

1. Legal Ad

Documents: [PB LG AD 3-30-15.PDF](#)

2. Agenda

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3. India Street

3.I. Memo For India Street Site Walk

Documents: [INDIA STREET SITE WALK.PDF](#)

3.II. Memo For India Street Workshop

Documents: [MEMO - INDIA STREET WORKSHOP.PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board meeting to be held on Monday, March 30, 2015 will include the following:

- i. India Street Workshop – Historic District and Form Based Code
The Workshop will include a site walk and presentation of the revised draft India Street Form-based Code. Form-based Code is proposed zoning that would replace existing zoning regulations in the India Street Neighborhood. This second workshop is an opportunity for the Planning Board to review the proposal and hear public comment prior to holding a public hearing – no action will be taken at this meeting. Additional information: <http://www.portlandmaine.gov/1114/India-Street>

The Site Walk will be held at 5:00 p.m. Please meet in front of City Hall.

The Workshop will be held at 7:00 p.m., Council Chambers, 2nd Floor, City Hall
Public comment will be taken.

Comments and questions may be directed to Caitlin Cameron, Urban Designer, City of Portland Planning Division, (207) 874-8901 or ccameron@portlandmaine.gov

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

Stuart G. O'Brien, Chair
Elizabeth Boepple, Vice Chair
Sean Dundon
Bill Hall
Carol Morrisette
Jack Soley
David Eaton

AGENDA
PORTLAND PLANNING BOARD MEETING

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STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD



To: Stuart O'Brien, Chair and Members of the Portland Planning Board
From: Caitlin Cameron, Urban Designer, & Alex Jaegerman, Planning Division Director
Date: March 27, 2015
Re: India Street Form-based Code District – Site Walk
Meeting Date: March 30, 2015

I. Site Walk Objectives

1. Observation and Understanding of the following:
 - Neighborhood Architectural Character
 - Location and Rationale of Subdistricts
 - Mid-block Passages (existing and proposed)
 - Retail Corridors
 - Gateways and View Corridors
 - Historic Character and the Historic District Boundary
2. Visualization of FBC impacts

II. India Street Neighborhood

Developing the FBC is highly determined by existing context. This includes the existing building fabric, the building footprints, the height and scale of structures, building placement in relation to the street and other buildings, the proportion and form of facades and roofs. Prior to the site walk, review and familiarity with the following concepts and materials may be helpful preparation.

History and Building Inventory

Julie Larry of Turk Tracey Larry Architects was hired as a consultant in 2012/2013 to inventory all the existing buildings in the neighborhood and write a historical narrative of the neighborhood. Those documents can be found on the India Street project webpage at <http://www.portlandmaine.gov/1114/India-Street>

Historic District Proposed Boundary and Contributing Buildings

The site walk map includes the draft Historic District boundary currently under discussion by the Historic Preservation Board as well as the buildings considered either Landmarks or Contributing Buildings. We will take note of these as we walk through the neighborhood.

Architectural Character

The architectural character is best understood by reading the *History of the India Street Neighborhood* and the *Analysis of Eligibility as a Local Historic District* as prepared by Julie Larry (available online at project webpage) and will be a focus of the site walk.

Architectural elements to observe include:

- Position of building in relation to streets and other buildings
- Height and mass, including changes in building profile (setbacks, stepbacks)
- Fenestration patterns and location
- Entry location and design
- Materials
- Roof lines

The existing architectural character is varied with retail and mixed uses, smaller residential buildings, various religious institutions, and industrial and waterfront industry-related buildings. There are many brick, three-story buildings here accented by the larger institutional structures such as the Cathedral, synagogue, or North School – all also using masonry construction and set back from the street to alleviate the impact of the building scale. Much of the residential architecture includes single family, double-house, and triple-decker types, often brick or clapboard and basic vernacular architecture without a lot of ornamentation. Industrial buildings exist throughout the neighborhood of varying scale and material. Recent construction includes larger scale buildings up to 65' for hotels, the parking garage, and multi-family. There are a variety of roof forms to be found in the neighborhood – flat roof, front-end gable, and mansard being predominant.

Existing Heights and Zoning

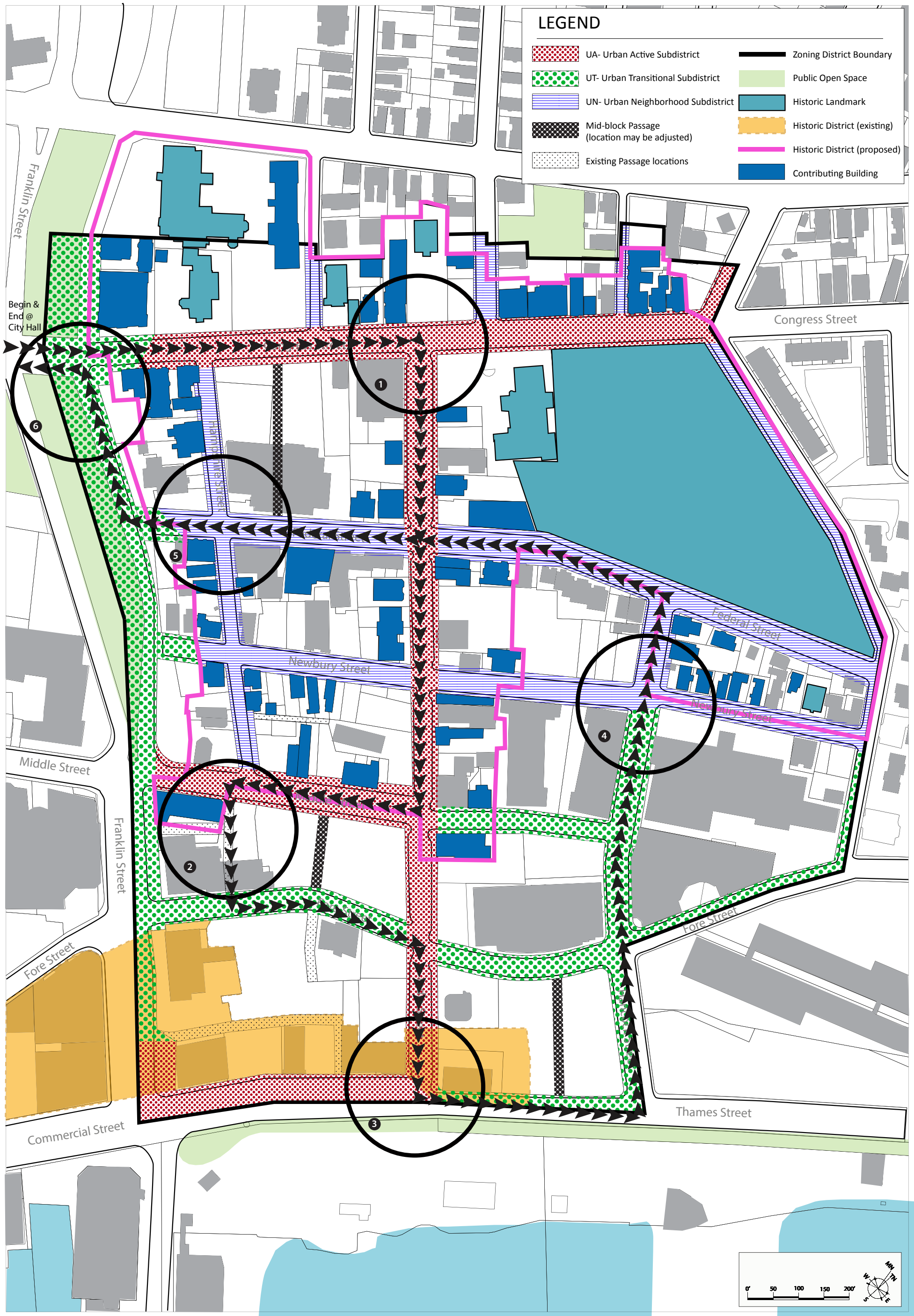
The map below shows the existing zoning and height regulation in the India Street neighborhood as well as the approximate existing building heights. This aspect of the context was studied and considered especially in the development of the Regulating Plan and heights associated with each subdistrict. New development in the neighborhood, such as the parking garage, Bay House, and the hotels, is closer to the waterfront, large in form and tall in height – often around 65' in height and spanning half or whole blocks. Block structure and lot size in this neighborhood is not uniform which also contributes to the varying scale of development. During the site walk we will observe where these building heights and massing occur and how they informed the proposed Subdistrict locations. The three proposed subdistricts and related regulations attempt to achieve a balance and mediation between traditional and contemporary forms as each street type develops.

