (9-foot-wide driveway with 3-foot aprons on each side). For example, on a 25-foot-wide lot, only ten feet of curb remains. This essentially removes one on-street parking space for an off-street space.

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

For attached houses on narrow lots, the proposal includes an exception to the garage width limit when a **“tuck under”** garage is proposed. These garages are located below the main floor and are typically incorporated into a basement. By lowering the garage and requiring a distinct separation between the garage and main floor, the prominence of the garage is diminished and the entire width of the main floor can be oriented toward the street and not obstructed by the garage.

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

### **What else about the proposal should I know?**

Currently, parking is not required for historically narrow lots, yet a 12-foot-wide garage is allowed on the main floor. Narrow lots created more recently through a land division are required to have parking, but garages are not allowed and alley access is required where alleys are present. The proposal combines these requirements so that parking is not required, but when provided it must be from an alley or, when there is no alley, either a parking pad or tuck under garage is allowed.

The proposed tuck under garage exception applies to attached houses on narrow lots. The proposal limits the garage door opening to 8 feet wide but does not limit the internal width of the garage. It also requires that the main entrance be located above the elevation of the top of the garage door and that the elevation of the bottom of the garage door is at least 2 feet below the elevation of the street. To reinforce the prominence of the upper floor and break up the vertical façade, either a porch, balcony or living area must be located above the garage and project at least 3 feet in front of the garage wall.

#### **What changed from the Concept Report?**

There were no significant changes from the Final Concept Report. However, the requirement to **combine driveways for attached houses** was removed due to potential conflicts with transportation requirements and site-specific situations. In some cases, it may be more advantageous to separate these driveways to retain street trees or preserve more on-street parking.

## **12. Make improvements to the R2.5 zone.**

**Affects** R2.5 zoned properties

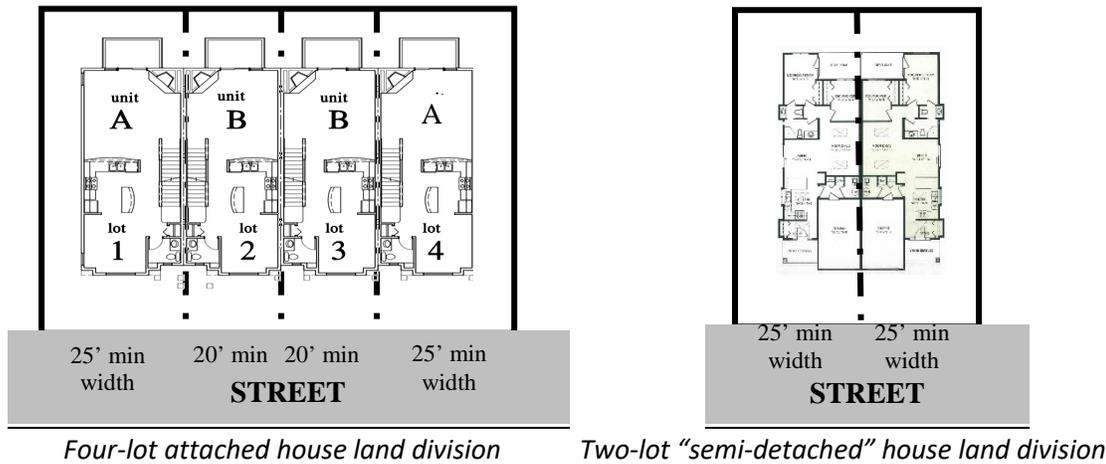
#### **Proposal**

- Require at least two units when new development is proposed on a 5,000-square-foot lot or larger.
- For land divisions, reduce the minimum lot width from 36 to 25 feet.
- Allow property lines to be adjusted to create a small flag lot (less than 3,000 square feet) when a house is retained.
- Create rules for small flag lots that restrict the size of the new house to 1,000 square feet and the height to 20 feet, and require exterior design elements.



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

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



Four-lot attached house land division

Two-lot "semi-detached" house land division

### What is the intended benefit?

While the R2.5 zone has the most flexibility of Portland's single-dwelling residential zones in terms of allowed housing types, not many areas of the city (less than 4 percent) are currently zoned R2.5. Even with the proposed rezone areas (see Proposal #9), the R2.5 zone will only account for 4.4 percent of the city. Moreover, the vast majority of the rezoned areas will be 5,000-square-foot sites with historically narrow lots.

**Two-unit minimum.** The R2.5 zone allows one housing unit for each 2,500 square feet of lot area. However, when a single R2.5-zoned house is demolished on a 5,000-square-foot lot (large enough for two housing units), current rules allow it to be replaced with a single house. This is a lost opportunity for adding smaller housing units in amenity-rich areas. The proposal would allow for a duplex or a house with an ADU to meet the requirement.

**Lot width.** Current rules require new lots in the R2.5 zone to be at least 36 feet wide, unless an exception can be justified. This can be difficult for dividing lots that are 50 feet wide and makes it difficult to retain an existing house on a site. A 25-foot minimum width for attached houses allows a 50-foot wide lot to be divided into two equal 25-foot wide lots and is a logical width for a zone designed at a density of one unit per 2,500 square feet of site area.

**Small flag lots.** Generally, flag lots are a less desirable form of development because the lots are disconnected from the public street. Because they are behind an existing house, they are also located next to the back yards of adjacent houses. On the other hand, flag lots afford infill opportunities while retaining existing houses<sup>4</sup>.

The proposal allows for a small flag lot to be created from two historically narrow lots through a property line adjustment process that is quicker and less costly than a land division. A streamlined review process supports the creation of more fee-simple homeownership

<sup>4</sup> Staff estimates that in proposed rezone areas, less than 10 percent of historically narrow lots are vacant, while lots with flag lot potential is closer to 20 percent.

opportunities with smaller, less expensive units and provides homeowners with the opportunity to capitalize on their investment. The provision encourages the preservation of a house by allowing this process and lot configuration only if a house is retained.

A house size (1,000 square feet) and height (15 feet) limit are also proposed for the house built on the flag lot. Those limits are similar to those that apply to detached ADUs. This maintains an expected urban form.

### **What else about the proposal should I know?**

**Lot width.** For R2.5 land divisions, lot widths for detached houses will remain at 36 feet unless there is existing development or site configurations that preclude wider lots. For attached houses, lot width may be reduced to 25 feet for pairs of attached houses. When there are three or more rowhouses (up to eight), lots for the middle units may be 20 feet wide. This is intended to provide consistent unit widths (as units on the end are required to have 5-foot-wide side setbacks). See the examples above.

**Small flag lots.** Houses on small flag houses would not be allowed to have an ADU. If the house on the small flag lot is taller than 15 feet, it must meet similar design standards as detached ADUs, such as siding material, trim, roof pitch and eave requirements. Since these smaller houses will not be required to provide parking, the width of the flag lot “pole” can be reduced to what is necessary for utility connections.

### **What changed from the Concept Report?**

There were few changes from the Final Concept Report. However, the **small flag lot** proposal has been refined considerably. The Final Concept Report included an allowance for flag lots by adjusting property lines but was silent on the limits that applied to the house on the flag lot. This proposal introduces several standards for houses on small flag lots so that development on the flag lot would more closely follow allowances for detached ADUs.