Attachments

1. Map - Site Walk Route (including Regulating Plan and Historic District Boundary)
2. Map - Existing Building Heights and Zoning

FBC - SITE WALK ROUTE

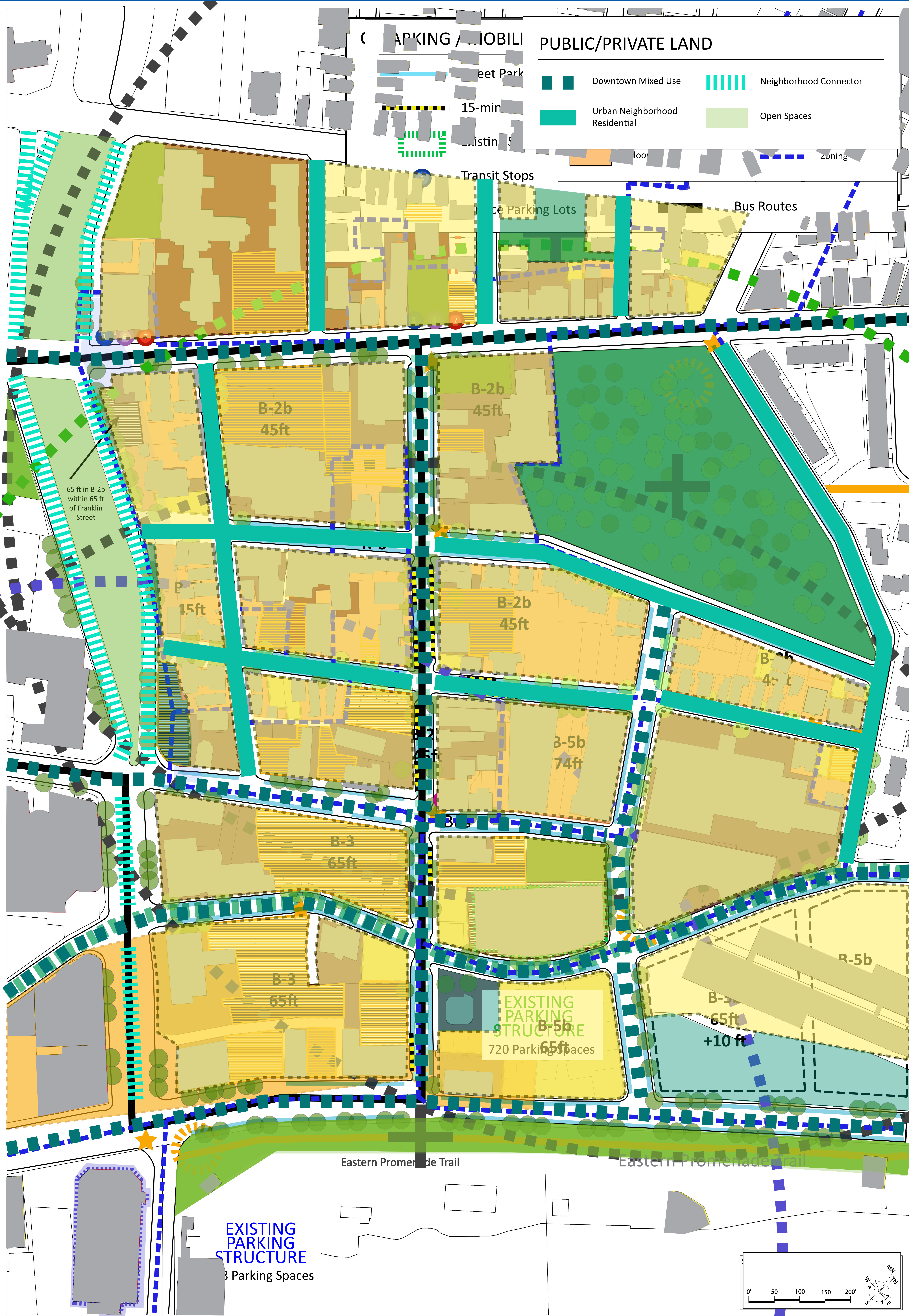
Sustainable Neighborhood Plan INDIA STREET, PORTLAND MAINE



STREET TYPES

Sustainable Neighborhood Plan

INDIA STREET, PORTLAND MAINE





To: Stuart O'Brien, Chair and Members of the Portland Planning Board
From: Caitlin Cameron, Urban Designer, & Alex Jaegerman, Planning Division Director
Date: March 27, 2015
Re: India Street Form-based Code District – Workshop 2
Meeting Date: March 30, 2015

I. Introduction

The intention of the Form-Based Code (FBC) is to provide zoning code that more adequately and appropriately reflects the existing and desired built form and scale of the India Street neighborhood. As a mixed-use neighborhood, separation or regulation of uses is not highly desired or appropriate. The FBC is currently proposed for the India Street neighborhood only and would replace all existing zoning in the neighborhood.

This is the second Planning Board Workshop on this draft code which includes a Site Walk, Lessons Learned from other FBC communities, Review of revisions to the code document, and Introduction to the draft India Street Historic District.

Planning Board Process

Workshop 1 – (2/24/2015) Introduction to proposed Form-based Code (FBC) content

Workshop 2 – (3/30/2015) Site Walk + Discussion of FBC revisions, Introduction to draft Historic District

Workshop 3 – Discussion of FBC revisions, Administration of code, Historic District

Public Hearing – Final presentation of FBC for possible recommendation to Council (It is intended that the recommendations on the FBC and the proposed Historic District converge in the process so that both provisions will be sent to the Council together as a package.)

II. Lessons Learned and Common Mistakes

Common Mistakes

(taken from *Form-Based Codes: A guide for Planners, Urban Designers, Municipalities, and Developers*)

- **Confusing, Overly Detailed, or Insufficiently Detailed Land-Use Tables** – *An important part of the FBC process is to distill the use tables down to one page or just over one page for each zone, but at the same time ensure appropriate compatibility of adjacent uses.*

India Street FBC Strategy – Proposed code does not include land use tables. The IS-FBC lists prohibited uses (high industrial and car-centric uses) and does not otherwise regulate use.

- **Using Density to Regulate Development** – *Density as a primary tool for regulating built form does not produce predictable results and should be avoided in a FBC.*

India Street FBC Strategy – Proposed code does not regulate density. The IS-FBC does provide a height bonus incentive for highly dense residential development.

- **Not Calibrating Parking to the Transect** – *Restrictive parking requirements have been one of the biggest obstacles for high-quality infill and greenfield development. It is a mistake if parking requirements are not calibrated by transect zone in a FBC – suburban parking standards are being required for more urban areas. This typically prohibits, or at the very least often discourages, the desired type of development. For example, retail and commercial uses at mixed-use neighborhood centers located within walkable neighborhoods should not have the same high off-street parking requirement as the same uses in a suburban strip mall context. Using land within a neighborhood center for off-street parking is detrimental to walkable neighborhoods for a variety of reasons, including increase in walking distance to retail and creating holes in the street or building edge.*

India Street FBC Strategy – Proposed code does restrict where surface parking may occur on the site to better reflect the desired urban form and street wall. Proposed code alleviates the off-street parking requirements in the following ways:

1. Encourages the use of shared infrastructure (several projects already propose to use the parking structure to provide required parking spaces)
 2. Relaxing of the on-Peninsula 1-1 residential parking requirement by allowing the first three residential units
 3. Allowing all projects in the district to be eligible for the Peninsula fee-in-lieu of parking
 4. Providing an exception to the length of buildings for the provision of structured parking
- **Not Calibrating Open Space Requirements to the Transect** – *Suburban open space requirements are often being required in urban areas. These requirements should decrease as you move from rural to urban transect zones. Along with parking, this requirement is often a big obstacle for good infill and redevelopment projects. For example, if a code in a downtown requires a certain square footage of shared open space for each project, this will often prohibit projects on smaller lots, thus encouraging lot aggregation and larger buildings that may not be in character with the community.*

India Street FBC Strategy – Proposed code does not include open space requirements.

- **Building Placement** – *One issue often seen is Building Placement Standards that are not specific enough or predictable enough from either a community's or a developer's standpoint. There should be some wiggle room within these regulations, but not so much that the built result is not predictable or that the intent is not clear. A community should know what results to expect from a development, and at the same time, a developer should know whether a submitted project*

adheres to all the regulated criteria. In addition, the developer will know that the value of the project is ensured because the adjacent property will develop in the same manner.

India Street FBC Strategy – Proposed code was developed by studying the existing context and subdistricts. The intent of each subdistrict Siting Standards is to reflect existing conditions in combination with aspirations for the street wall and character desired. Some flexibility exists within the setback requirements to allow for individual projects to make independent choices about the design of the building.

- **Using Lot Coverage Percentage** – *Typically, lot coverage percentage regulations are not used in FBCs, and we recommend against using them. If they need to be used for political or other similar reasons, they must be based on a thorough documentation of an area and must be calibrated by transect zone. The danger is relying on maximum percentage numbers based on suburban development patterns that are not relevant to urban development.*

India Street FBC Strategy – Proposed code uses a lot coverage percentage of 90% which is in keeping with existing urban zoning codes. The concern with allowing 100% lot coverage is two-fold:

1. In the situation where there is a corner lot, a building will not have a rear yard setback in which case, there could be potentially no setbacks or relief to neighboring buildings. Requiring a 90% lot coverage will ensure that there is some spacing between buildings but will be at the developer/designer's discretion on how to achieve that.
2. The neighborhood (and city) has a high percentage of impervious surface. The new code would like to alleviate this to a small degree practicable in an urban neighborhood.

- **Using Floor-Area Ratio** – *FAR has no role in FBC and should not be used. Other regulation parameters provide more predictable results and should be used in its place. An appropriate combination of height, maximum building depth, distance between buildings, and size and massing requirements within Building Type Standards should be used instead.*

India Street FBC Strategy – Proposed code does not use FAR.

- **Not Addressing Frontages** – *Documentation of typical frontages and their application to the FBC regulating system should be considered an integral FBC component because they regulate an appropriate interface between the public and private realms within a community.*

India Street FBC Strategy – The FBC Working Group and the design community have not been in favor of including Frontages as part of the code. The Building Envelope Standards do list the most common and contextual frontage types in the neighborhood as guidance. Staff is willing to include this kind of component if the Planning Board recommends pursuing this option – existing frontage types have been documented for the neighborhood in the building inventory and research.

- **Not Using Administrative Review** – *The intent of going through the FBC process, including the visioning and master planning process, is to establish community and political support for a specific vision that the FBC then regulates for predictable results. Therefore, once the vision is*

established and the FBC is written, projects that meet FBC requirements should be approved administratively.

India Street FBC Strategy – The IS-FBC proposes to adjust the Level III Site Plan review thresholds to allow more projects within this district to undergo an administrative level review (rather than a Planning Board review). An internal staff design review team will continue to review projects.

Comparison of Existing Form-based Codes

Staff examined examples of FBC developed in Yarmouth and Standish in Maine, as well as Knoxville, Cincinnati, Denver, and some California cities. Documents from the SmartCode and the Form-based Code Institute were also consulted.

When reviewing Form-based Codes from other communities and speaking with planners implementing the codes, there were a few key observations:

- Most communities studied have not had many new developments occur under the new code.
- All codes regulate Use in some form which has led to complications integrating code and sometimes creates inconsistencies.
- Not many communities have implemented FBC for the same reasons or intentions as India Street making it difficult to compare outcomes.
- Further consideration should be given to how the code affects existing buildings and the potential for alterations and additions – some dimensional requirements of the code may want to be relaxed in these instances.
- Commit to assessing the FBC 3-5 years after adoption to allow for amendments.

Portland, ME

India Street Form-based Code, India Street Sustainable Neighborhood Plan

Status	In development 2014/15
Scale	Part of City/Town
Implementation Method	Mandatory and Integrated
Site Context	Redevelopment/Infill, Mixed-use Neighborhood
Site Size	57 acres
Administration	City/County Staff, Planning Board
Organizing Principle	Form Districts
Code Consultants	In-house
Agency	City of Portland, Planning Division

Benicia, CA

Benicia Downtown Master Plan and FBC

Status	Adopted April 3, 2007
Scale	Part of City/Town
Implementation Method	Mandatory and Integrated
Site Context	Redevelopment/Infill Greyfield, Mixed-use Neighborhood
Site Size	10 blocks long
Administration	City/County Staff
Organizing Principle	Transect
Code Consultants	Opticos Design, Inc., Crawford, Multari & Clark Associates
Agency	City of Benicia, California Community Development Department

Lessons Learned

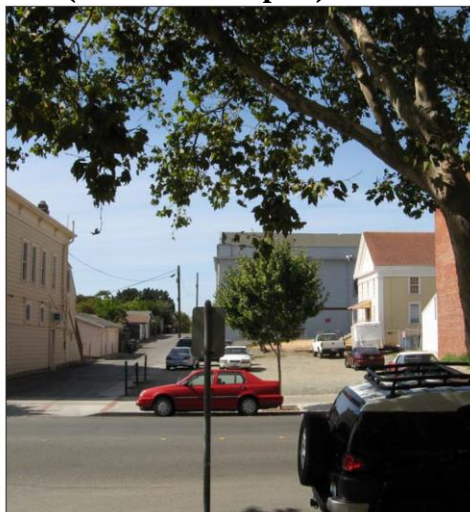
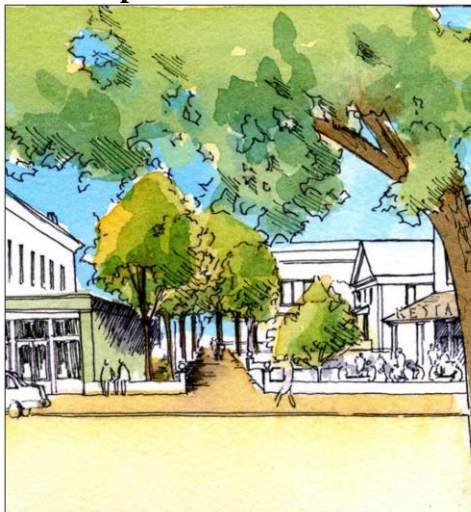
Has the FBC produced envisioned results? The Downtown FBC was embedded in the Master Plan and the impetus for FBC was to do with economic vitality and downtown, mixed-use walkable neighborhood. This area is also completely within a Historic District. There was more development happening prior to FBC adoption and then the Recession slowed development. Although there are several larger redevelopment sites in neighborhood, development under the new code so far has been small-scale and additions. The code functions much more like a Euclidean zoning than form-based code.

Lessons learned as projects have been reviewed under this new code? There are some conflicts with other parts of the comprehensive plans and zoning and requires quite a bit of interpretation to fill these gaps. Some of the regulations conflict with needs such as ancillary building sizes and uses, regulating the finish floor at 12" above grade maximum, and requiring 12' story heights create issues with building additions to buildings with different story heights.

Design Standards and Review: The Downtown Historic District is the overriding document and guides the design review. All projects go to Historic Commission for design review. There is no staff level review because of the Historic District overlap.

Changes and Amendments to Code: There have been no amendments since 2007. Some amendments were brought forward but not taken up by the Planning Commission. Staff recommends that the plan should have included the commitment to assess the code after 3-5 years.