# Section 5: Map Amendments

Map changes in this section reflect 2035 Comprehensive Plan direction to prioritize growth in areas in and around centers and corridors and increase housing choice and supply. *Section 4: Analysis of Amendments* provides the background and analysis of all the proposals, including the map amendment proposals. This section describes the methodology that was used to develop the map proposals. It is divided into the following subsections:

- **Applying a New ‘a’ Overlay Zone:** Applies the proposed Additional Housing Opportunity overlay zone (new ‘a’ overlay) in select areas;
- **Using an Equity Lens to Inform Map Amendments:** Describes how a displacement risk analysis was used to assess and mitigate impacts to populations most vulnerable to displacement;
- **Rezoning Historically Narrow Lots:** Amends the Comprehensive Plan Map and Zoning Map in select areas that include historically narrow lots from R5 to R2.5; and
- **Removing the Current ‘a’ Overlay Zone:** Removes the existing Alternative Design Density overlay zone from properties not included in the new ‘a’ overlay.

## Applying a New ‘a’ Overlay Zone

The purpose of an overlay zone is to apply distinct rules and requirements to specific geographic areas. The regulations in an overlay zone work in concert with the underlying base zone. This tool can be used to further specific goals. For example, the ‘c’ and ‘p’ overlays advance environmental goals and the ‘d’ overlay advances design goals.

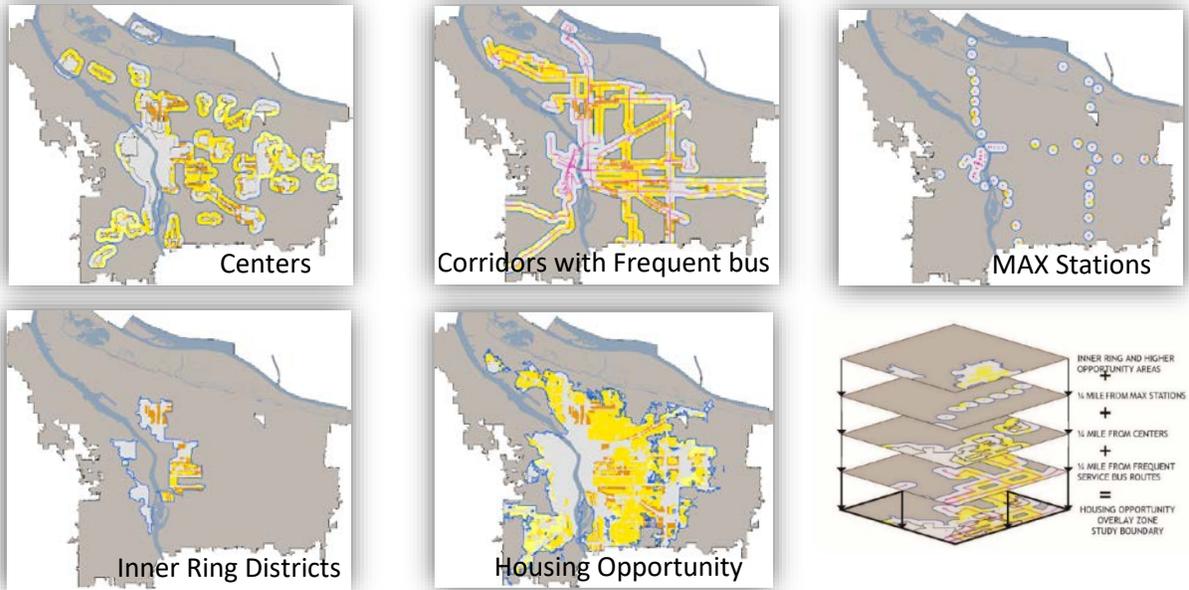
The new Additional Housing Opportunity overlay zone (‘a’ overlay) is proposed in select areas to further Comprehensive Plan goals related to housing choice and adaptability as well as other housing goals in areas that align with Comprehensive Plan growth strategies and future investments. The purpose of the new ‘a’ overlay is to “allow for increased housing choices in high opportunity areas including areas near frequent transit, areas designated as Centers in the Comprehensive Plan and areas close to schools, employment and everyday services. The overlay zone promotes compatible infill development and provides opportunities for a variety of housing types that will accommodate households of varying sizes, income levels and physical abilities. The overlay zone also encourages adaptive reuse of historic properties.”

The proposed ‘a’ overlay was applied to the Zoning Map in five steps:

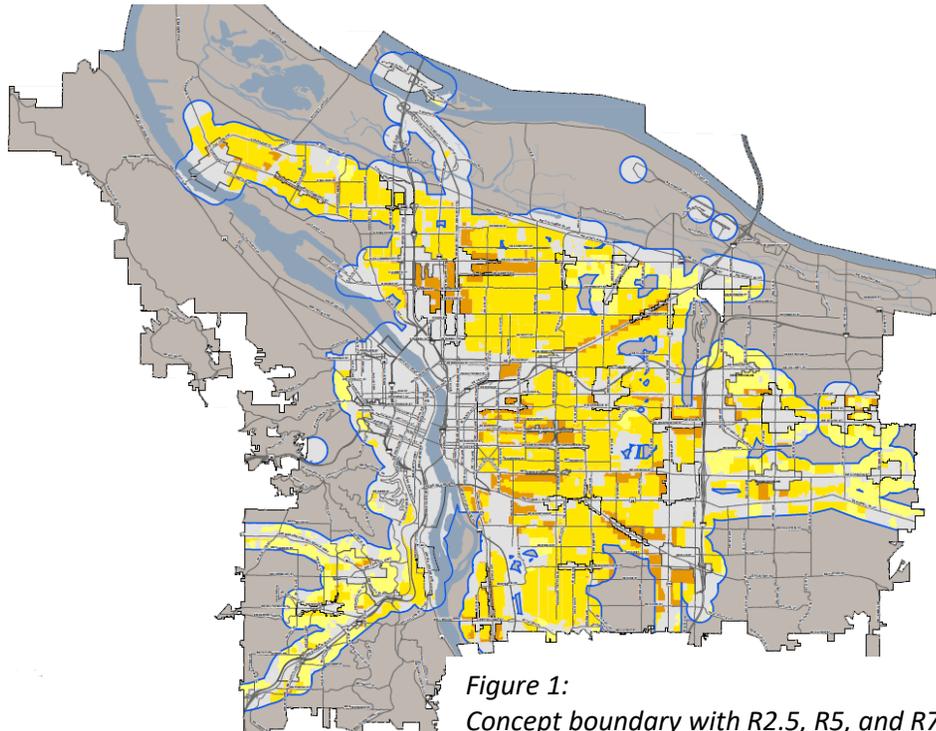
### Step 1. Concept Report Boundary

The Concept Report proposed a boundary within which additional housing types would be allowed in single-dwelling zones. This was the focus of much of the debate during the Concept Phase of the project in 2016. That boundary was based on the growth strategy adopted in the 2035 Comprehensive Plan and contained the following three layers:

1. Areas within ¼ mile (approximately five blocks or a five-minute walk) from:
  - Centers (Central City, Gateway, Town and Neighborhood Centers),
  - Corridors with frequent bus service (15-minute or better headways), and
  - High-capacity transit (MAX) stations;
2. Inner ring districts (neighborhoods within walking distance of Central City); and
3. Medium to high opportunity housing areas elsewhere that may be slightly farther from centers and corridors but still have good transit access, include a well-connected street grid and are near schools, parks and jobs.



*The concept boundary was developed by combining these different*



*Figure 1:  
Concept boundary with R2.5, R5, and R7 zones shown.*

## Step 2. Zoning Patterns and Street Centerlines

Next, the Concept Boundary was refined into a specific boundary based on the following considerations:

1. **Base zones.** All properties that are not zoned R2.5, R5 or R7 were removed from the boundary because the regulations in the overlay zone only apply to R2.5, R5 and R7 zones.
2. **Street centerlines.** When possible, street centerlines were used as the boundary because street locations are less likely to shift than property lines. This approach reduces the creation of split-zoned lots in the future.
3. **Zoning pattern.** Staff avoided creating small pockets or peninsulas of areas inside or outside the overlay zone boundary.