FBC: Aspiration vs. Current Conditions (no built examples)

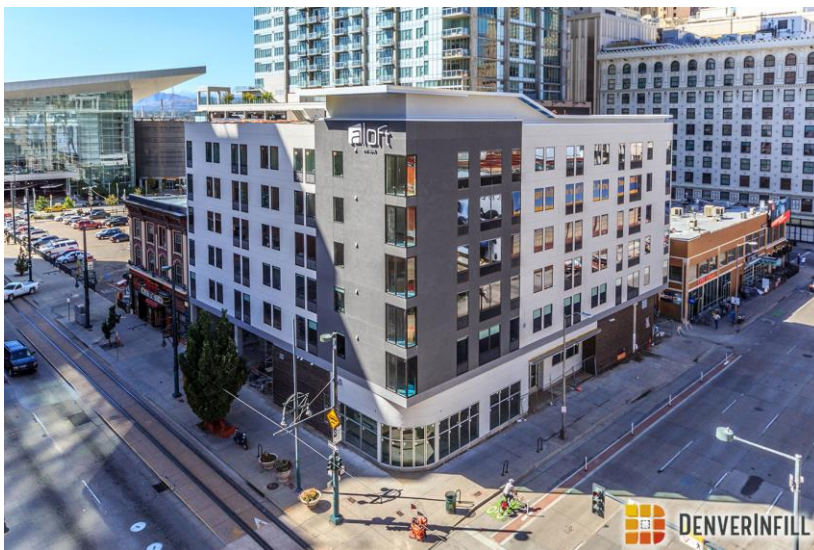


Denver, CO

Denver Commons Code

Status	Adopted December, 1997
Scale	Part of City/Town
Implementation Method	Mandatory and Integrated
Site Context	Redevelopment/Infill Greyfield
Site Size	-
Administration	City/County Staff
Organizing Principle	Transect, Design Guidelines
Code Consultants	Design Workshop, Inc.
Agency	City and County of Denver, Trillium Corporation

FBC: Aspiration vs. Built



Standish, ME

Form Based Code Village Districts (FBCVD), Standish Corner Village Master Plan

Status	Adopted June 8, 2011
Scale	Part of City/Town, Transportation corridor
Implementation Method	Mandatory and Integrated
Site Context	Greenfield, Infill
Site Size	4 square miles
Administration	Planning Board
Organizing Principle	Frontages and Street Types
Code Consultants	GrowSmart Maine, MRLD, Alan S. Manóian
Agency	Town of Standish

Lessons Learned

Has the FBC produced envisioned results? Fewer projects have been built than was expected which attributed to the slow economy. Family Dollar (built 2014) is most recent example. The project does not meet all the expectations for the FBC – Planning board felt the project could have reflected the existing character more. For example, the Family Dollar proposed a flat roof which was rejected.

Lessons learned as projects have been reviewed under this new code? The FBC requires the new development to build the road system perpendicular to Road 25 (state arterial) has and this requirement has contributed to the slowed development. 46' curb to curb required which is large and cost prohibitive; the City needed to adjust these requirements to allow new development.

Design Standards and Review: Planning Board reviews all new projects, including the design which aspires to have a “New England Cape” style. Buildings can change use without going to the Board. Existing FBC Design Standards are limited to fenestration requirements, blank walls, building projections, and frequency of openings (50'). Staff and Planning Board realized more design standards are needed after the experience with the Family Dollar.

Changes and Amendments to Code: Some small changes were made after consultant draft. The biggest change needed is to reduce the infrastructure required to be built by the developer.

FBC: Aspiration vs. Built (Family Dollar)



Yarmouth, ME

Character-based Development Code

Status	Adopted May 6, 2013
Scale	Transportation corridor
Implementation Method	Mandatory and Stand-alone
Site Context	Redevelopment/Infill
Site Size	Corridor
Administration	Consolidated Review Committee, Supplemental Planning Board
Organizing Principle	Frontages
Code Consultants	Town Planning and Urban Design Collaborative
Agency	Town of Yarmouth

FBC: Aspiration vs. Existing (no built examples)



III. Summary of Revisions (Attachment 1) – Revisions are shown as markups

- a. Purpose – Text revisions to clarify and emphasize statements of intent for the district as a whole.
- b. Definitions – Some definitions were removed as superfluous and some were revised to reflect the changes in the overall document.
- c. Subdistricts – Text revisions were made to bring each Subdistrict description parallel in organization.
- d. Regulating Plan (Attachment 2) – The Regulating Plan has four revisions:
 - i. Text change in the legend for clarification
 - ii. Depiction of an additional private passage
 - iii. Extension of the UT subdistrict on Mountfort Street to Newbury
 - iv. Removal of the mid-block passage depicted below Fore Street
- e. General Development Standards –
 - i. Mid-block Permeability
 - 1. Text revisions for clarity
 - 2. Additional language encouraging the voluntary creation of mid-block passages where not required
 - 3. New height bonus proposed for any mid-block passage that is publicly accessible
 - ii. Height Bonus
 - 1. Format changes to shorten section; addition of a table to clarify the content
 - 2. New height bonus proposed for any mid-block passage that is publicly accessible
 - iii. Parking Standards
 - 1. Text changes for clarity of intent
 - 2. Revisions to the structured parking exception
 - iv. Building Envelope Standards – this section was moved and reformatted (see below)
- f. Subdistrict Dimensional Requirements - Overall format changes for legibility and clarity of intent
 - i. Siting Standards – These include setbacks, building frontage lengths, lot coverage, and landscaping/screening.
 - 1. Lot Coverage – changed to 90% (from 100%)
 - 2. Side Yard Setbacks were removed from UN and UA (in response to resident feedback and review of building inventory)
 - 3. Clarification of Frontage Requirements Build-to Line – 75% of building length must be built within the 1st Lot Layer (up to 50’ in UN and UA, up 100’ in UT)
 - 4. Revision of diagrams to use the Lot Layer system
 - 5. Addition of standards for Accessory Buildings
 - ii. Height Standards
 - 1. Principal Building heights remain the same
 - 2. Addition of standards for Accessory Buildings (25’ max)
 - iii. Building Envelope Standards (BES) – BES were revamped based on the Planning Board, public, and stakeholder comment. This section is

applicable to all three Subdistricts but includes tables for some quantifiable standards which differ between Subdistricts. The BES are organized by category and include Intent, Guidelines, and Standards:

1. Proportion
2. Articulation Elements
3. Fenestration
4. Building Entries
5. Building Materials

Review: Several communities use Design Review Committees to review projects. The IS-FBC proposal is for projects to continue to have in-house design review which currently is performed by a committee of three Planning Division staff members including the Urban Designer.

iv. Parking Standards

1. Garages now required to be setback from primary face of building to at least the 2nd Lot Layer
2. Curb cut regulation was change to frequency rather than number

g. Corner Conditions

- i. Revised format for clarity
- ii. Change in policy – UA subdistrict is always dominant (previously, more restrictive height was dominant)
- iii. Removal of superfluous content

h. Additional Diagrams – Existing diagrams were updated and new diagrams added:

- i. Mid-block Permeability
- ii. Lot Layers
- iii. Frontage Requirements

i. Administration – The Form-based Code will become a section of the existing Chapter 14 Land Use Code, Division 15 Zoning and development projects will continue to be subject to Site Plan and Subdivision Ordinances. Staff would like to discuss the administrative and procedure components of the code more thoroughly at Workshop 3. Staff proposes to adjust the thresholds that trigger level of Site Plan review making more IS-FBC projects eligible for staff-level review.

j. Other Considerations – Some FBC address elements such as streetscape design or signage. In this case, we are relying on the impending development of a Complete Streets Design Manual for the City of Portland to guide that aspect of the neighborhood design. There is also existing sign permitting policy which will remain for this neighborhood. The sign ordinance would be amended to include FBC subdistricts.

IV. Workshop 2 Goals

- Evaluation of the proposed code content
 - i. Based on site observations
 - ii. Compared with the Lessons Learned from other communities
- Code Organization and Components
 - i. Formatting: Provision of maps, diagrams, tables and narrative to convey information clearly and easy to use;
 - ii. Feedback on Building Envelope Standards revisions
- Familiarization with draft Historic District boundary as it relates to the neighborhood boundary and Subdistricts

Attachments

1. India Street Form-based Code Draft v2
2. Regulating Plan
3. Draft India Street Historic District Boundary
4. Public Comment

DIVISION 15.2 IS-FBC - INDIA STREET FORM-BASED CODE DISTRICT

Sec. 14- XXX. Purpose

The India Street Form-based Code is different than traditional zoning, placing the primary emphasis on a buildings physical form and its relationship to the street, ~~with a secondary focus~~ and de-emphasizing on land uses. The intent of the India Street Form-based Code district is to establish a zoning district that encourages a vibrant, walkable, mixed-use, urban district, preserves and values the existing historic neighborhood fabric, and fosters and supports local businesses and residential areas. The components of a Form-Based Code include the Guiding Principles, REGULATING PLAN, Subdistricts, General Development Standards, Dimensional Requirements, BUILDING ENVELOPE STANDARDS, Diagrams, and Definitions.

The goal of the India Street Form-based Code is the creation and preservation of an ~~active-vital~~ and human scale public realm and the reinforcement of existing neighborhood character through good street space design.

The General Guiding Principles set forth here shall be applicable to all subdistricts within the India Street Form-based Code.

1. The street is a coherent space, with consistent building and streetscape character on both sides of the street. This agreement of buildings and streetscape across the street contributes to a clear public space and district identity.
2. The street wall is visually well defined. Land should be clearly public or private. Buildings contribute to the vital and safe public space while providing a clear boundary to the private, protected realm.
3. Street walls are engaged with the street environment. Buildings are inviting places that interact with and contribute to the street vitality. Inactive edges, ~~V~~ vehicle storage, garbage, and mechanical equipment should be kept away from the street. Shared infrastructure to the extent practicable, including, but not limited to service alleys, parking areas, stormwater treatment, public transportation facilities, and driveways, shall be utilized.
4. Buildings are designed for the urban environment. Buildings must be designed for the urban situation within the district which often includes mixed-uses. Buildings are positioned near the street and ~~F~~ facades are oriented to the street.
5. Respect historic character. If your property is within the India Street Historic District, **Sec. xx** is applicable. New development, ADDITIONS, or ALTERATIONS in the India Street Historic District shall reflect and complement the character defining features and elements of the existing historic development to which it is visually related.

Sec. 14- xx Applicability

The requirements set forth in this Division shall apply to all new development, primary and accessory structures, including ADDITIONS and ALTERATIONS within the India Street Form-based Code District as designated on the India Street REGULATING PLAN.

Sec. 14-xx Other Provisions

All development must comply with relevant Federal, State, and City regulations. Whenever any provision of this Code imposes a greater requirement or a higher standard than is required in any State or Federal statute or other local by-law or regulation, the provisions of this Code shall govern unless preempted by State or Federal law.

Sec. 14-xx Severability

The provisions of this Code shall be severable, and in the event one (1) or more of the provisions of this Code shall be judged to be invalid or unenforceable, the validity and enforceability of the remaining provisions shall not in any way be affected or impaired by such adjudication.

Sec. 14-xx Compliance with the Regulating Plan

Within the India Street Form-based District as presented on the REGULATING PLAN, all lots hereafter created or modified, all buildings and structures hereafter erected, reconstructed, altered, enlarged or moved, all uses hereafter established, all other development or improvements, and all plans, applications and submissions shall comply with the requirements of this Form-based Code, as well as with all provisions of this Zoning Ordinance that are not superseded by the Form-based Code.

Sec. 14-xx Definitions

Terms used throughout this Form Based Code may be defined in Section 14-47 or elsewhere in the Zoning Ordinance. Terms not so defined shall be accorded their commonly accepted meanings. In the event of any conflict between the definitions in this Section and those in Section 14-47, or any other sections of the Zoning Ordinance, the Subdivision Rules and Regulations, or any other local land use ordinances, rules or regulations, those of this Form-based Code shall take precedence.

ADDITION: Any increase to footprint or volume of an existing structure. See Table 14.1c. Building – Principal & Accessory

ALTERATION: A change or rearrangement in the structural supports, exterior appearance, height, width or depth, moving of a structure from one location or position to another, or changing, adding to, or removing from or otherwise affecting the exterior appearance of a structure.

~~BLOCK: The aggregate of private lots, passages, and rear alleys circumscribed by streets.~~

~~BLOCK FACE: The aggregate of all the building facades on one side of a block.~~

BUILDABLE AREA: The area enclosed by the front, side, and rear yard setbacks.

~~STRUCTUREBUILDING~~, ACCESSORY: Detached structure that is incidental and subordinate in area and extent to the principal structure(s) on the property. A lot may have more than one accessory ~~structurebuilding~~. See Table 14.1c. Building – Principal & Accessory

~~STRUCTUREBUILDING~~, PRINCIPAL: The main structure(s) on a lot having the predominant area and extent. A lot may have more than one principal ~~structurebuilding~~. See Table 14.1c. Building – Principal & Accessory

STRUCTURES/BUILDINGS, ATTACHED: Two or more independent ~~structures-buildings~~ that share at least one common wall but have full building separation; not free-standing. Attached ~~structures-buildings~~ may or may not have common ownership.

BUILDING ENVELOPE STANDARD (BES): The basic parameters governing building form, including ~~the building envelope and required and preferred intent, guidelines and standards for~~ architectural elements such as proportion, articulation, fenestration, entries, roof lines, ~~façade composition, and~~ materials, ~~and articulation~~.

~~DRIVEWAY: The area used for vehicular access to an off-street parking area from a street or alley. Driveway shall also include the area used for vehicular access to areas of the zoning lot other than an off-street parking area.~~

ELEVATION: An exterior wall of a building not along a frontage line. See Façade and Table 14.1e. Frontage & Lot Lines

~~ENTRANCE: Point(s) of access for pedestrians into or out of a building that do not serve as the main point of access. A building may have more than one entrance.~~

ENTRANCE, PRINCIPAL: The main point of access for pedestrians into a building. A building may have more than one principal entrance.

EXPRESSION LINE: A line prescribed at a certain level of a building for the major part of the width of a Façade, expressed by a variation in material or by a limited projection such as a molding or balcony.

FAÇADE: Any exterior wall of a structure exposed to public view from a public right-of-way. See Elevation and Table 14.1e. Frontage & Lot Lines

FAÇADE, BLANK: Building façade that contains expanses of wall area with no windows, no entrances, and no other elements or features, or is otherwise undifferentiated.

FRONTAGE: The area between a building façade and the vehicular lanes, inclusive of its built and planted components. Frontage includes private and public frontage. See Table 14.1e. Frontage & Lot Lines

FRONTAGE LINE: A lot line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lot lines. See Table 14.1e. Frontage & Lot Lines

FULL BUILDING SEPARATION: The condition of having a vertical party wall between two attached structures.

GREEN ROOF: A roof of a building that is partially or completely covered with vegetation. A green roof may serve the purpose of, but not limited to, stormwater retention or slowing, energy conservation, insulation, reduced heat island effect. Green roofs may be considered pervious for impervious calculations.

LOT LAYER: A range of depth of a LOT within which certain elements are permitted. See Table 14.1d. Lot Layers

~~LOT, CORNER: A lot on the junction of and abutting two (2) or more intersecting streets where the interior angle of intersection does not exceed 135 degrees.~~

PARTY WALL: A wall common to two adjoining attached buildings~~structures~~.

PASSAGE: A pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through ~~long~~ blocks

~~PREDOMINANT: Architectural elements or characteristics being most frequent or common in a given subdistrict.~~

~~PREFERRED: A predominant architectural element or characteristic sanctioned as being an acceptable design choice in a given subdistrict. Any proposed architectural element or characteristic not listed as preferred shall require additional design review for compatibility with context.~~

REGULATING PLAN: A zoning map or set of maps that shows the boundary of the area and subdistricts subject to, or potentially subject to, regulation by the India Street Form-based Code.

STEPBACK: A building setback of a specified distance that occurs at a prescribed number of stories or height above the ground.

~~STOOP: A private frontage wherein the façade is aligned close to the frontage line with the first story elevated from the sidewalk with an exterior stair and landing at the entrance.~~

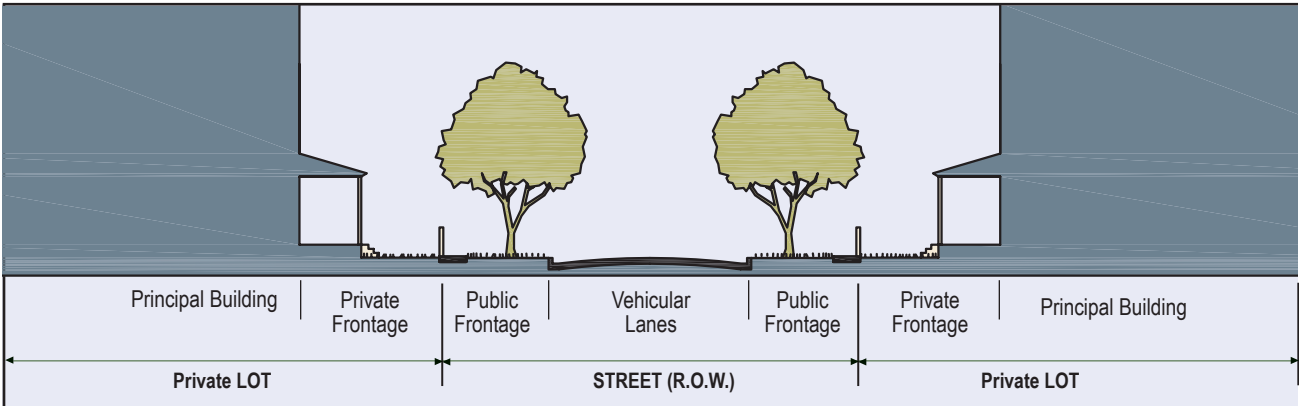
YARD, SIDE: A yard adjoining a side lot line extending from the front yard to the rear yard, the width of which shall be the shortest horizontal distance between the side lot line and any structure. On corner lots, non-frontage yards shall be considered side yards.