## Step 3. Constraints

With the help of an inter-bureau Technical Mapping Team, over 50 potential constraints were identified and evaluated. Many constraints were determined to have a negligible effect or were not relevant to the application of the proposed overlay, because the effect of the proposed provisions was no different than impacts from current zoning regulations. For example, earthquake hazards are the same for a structure regardless of whether it is a house, duplex or triplex.

However, other constraints related to infrastructure and services, natural hazards or other overlay zone and plan district regulations were relevant. Some of these constraints automatically precluded an area from being included (base constraints), while others by themselves did not rise to the level of excluding an area but in combination with other constraints may have led to an area being removed (aggregate constraints).

- **Base constraints.** Properties with any of the following base constraints were automatically removed from the proposed overlay:
  - Sewer conveyance limitations (due to risks for health and safety)
  - 100-year floodplain (due to risks for health and safety)
  - Portland International Airport Noise Impact Zone (due to risks for health and safety)
  - Glendoveer R7 parcels (due to Multnomah County annexation agreement)
  - Johnson Creek Plan District (includes Transfer of Development Rights allowances<sup>5</sup>)
  - Northwest Hills Plan District (includes Transfer of Development Rights allowances<sup>5</sup>)
- **Aggregate constraints.** Properties that had one of the following constraints were not automatically excluded, but were more closely considered when two or more constraints were present:
  - Stormwater limitations

---

<sup>5</sup> Transfer of Development Rights allowances provide a mechanism for owners of property in flood plain or landslide-prone areas to transfer development rights (dwelling units) to other properties in the district. Providing additional housing opportunities in these areas would weaken the market for transferring units.

- Steep slopes
- Landslide history
- Water service limitations
- Wildfire hazard

**Physical barriers to centers and transit corridors.** Areas where significant physical barriers that limit convenient connections to centers and transit corridors were removed from the overlay. This includes areas with poor street connectivity, steep topography, natural features and other barriers such as freeways and railroads.

**Unpaved streets.** The lack of a paved street means it is harder to bike and walk, and these streets are less accessible for people with mobility impairments. Unpaved streets also bring maintenance concerns due to reduced durability, resulting in increased stormwater issues and more rapid degradation of the travel surface. For these reasons, streets that have not been accepted by the City for maintenance are not eligible to use the additional housing type allowances in the overlay zone. Because the condition of streets will change over time, this limitation is embedded in the Zoning Code provisions of the overlay zone instead of excluding lots on ineligible streets from the overlay boundary on the Zoning Map.

#### **Step 4. Proximity to a Combination of Other Amenities**

As staff evaluated the constraints layers at a finer scale, they identified areas outside the concept boundary where the application of the ‘a’ overlay also makes sense. Some reasons for expanding the ‘a’ overlay in these areas include proximity to amenities, such as MAX stations slightly farther than ¼ mile, community centers, parks, schools, the presence of multiple bus lines and convenient access to services. An example of this expansion includes an area in Arbor Lodge. While not captured by the concept boundary, the area is close to the Rosa Parks light rail station and to commercial services on North Lombard Street.

*Map 2: Proposed ‘a’ Overlay Zone with Areas Subtracted and Added* shows the areas where the concept boundary was expanded based on this step. For more detailed information, refer to Appendix E: *Map Refinements by District*, which contains district maps and a matrix of the reasons why areas were added to the ‘a’ overlay zone.

#### **Step 5. Equity Lens**

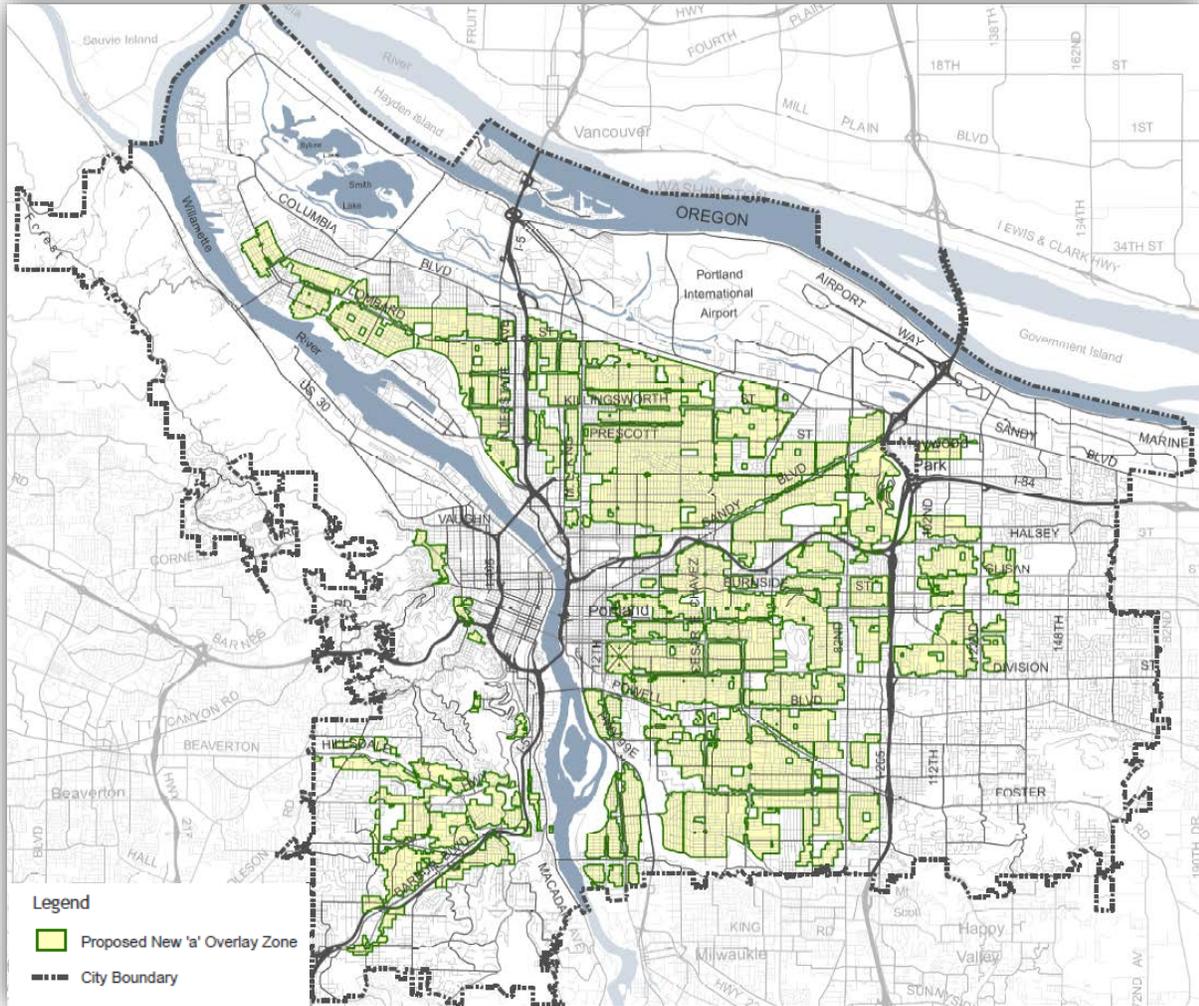
The ‘a’ overlay boundary was then analyzed for potential displacement impacts on vulnerable populations, and further adjusted to lessen potential impact. The result was that the overlay is not proposed in areas with lower access to opportunity and a higher percentage of vulnerable populations.

A detailed description of this methodology is described in the following pages: *Applying an Equity Lens to Inform Map Amendments*. See Appendix E: *Map Refinements by District* for more information on mapping refinement.