ZERO LOT LINE: The location of a structure on a lot such that one or more of the structure sides rests directly on a lot line. See Table 14.1e. Frontage & Lot Lines

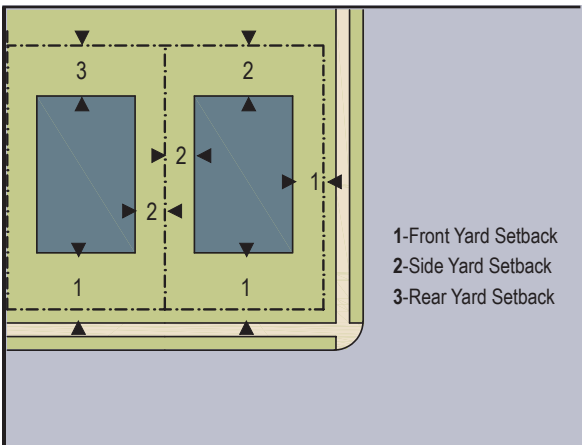
Table 14.1 Definitions illustrated

TABLE 14.1 DEFINITIONS ILLUSTRATED

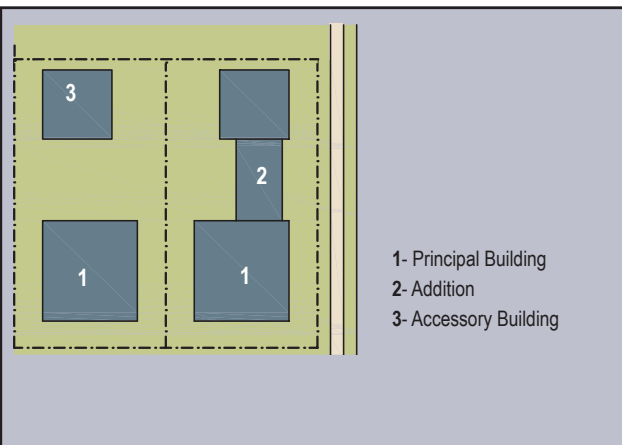
a. STREETS & FRONTAGES



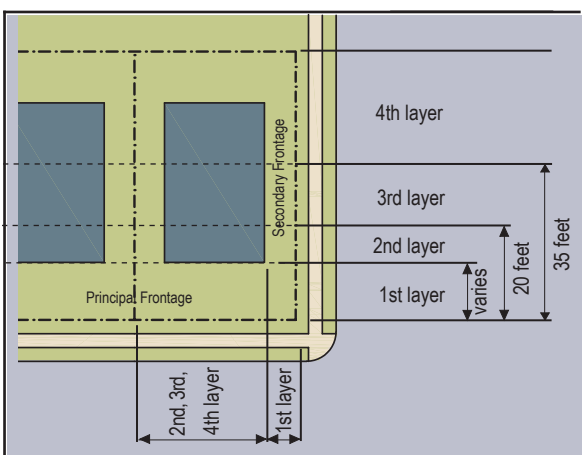
b. SETBACK DESIGNATIONS



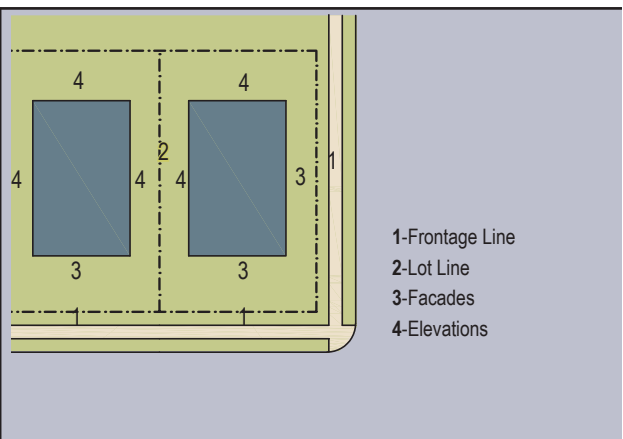
c. BUILDING - PRINCIPAL & ACCESSORY



d. LOT LAYERS



e. FRONTAGE & LOT LINES



Sec. 14-xx Establishment of subdistricts

The India Street Form-based Code District covers 57 acres and is divided into three distinct subdistricts.

a) Urban Neighborhood (UN) Subdistrict:

The intent of this subdistrict is to maintain and promote a mixed-use but primarily private, less active urban fabric. Building frontages may be less transparent and entries may be raised above sidewalk level. The subdistrict has smaller building footprints and many buildings within one block. Building types may include but are not limited to single, sideyard, and rowhouses, duplexes, triple-deckers, and double triple-deckers. Setbacks and landscaping are variable. Streets and sidewalks tend to be narrow.

b) Urban Transitional (UT) Subdistrict:

The intent of this subdistrict is to encourage higher density mixed-use building types that accommodate any use. Street-facing building frontages are a mix of activity level and ~~more flexibility of height and scale.~~ Ground floor spaces may be less transparent and tend to accommodate flexible and changing uses. The subdistrict has larger building footprints and the most flexibility of height and scale. The streetscape may be less active than the UA subdistrict with wide sidewalks, street trees, and setbacks and stepbacks providing relief from large building masses.

c) Urban Active (UA) Subdistrict:

The intent of this subdistrict is to maintain and promote the look and feel of a small-moderate scale, diverse, mixed-use neighborhood with vibrant streets and active ground floor spaces. Buildings shall engage with the street at the ground level and contribute to a strong street wall. Building frontages are transparent and entries are at sidewalk level. Building height, mass, and scale shall be respectful of historic buildings in this subdistrictzone. The streetscape has steady street planting, and buildings set close to the street.

Sec. 14-xx Administration

The standards in the form based zones are specific and prescriptive. This level of specificity is meant to provide certainty for applicants, neighborhoods and City staff and is not intended to limit design creativity or ignore unique site features.

a) Application Requirements.

In addition all required application materials defined in Article V Site Plan, applicants submitting under the India Street Character-based Code shall additionally submit the application and checklist specific to this District.

b) Common Review Procedures.

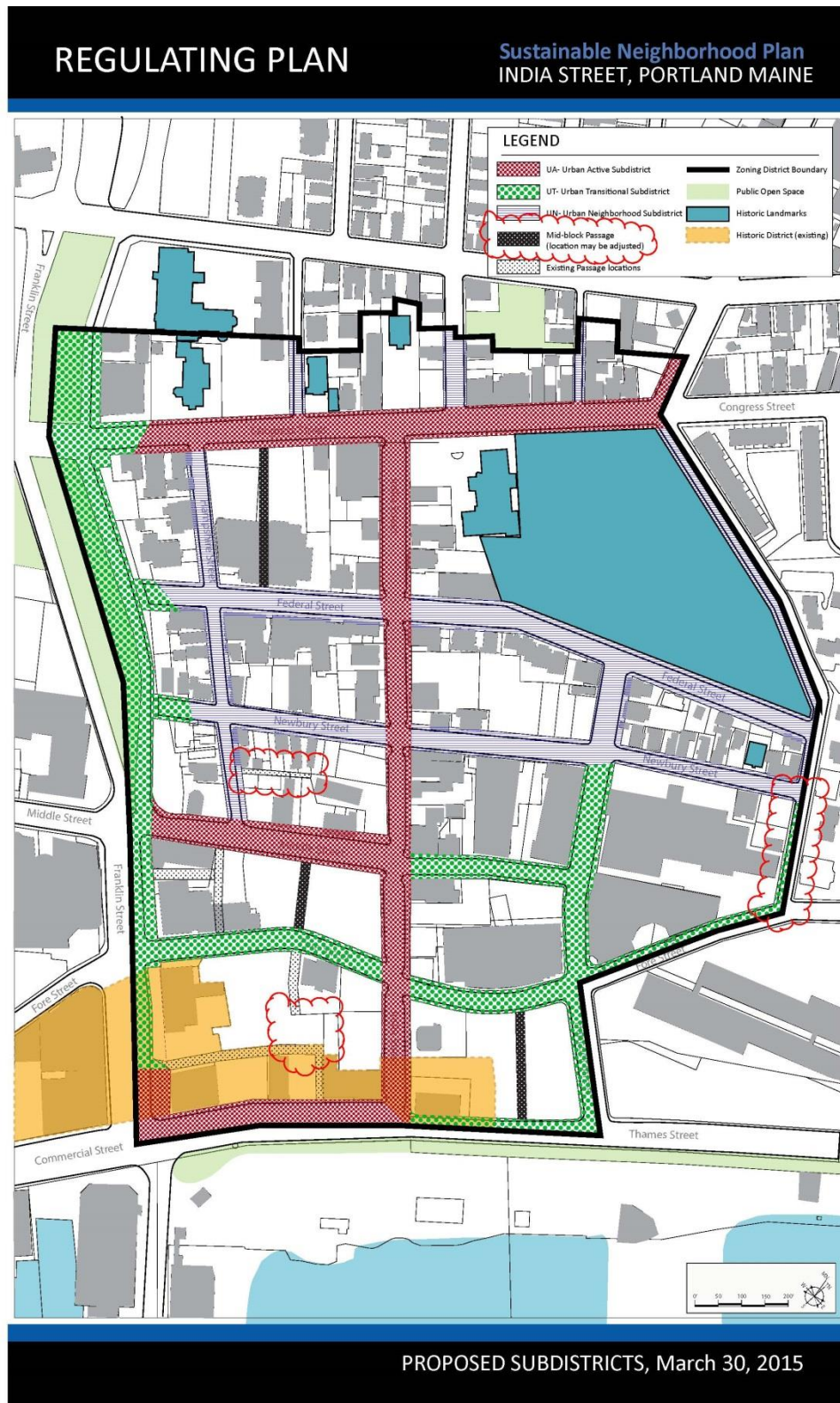
Development review will be conducted in accordance with the procedures set forth in Article V Site Plan of the City of Portland Zoning Ordinance, and as further defined by the table below:

Type of Application	Definition	Level of Review	Reviewing Authority
By Right Option	Projects on smaller site (square feet?) are considered under Level I or Level II Site Plan Review standards and are able	Administrative Site Plan- Level I, Level II	Planning Staff

	to build as a matter right when they meet all of the standards of the India Street Character Code.		
Special Permit Option	This option applies to projects that meet the intent of the code but deviate from one or more of the standards. They are considered under Level III or Master Development Plan as outlined in Article V Site Plan Review Standards, and require the approval of the Planning Board.	Level III Site Plan and Master Development Plan	Planning Board

Section 14-xx Regulating Plan

The REGULATING PLAN provides standards for the disposition of each property, or lot and how each relates to its adjacent properties and streets.



Sec. 14-xx General Development Standards

The following standards apply to all subdistricts unless expressly stated otherwise.

- a) PROHIBITED USES – uses not to be established in the India Street Form-based Code District include:

Cremation facilities,

Drive-through facilities,

High-impact industrial uses, including industrial uses that are prohibited in the IL zone, specifically Section 14-233(c), (e – y), (aa),

Major/minor auto-service station,

Truck terminals,

Waste related services,

and storage and parking facilities for Class 1 flammable and combustible liquids (having an aggregate total of more than 100 gallons) but excluding storage that is part of a motorized vehicle or pleasure craft facility.

- b) SITING STANDARDS

1. Mid-block Permeability – ~~For each and every 200' in frontage line length of lot:~~
 - a. ~~For each and every 200' in frontage line length of lot, if~~ Lots with frontage on two streets roughly parallel to Commercial/Thames Street, for each and every 200' in frontage line length of lot, a full break between structures of at least 20' in width must be shall be provided roughly perpendicular to Commercial/Thames Street and within the middle third of the applicable street frontage. (see Table 14.2a. Mid-Block Permeability)
 - b. Is encouraged in any location that connects existing public or private alleys, passages, or streets
 - c. Any development providing a new mid-block passage with public access between two streets is eligible for one (1) additional story of up to 12' in height (see Table xx Height Bonuses)
 - d. Refer to REGULATING PLAN for identified mid-block passage locations
2. Attached Buildings on Individual Lots - Subdivision developments consisting of horizontally attached ~~dwellings-buildings~~ on individual lots are not required to have side yards between buildings where a party wall condition will exist, but shall be required to meet the applicable side yard requirements at the external and internal subdivision lot boundaries between buildings that are not attached to each other.
3. Landscaping and Screening - The lot shall be suitably landscaped to screen parking, surrounding uses, and accessory site elements, including storage and solid waste receptacles where required by article IV (subdivisions) and article V (site plan).
4. Building ADDITIONS – A building ADDITION length may match but not exceed the length of the existing building to which it is an addition. All other Subdistrict Dimensional Requirements shall apply. (See Table 14.2b. Additions)

- c) HEIGHT STANDARDS

1. Height Bonus – Only one height bonus may be applied per structure.
One (1) additional story of up to 12' in height is allowed if one of the following provisions is met:

- a. For residential development with residential density equal to or greater than 150 dwelling units per acre (density must be achieved within stated subdistrict maximum building height), ~~one additional story of up to 12' above the stated building height maximum is allowed provided that such bonus story shall be stepped back an additional 15' from each and every building edge facing adjacent streets.~~
- b. For any development providing a GREEN ROOF, where:
- ☐ at least 50% of the LOT AREA is pervious and,
 - ☐ at least 50% of the roof is a GREEN ROOF, ~~one addition story in height (up to 12') is allowed provided that such added bonus story shall be stepped back an additional 15' from each and every building edge facing adjacent streets.~~

Table xx. Height Bonuses

Subdistrict	Maximum pre-bonus Height	Mid-block Passage	Residential Density	Green Roof	Maximum Height based on bonuses	Minimum Bonus floor Stepback (from the building edge facing any public right-of-way)
UN	45' and 4 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	57' and 5 stories	15'
UT	65' and 6 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	77' and 7 stories	15'
UA	50' and 4 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	62' and 5 stories	15'

d) PARKING STANDARDS

1. Parking shall be provided as per Division 20 Off-Street Parking of Chapter 14 Land Use Code.
- ~~1-2. As specified in Division 20, No off-street parking is required to be provided for the first three dwelling units in a multi-family residential development.~~
- ~~2-3. Any major or minor development shall be eligible for the Peninsula fee-in-lieu of parking subject to the provisions of Sec. 14-345 of Chapter 14 Land Use Code.~~
- ~~3. —Exception – One frontage building length up to the maximum building length (150' in UN and UA, 200' in UT) exceeding 100' without partition walls is allowed for the use of ground-level structured parking. Parking structures must meet the BES for Parking Garages (Sec. 14-xx) only if the following conditions are met:~~
 - ~~a. Building projections or unique design features are provided at building entrances and/or at least one corner~~
4. ~~Project provides an open space ratio of 15%. This area shall not include parking areas or other impervious surfaces as defined in Section 14-47.~~

SEC 14-XX. SUBDISTRICT DIMENSIONAL REQUIREMENTS

UN

Urban Neighborhood (UN) Subdistrict:

The intent of this subdistrict is to maintain and promote a mixed-use but primarily private, less active urban fabric. Building frontages may be less transparent and entries may be raised above sidewalk level. The subdistrict has smaller building footprints and many buildings within one block. Building types may include but are not limited to single, sideyard, and rowhouses, duplexes, triple-deckers, and double triple-deckers. Setbacks and landscaping are variable. Streets and sidewalks tend to be narrow.