## Staff Proposal

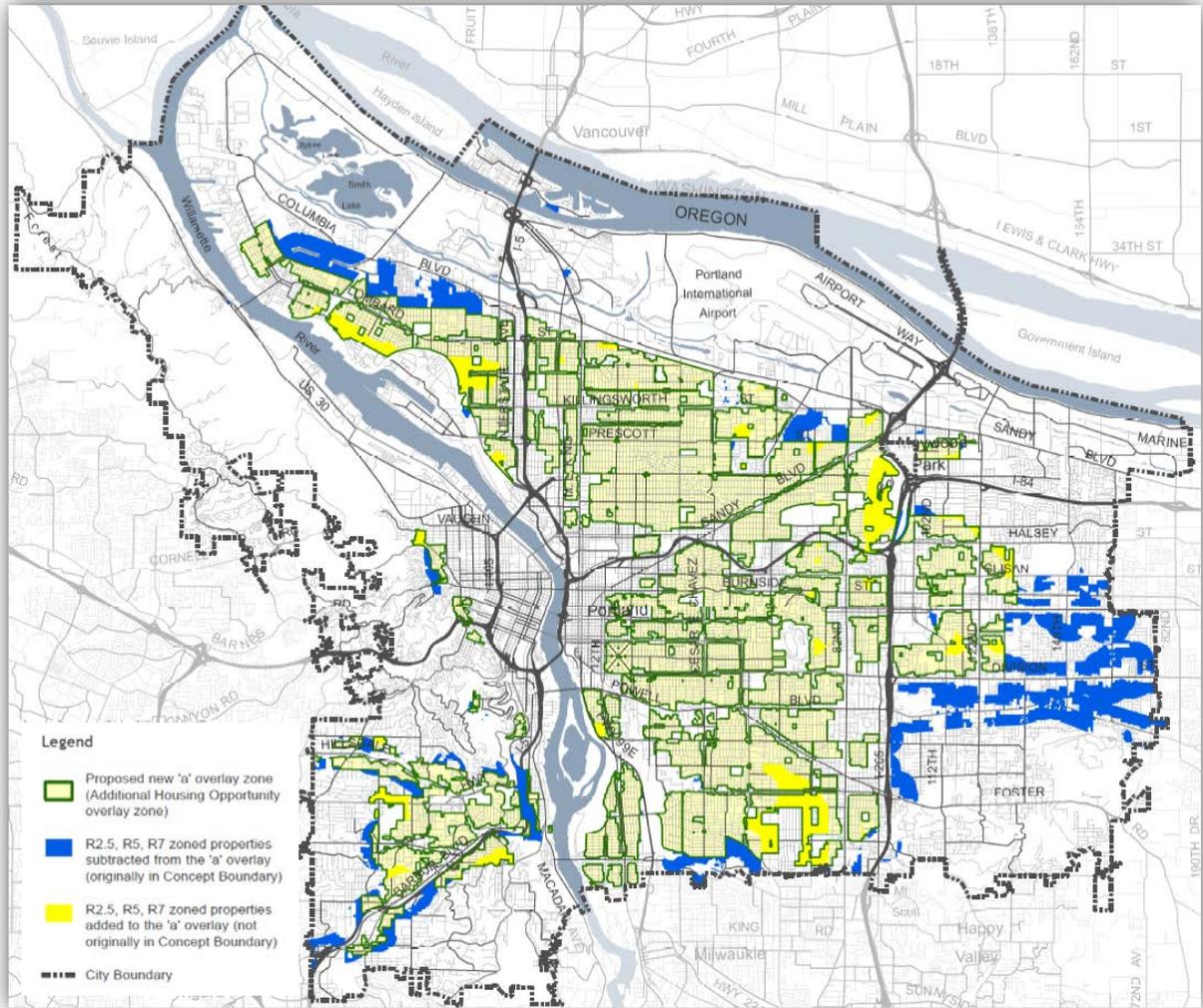
The outcome of these five steps is shown on *Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)*. *Map 2: Proposed 'a' Overlay Zone with Areas Subtracted and Added* shows the areas that were added to the concept boundary in bright yellow. The areas subtracted from the concept boundary are shown in blue.

**Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)**



Lots and Acreage in proposed overlay boundary		
Proposed 'a' overlay	Lots	Acres
R7	9,612	2,178
R5	58,304	8,088
R2.5	18,850	2,215
<b>TOTAL</b>	<b>86,766</b>	<b>12,481</b>
Percent of R2.5-R7	65%	58%
Percent of SF zones	58%	40%
Percent of city		17%

**Map 2: Proposed 'a' Overlay Zone with Areas Subtracted and Added**



# Using an Equity Lens to Inform the ‘a’ Overlay Map Proposal

Zoning changes can result in benefits for some and burdens for others. City policy, embodied in the 2035 Comprehensive Plan, expresses the importance of applying an equity lens when creating plans and policies to avoid negative consequences of land use changes – particularly displacement – on underserved and under-represented communities.

The final step in developing a proposal for the ‘a’ overlay zone was to analyze the potential for overlay zone changes to result in unintended displacement of individuals and families. Based on the findings of this analysis, staff has adjusted the proposal for the ‘a’ overlay zone and, by extension, the extent of proposed R2.5 rezoning of historically narrow lots.

## Displacement Risk Analysis: Overview

The displacement risk analysis focused on areas with high percentages of renters and communities of color – groups who have historically experienced the greatest risk of displacement and the lowest access to amenity-rich or opportunity-rich neighborhoods.

The analysis looked citywide at the relationship between *areas of opportunity* (places with good transportation connections and proximity to amenities and services that people need in their daily lives) and *areas with populations most vulnerable to displacement* (considering race/ethnicity, education level, housing tenure and income). A number of factors, described later in this section, were measured to assess degrees of “opportunity” and “vulnerability” in this analysis.

The Additional Housing Opportunity overlay zone is proposed to be more broadly applied in areas with lower levels of vulnerability and higher levels of opportunity. By increasing the supply and variety of housing options in these areas, more people of all income levels will have access to neighborhoods that have abundant amenities and services and include the ingredients that contribute to social, physical and economic well-being.

The overlay zone was not applied to areas of higher vulnerability and lower opportunity to lessen the risk of displacing lower income residents, particularly renters. Neighborhood-level market

### Equity Guiding Principle

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

pressures, and associated neighborhood change, pose a more serious risk to residents who are less economically resilient to weather these challenges.

Sub-area housing markets within the Portland region are inextricably linked. Opening up greater housing supply and choice in high opportunity/low vulnerability areas will help to relieve housing pressures *throughout* the region, including areas that are not proposed for any zone change. Applying zone changes informed by this analysis follows an “avoid” rather than “mitigate” approach – a prudent approach, considering the devastating effects of displacement on people and communities and the extreme challenge to local government to mitigate the effects of displacement of vulnerable populations after the fact.

## **Displacement Risk Analysis: Measuring “Vulnerability” and “Opportunity”**

This displacement risk analysis examines the interaction between vulnerable populations and areas of opportunity. This analysis allows land use and policy decisions to leverage existing amenities and investments in infrastructure to provide more housing options and housing choice to Portlanders in areas that provide better health and economic outcomes. This analysis also provides an opportunity to limit new household growth in areas that lack access to services, safe active transportation and transit connections, and poorer access to living wage employment opportunities throughout the region.

### **Vulnerability score**

For each census tract, vulnerability is measured with the following four equally-weighted demographic factors:

1. Race/ethnicity: Share of population identifying as a person of color (including Hispanic or Latino); the 2015 citywide average was 28 percent.
2. Education: Share of population over 25 years old lacking a four-year degree; the 2015 citywide average was 54 percent.
3. Tenure: Share of households that are renters; the 2015 citywide average was 46 percent.
4. Income: Share of households that are earning below 80 percent median family income (i.e., \$58,800 for a family of four); the 2015 citywide average was 42 percent.

There are 143 census tracts that encompass the city of Portland. A score was assigned to each of the census tracks based on the quintile that each tract fell into for the vulnerability indicators above – a higher score indicates higher vulnerability.

**Translating census data into a composite vulnerability score.**

To create a composite score, data ranges were converted into quintiles. A quintile is a value that represents 20 percent of the sample (see the table at right). The composite vulnerability score is the simple sum of each census tract’s quintile score for each individual demographic factor.

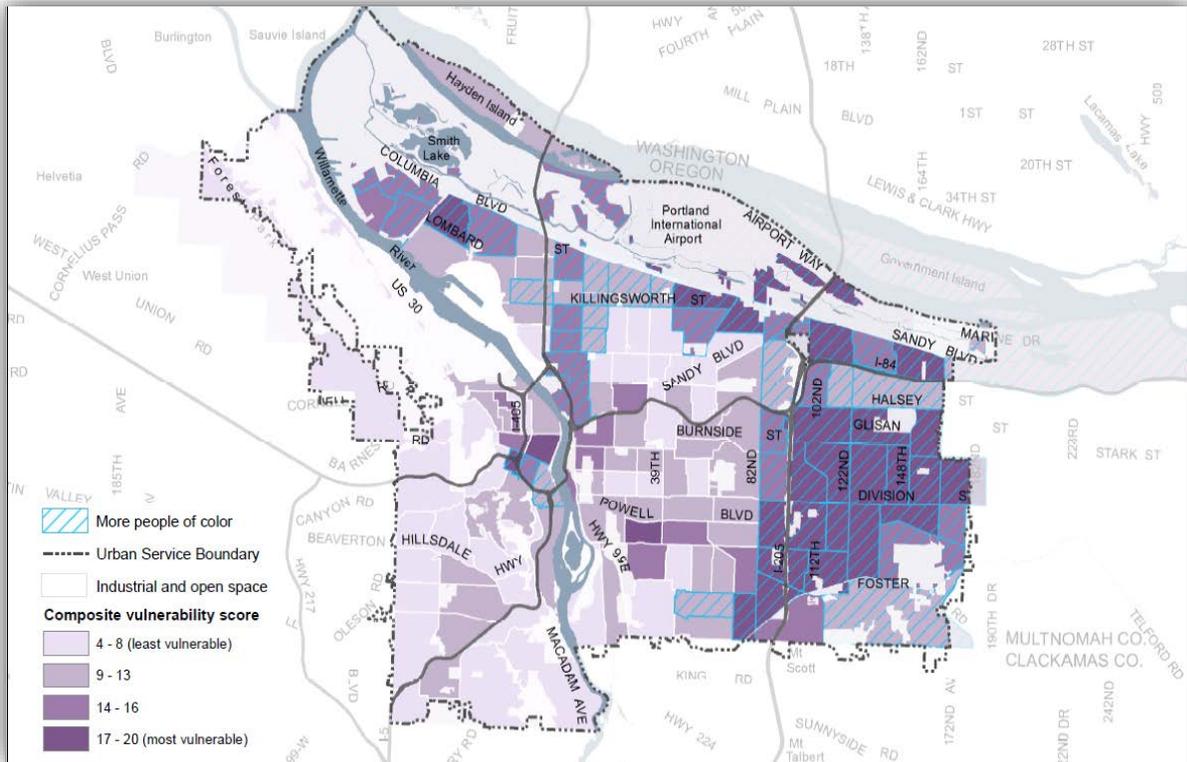
For example, Tract 75 (in the Cully Neighborhood):  
 40.4% people of color (quintile score = 5),  
 66.2% of people lacking a four-year degree (quintile score = 4),  
 42.8% of households that were renters (quintile score = 3), and  
 50.8% of households that were low-income (quintile score = 4).

Therefore, the composite vulnerability score for Tract 75 is  
 $5 + 4 + 3 + 4 = 16$ .

Quintile Share	Quintile Score
<b>Share of people of color</b>	
Up to 15.9%	1
16.0% to 19.7%	2
19.8% to 30.8%	3
30.9% to 39.7%	4
39.8% or more	5
<b>Share of people without a four-year degree</b>	
Up to 34.1%	1
34.2% to 44.1%	2
44.2% to 57.7%	3
57.8% to 76.9%	4
70.0% or more	5
<b>Share of households that are renters</b>	
Up to 25.5%	1
25.6% to 37.7%	2
37.8% to 47.2%	3
47.3% to 62.9%	4
63.0% or more	5
<b>Share of households that are low-income</b>	
Up to 29.3%	1
29.4% to 39.5%	2
39.6% to 46.4%	3
46.5% to 55.0%	4
55.1% or more	5

Because this analysis focuses specifically on people who are vulnerable to housing displacement, particularly communities of color, *Map 3: Composite Vulnerability Score, 2017* highlights the tracts that have higher shares of communities of color – those tracts scoring a 4 or 5 on the communities of color demographic variable above (tracts with a 30.9 percent or higher share of people of color).

**Map 3: Composite Vulnerability Score, 2017**



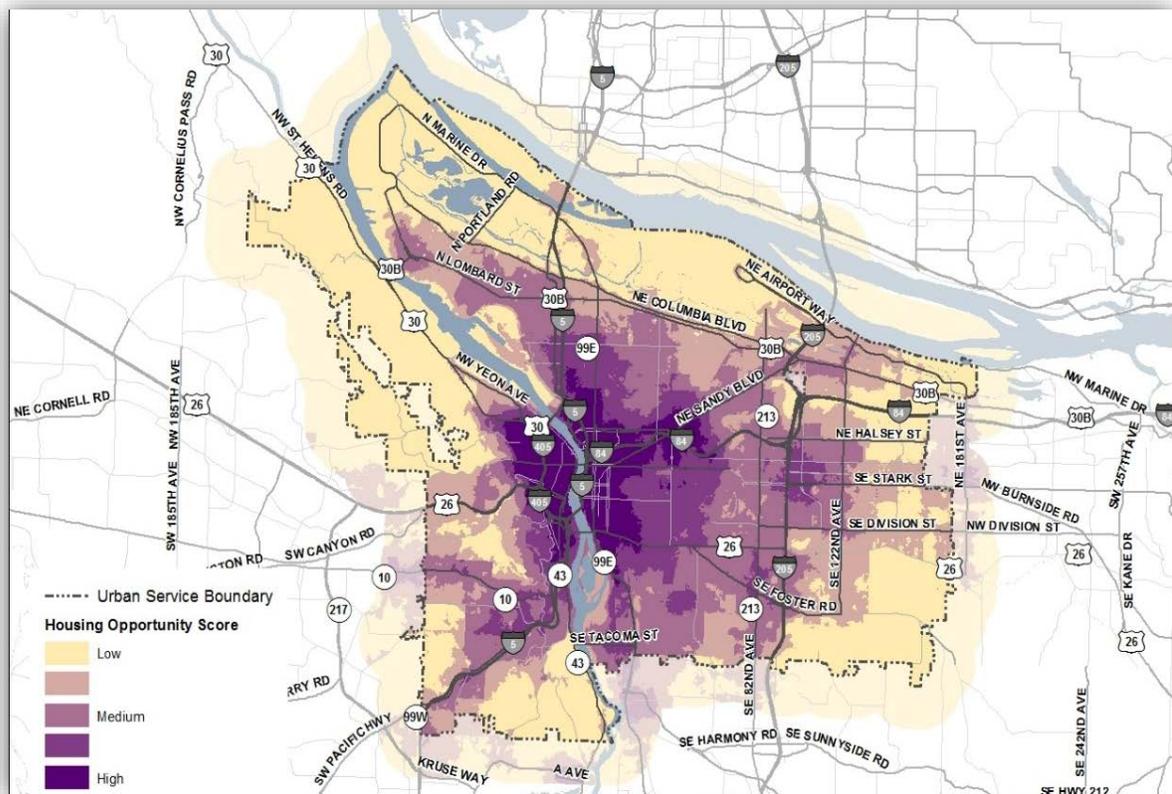
## Opportunity Score

Access to opportunity is a measure of connectivity and proximity to amenities and services people need in their daily lives. Amenities and services used in this analysis include things like access to transit, family-wage jobs, grocery stores, daycare, social services and quality schools and parks. Increasing housing options in walkable neighborhoods near active transportation, employment centers, open spaces, high-quality schools and supportive services enhances quality of life and increases economic mobility for residents. The Portland Plan's Healthy Connected City Strategy and the Comprehensive Plan provide policy guidance to expand opportunities for Portlanders to live in high-opportunity neighborhoods that provide access to a mix of services and amenities.

Housing opportunity, displayed in *Map 4: Housing Opportunity Map*, is measured across the following five equally-weighted factors:

1. Childhood education: Weighted by achievement index of schools (60 percent), high school graduation rates (20 percent) and proximity to high-performing schools (20 percent)
2. Employment: Weighted by the density of family-wage jobs (55 percent), lower-wage industries (35 percent) and proximity to adult educational resources (10 percent)
3. Access to family-wage jobs: Weighted 100 percent by the number of family-wage jobs within 60 minutes using mass transit
4. Transportation: Weighted by proximity to transit (MAX, bus) and bike infrastructure (70 percent), density of sidewalks (20 percent) and density of curb cuts (10 percent)
5. Healthy eating/active living: Weighted by proximity to food sources like grocery stores and farmers' markets (50 percent), proximity to parks and natural areas (30 percent) and proximity to health care providers (20 percent)

**Map 4: Housing Opportunity Map**



## Applying the Analysis to the ‘a’ Overlay Zone

While the Comprehensive Plan calls for increased housing options in high opportunity areas, it may not be desirable to put additional housing in low opportunity areas. These areas lack access to services, safe active transportation and transit connections, and they have poorer access to living-wage employment opportunities. Applying the ‘a’ overlay in these areas may increase the risk of displacement of a vulnerable population.

The displacement risk analysis started by looking at areas with a composite vulnerability score of 14 and higher. As shown on *Map 3: Composite Vulnerability Score, 2017*, many areas were identified.

Next, staff looked at census tracts with a low opportunity score, shown on *Map 4: Housing Opportunity Map*. Several areas were identified, including St. Johns (north of N Smith Street), Portsmouth, Cully (north of NE Prescott Street between Cully Boulevard And NE 82<sup>nd</sup> Avenue), East Portland (east of 122<sup>nd</sup> Avenue) and Brentwood-Darlington (south of SE Duke Street between SE 72<sup>nd</sup> Avenue and SE 82<sup>nd</sup> Avenue).

**Conclusion.** As a result of this analysis, the ‘a’ overlay zone is not proposed in high vulnerability/low opportunity areas. This includes areas in St. Johns, Portsmouth, Cully, and East Portland. In the vulnerability analysis, these areas scored high for the share of renters and people of color. Not applying the ‘a’ overlay to these areas is consistent with Comprehensive Plan policies to prevent displacement.

The eastern portion of Brentwood-Darlington is an exception. The ‘a’ overlay zone is proposed east of SE 72<sup>nd</sup> Avenue in Brentwood-Darlington, despite being identified as a high vulnerability/low opportunity area. This area is different from other high vulnerability areas in that there is a relatively high percentage of homeowners in single-dwelling areas. The census tract contains many renters because of the number of apartments in the area, which would not be impacted by this proposal. Homeowners are less likely to be displaced and may benefit from increased allowances for additional housing units. Therefore, this area was not removed from the ‘a’ overlay boundary.

# Rezoning Historically Narrow Lots

Staff proposes to rezone some areas with concentrations of historically narrow lots from R5 to R2.5. Coupled with the Zoning Map amendment proposal are also amendments to the Comprehensive Plan Map. *Section 4: Analysis of Amendments* provides the background and analysis of these proposals. This section describes the methodology that was used to develop the map proposals.

The proposed rezoning from R5 to R2.5 was applied to the Zoning Map in four steps:

## Step 1. Historically Narrow Lots in the New ‘a’ Overlay

As described in *Section 4: Analysis of Amendments*, recognizing historically narrow lots and allowing them to be developed is another way to provide for housing choice. Therefore, it made sense to begin with areas where policy calls for greater housing opportunity – the new ‘a’ overlay zone – and identify concentrations of historically narrow lots that were zoned R5 within the proposed overlay boundary.

Staff identified these areas by reviewing plats citywide. Single historically narrow lots or small areas with few historically narrow lots were not included. Plats with historically narrow lots are randomly located throughout the city with a high concentration in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city.<sup>6</sup> These lots created the “pool” of lots to start with. Of the approximately 14,400 historically narrow lots in the city, 11,700 (or 81 percent) are in the ‘a’ overlay.

## Step 2. Proximity to Centers and Corridors

While additional housing opportunity in the right areas is a City goal, the pace of change and the concentration of change can be alarming to community members. Because we expect development on easily developed fee-simple R2.5 lots to be faster than other development proposed in the ‘a’ overlay, the rezoning proposal does not include all the historically narrow lots in the ‘a’ overlay. Rather, the rezoning proposal is limited to a two- to three-block proximity to:

- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Commercial zoning and neighborhood commercial uses

---

<sup>6</sup> There are small pockets of historically narrow lots in the West Portland Park area and in Linnton. However, since 2003, these lots have had larger lot size requirements, based on infrastructure and natural hazard constraints.

### Step 3. Physical Factors

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

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.

The presence of the following factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use were not weighed favorably.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were not weighed favorably.

### Step 4. Equity Lens

These proposed zone changes will allow development of more historically narrow lots with fee-simple housing options. Where development occurs, this can potentially displace existing renters but also provides benefits to homeowners in these areas. The equity lens was applied to the rezoning proposal but did not change the outcome.

**Nexus with the Additional Housing Opportunity overlay zone.** Consistent with the reasons for adjusting the boundary of the new ‘a’ overlay, described above, historically narrow lots that were outside the proposed overlay zone were excluded from further consideration. This incorporates strategies that were applied to avoid areas with higher risk of displacement.

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

*Comparison of citywide race/ethnicity composition to proposed rezones*

	White	Black/African American	American Indian/Alaskan Native	Asian-American	Pacific Islander	Other race	Two or more races	Latino/Hispanic
<b>Citywide</b>	71.59%	5.62%	0.57%	7.43%	0.56%	0.25%	4.10%	7.73%
<b>Rezones</b>	74.18%	4.83%	0.66%	6.72%	0.69%	0.29%	4.36%	8.27%

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

The table below shows the geographic distribution of historically narrow lots citywide, how many are in the proposed ‘a’ overlay and how many are proposed to be rezoned. Unsurprisingly, East and West pattern areas have the fewest historically narrow lots, while North has the most. However, within the new ‘a’ overlay, Northeast has the highest number of historically narrow lots. In fact, 100 percent of the historically narrow lots in Northeast are in the ‘a’ overlay.

	Narrow lots citywide	Narrow lots in ‘a’ overlay	% of narrow lots in ‘a’ overlay	Narrow lots proposed to be rezoned	% of narrow lots citywide proposed to be rezoned	% of narrow lots in overlay proposed to be rezoned
North	5,878	3,622	62%	2,269	39%	63%
West	447	158	35%	27	6%	17%
Northeast	4,567	4,567	100%	2,697	59%	59%
East	262	262	100%	170	65%	65%
Southeast	3,281	3,131	95%	1,984	60%	63%
Total	14,435	11,740	81%	7,147	50%	61%

The table shows that out of 14,435 historically narrow lots in the city, half – 7,147 – are proposed to be rezoned.

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

### Conclusion

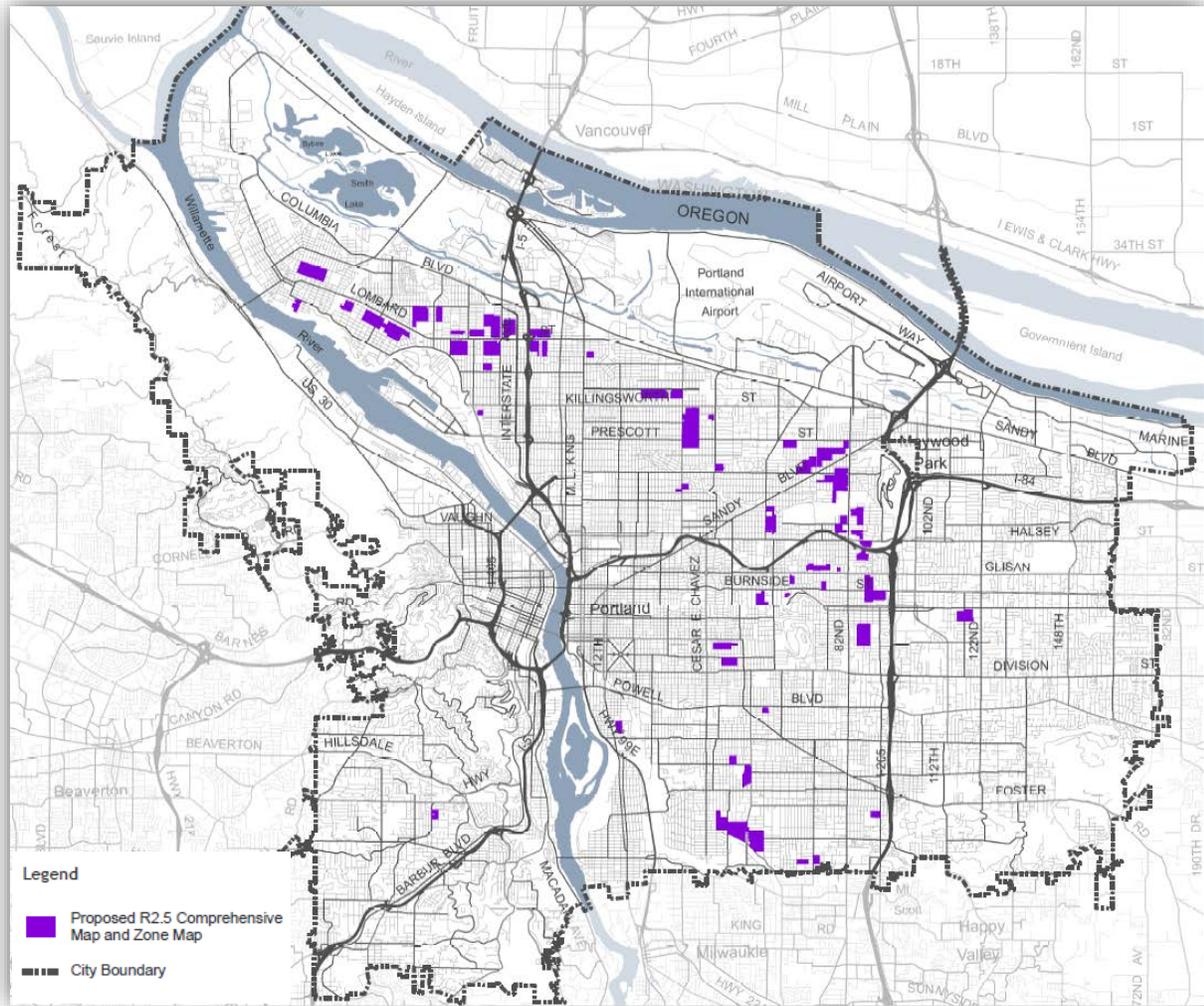
This proposal amends the Comprehensive Plan and rezones about half – 7,147 out of 14,435 – of the historically narrow lots in the city from R5 to R2.5. The rezones are proposed in areas with the most convenient access to services and where physical barriers and site constraints are not present. The proposal does not disproportionately affect one racial or ethnic group more than another. Finally, about two-thirds of the historically narrow lots in the ‘a’ overlay is proposed to be rezoned to R2.5 in each quadrant of the city, except West.

While the proposed ‘a’ overlay would allow a duplex on these lots, rezoning them provides for the opportunity for these properties to be easily divided and for two attached houses to be built.

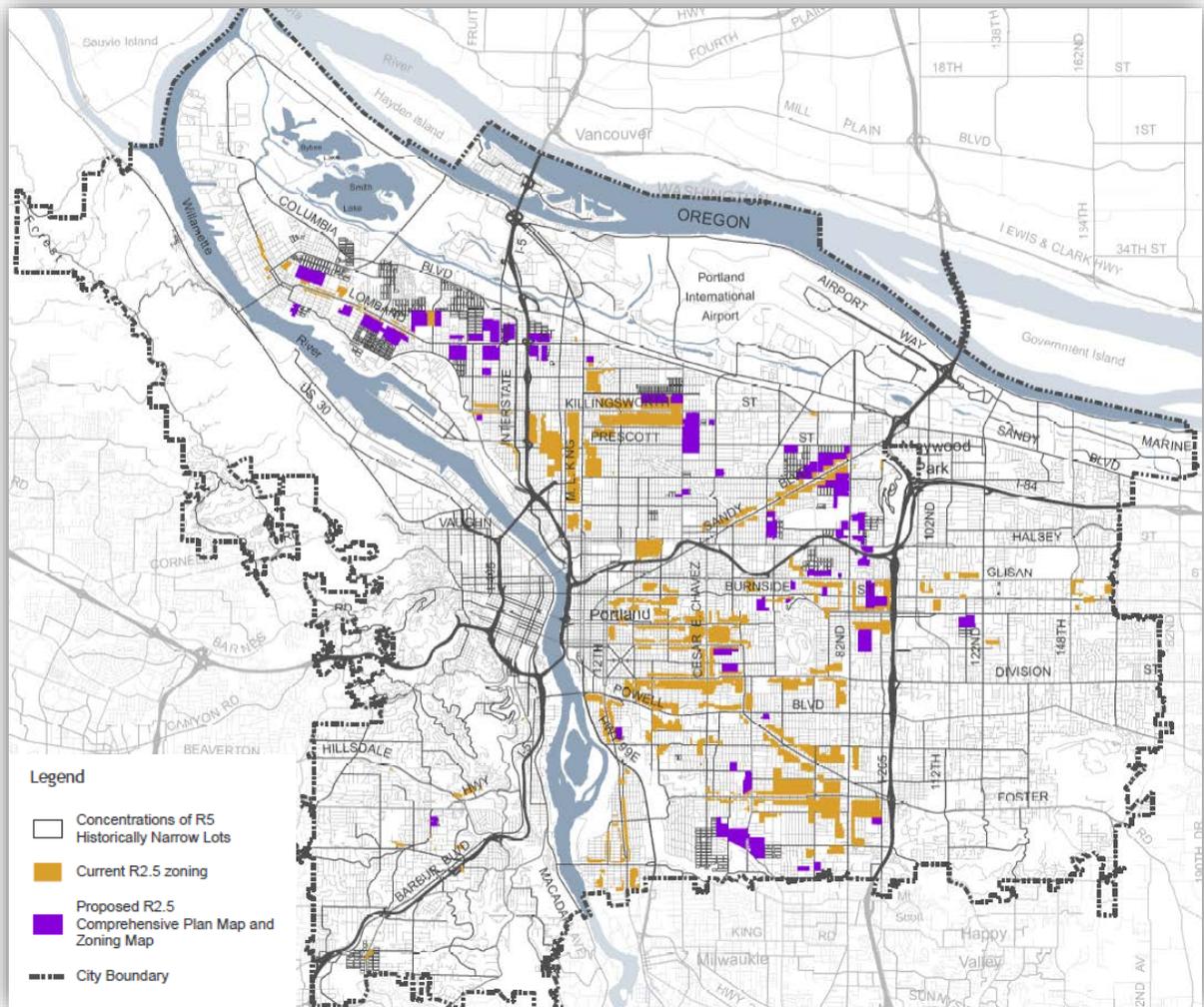
## Staff Proposal

The outcome of these four steps is shown on *Map 5: Proposed Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)*. *Map 6: Rezoning Historically Narrow Lots* shows the proposed rezones in context with other current R2.5 zoning and the distribution of historically narrow lot plats throughout the city.

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



**Map 6: Rezoning Historically Narrow Lots**



# Removing the Current 'a' Overlay Zone

## Proposal

These map amendments remove the current 'a' overlay for all zones citywide. Concurrently, the code is being amended to delete the provisions of the current 'a' overlay (see *Section 6: Zoning Code Amendments* in Volume 2).

## Background

The current Alternative Design Density overlay zone (also abbreviated as the 'a' overlay and to be replaced with the new Additional Housing Opportunity overlay zone [new 'a' overlay]) was adopted with the Albina Community Plan in 1993 and was later expanded to apply to areas in Lents, Powellhurst-Gilbert and Sellwood. In single-dwelling zones the 'a' overlay offered an additional dwelling unit in the form of an internal or detached accessory dwelling unit (ADU), attached residential units on vacant lots and flag lot development options in the R2.5 zone. Design review, with the option of using Community Design Standards as an alternative to discretionary design review, was required for these additional units.

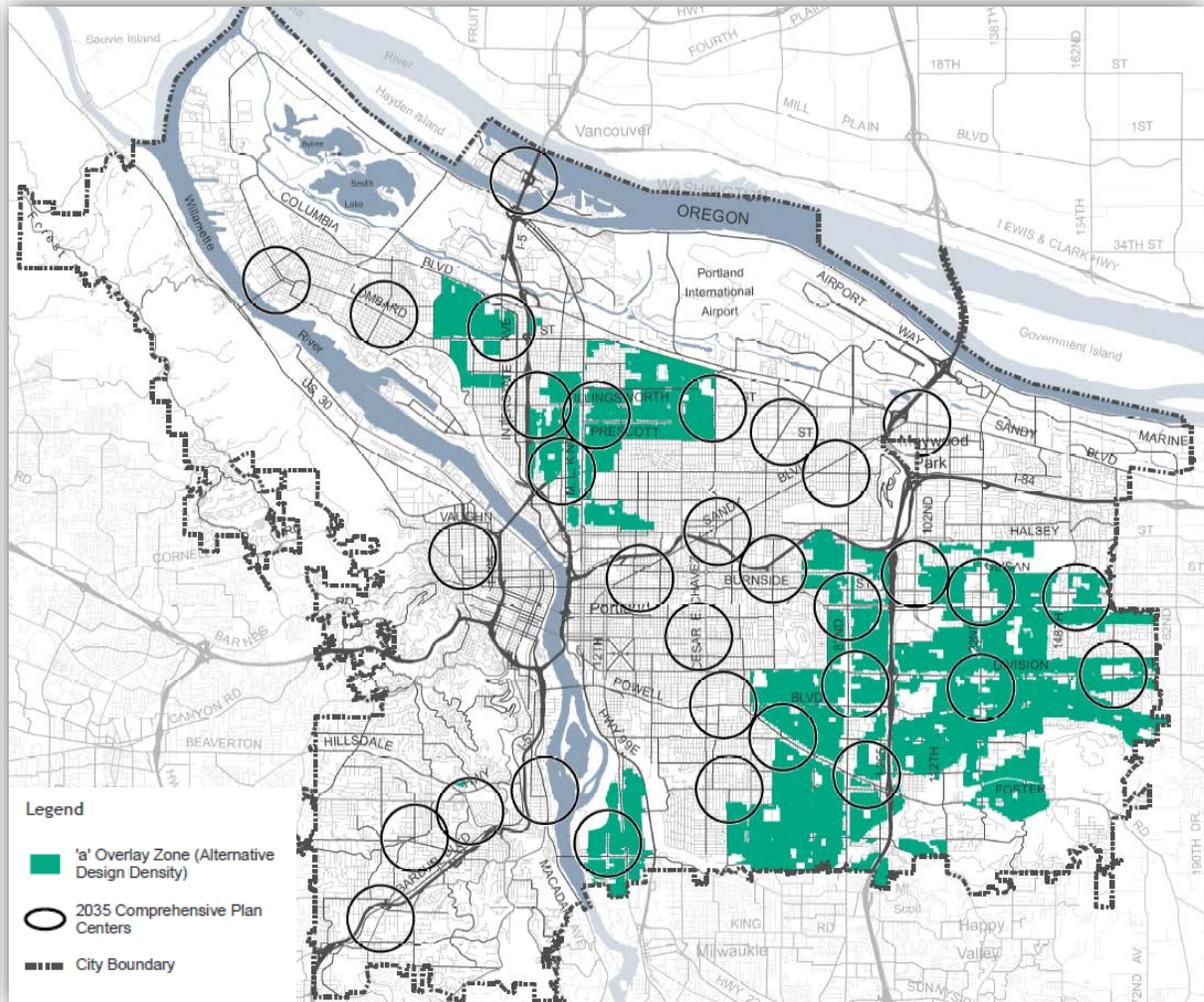
In the intervening years since the current 'a' overlay zone was established, many of the original provisions have been incorporated into the base zone regulations. The provisions that remain in the current 'a' overlay have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have used the 'a' overlay provisions.<sup>1</sup> This was in large part due to the requirements for design review, and later due to the incorporation of similar allowances in the base zones, where design review was not required.

In addition, the location of the current 'a' overlay is inconsistent with the 2035 Comprehensive Plan growth strategy for a variety of reasons. Also, the current 'a' overlay is applied to properties where there are no corresponding regulations, either because the regulations have been removed (e.g., in R10) or the base zoning on the parcel changed from a residential zone to a zone that did not have corresponding regulations in the 'a' overlay (e.g., mixed use and employment zones).

## Staff Proposal

Map 7: Alternative Design Density Overlay Zone to be Removed shows where the current 'a' overlay will be removed.

**Map 7: Alternative Design Density Overlay Zone to be Removed**



### Conclusion

These map amendments remove the current 'a' overlay for all zones citywide. Concurrently, the code is being amended to delete the provisions of the current 'a' overlay. Therefore, properties that have the current 'a' overlay (those in green on the map above), will no longer be able to increase their density using the provisions in the code today. For a list of those provisions, see Proposal #6 in *Section 4: Analysis of Amendments*.