SITING STANDARDS

Orientation - Principal Frontage	n/a
Lot Coverage	90% max

FRONTAGE REQUIREMENTS (within 1st Lot Layer)

(a) Building Length* at 1st layer	50' max.
at least 75% of total building length must be built within 1st Lot Layer (see Table 14.2c.)	
Attached Buildings (Table 14.2)	
30' Building Length	unlimited run
50' Building Length	run of up to 3 buildings
100' Building Length	not permitted

SETBACKS

Principal Building	
(b) Front Yard (1st Lot Layer)	5' max.
Setback Applicability	75% of total building length must be built within 1st Lot Layer
(c) Side Yard	none required
(d) Rear Yard	10' min.
Accessory Building	
Side Yard	5' min.
Rear Yard	5' min.

WALLS/FENCES

1st Lot Layer - Height	6' max.
Visual Permeability	req. above 2' from sidewalk
All other Lot Layers - Height	8' max.

HEIGHT STANDARDS

Principal Building	
Building Height Min.**	25' and 2 stories
Building Height Max.	45' and 4 stories
Ground Story Height	n/a
Accessory Building	
Building Height Max.	25'

PARKING STANDARDS

Surface Parking Location	
Side Yard	20' max in width total
Rear Yard	permitted in 4th Lot Layer
Garage at frontage (attached or detached)	
Setback	not permitted in 1st Lot Layer
Garage Door Opening (max)	40% of facade length
or	20' whichever is less
Curb Cut Frequency	1 every 50'

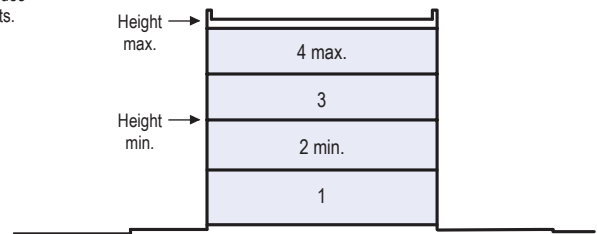
Exceptions

*One frontage building length up to 150' without partition walls is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 3.)

**Pre-existing industrial uses are exempt from story minimums.

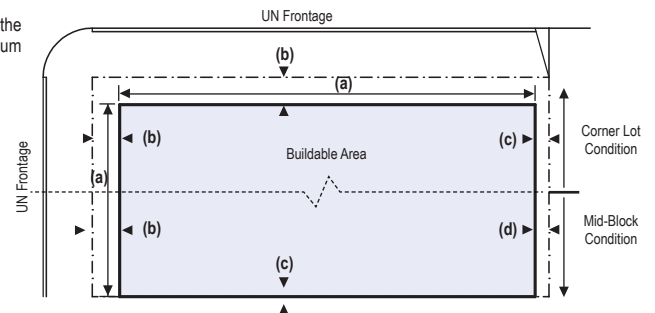
HEIGHT STANDARDS

- Height shall be measured as specified in Sec. 14-47 Definitions "Building, height of."
- Number of Stories excludes attics and raised basements.



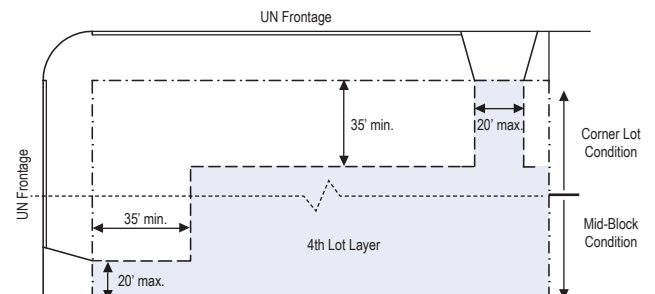
SETBACKS

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Frontage Lines to the minimum specified width in the table.



PARKING PLACEMENT

- Surface parking areas may be provided within the shaded area shown.
- Exceptions may be made for structured parking with additional design review. See Sec. 14.xx (d) 3. Exception.



Urban Transitional (UT) Subdistrict:

The intent of this subdistrict is to encourage higher density mixed-use building types that accommodate any use. Street-facing building frontages are a mix of activity level and ground floor spaces may be less transparent and tend to accommodate flexible and changing uses. The subdistrict has larger building footprints and the most flexibility of height and scale. The streetscape may be less active than the UA subdistrict with wide sidewalks, street trees, and setbacks and setbacks providing relief from large building masses.

SITING STANDARDS

Orientation - Principal Frontage	n/a
Lot Coverage	90% max

FRONTAGE REQUIREMENTS (within 1st Lot Layer)

(a) Building Length* at 1st Layer	100' max.
at least 75% of total building length must be built within 1st Lot Layer (see Table 14.2c.)	
Attached Buildings (Table 14.2)	
30' Building Length	unlimited run
50' Building Length	run of up to 3 buildings
100' Building Length	run of up to 2 buildings

SETBACKS

Principal Building	
(b) Front Yard (1st Lot Layer)	10' max.
Setback Applicability	75% of total building length must be built within 1st Lot Layer
(c) Side Yard	10' min.
(d) Rear Yard	10' min.
Accessory Building	
Side Yard	5' min.
Rear Yard	5' min.

WALLS/FENCES

1st Lot Layer - Height	6' max.
Visual Permeability	req. above 2' from sidewalk
All other Lot Layers - Height	8' max.

HEIGHT STANDARDS

Principal Building	
Building Height Min.**	3 stories
Building Height Max.	65' and 6 stories
Ground Story Height	n/a
Accessory Building	
Building Height Max.	25'

PARKING STANDARDS

Surface Parking Location	permitted in 4th Lot Layer
Garage at frontage (attached or detached)	
Setback	not permitted in 1st Lot Layer
Garage Door Opening (max)	40% of facade length
or	20' whichever is less
Curb Cut Frequency	1 every 100'

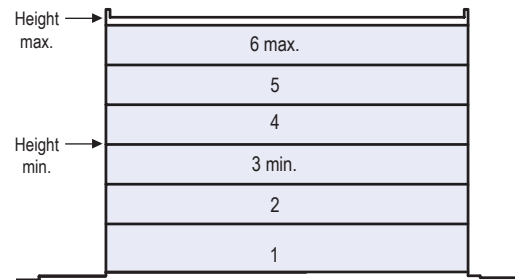
Exceptions

*One frontage building length up to 200' without partition walls is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 3.)

**Pre-existing industrial uses are exempt from story minimums.

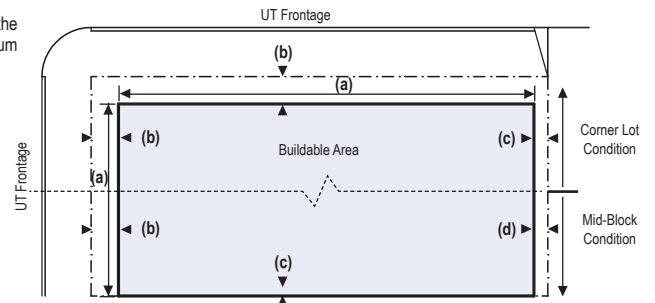
HEIGHT STANDARDS

- Height shall be measured as specified in Sec. 14-47 Definitions "Building, height of."
- Number of Stories excludes attics and raised basements.



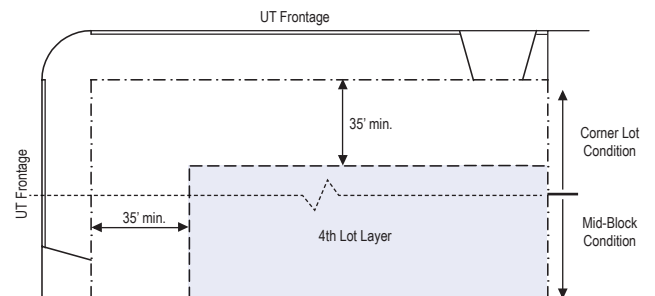
SETBACKS

- The Facades and Elevations of Principal Structures shall be distanced from the Lot lines as shown.
- Facades shall be built along the Frontage Lines to the minimum specified width in the table.



PARKING PLACEMENT

- Surface parking areas may be provided within the shaded area shown.
- Exceptions may be made for structured parking with additional design review. See Sec. 14.xx (d) 3. Exception.



SEC 14-XX. SUBDISTRICT DIMENSIONAL REQUIREMENTS

UA

Urban Active (UA) Subdistrict:

The intent of this subdistrict is to maintain and promote the look and feel of a moderate scale, diverse, mixed-use neighborhood with vibrant streets and active ground floor spaces. Buildings shall engage with the street at the ground level and contribute to a strong street wall. Building frontages are transparent and entries are at sidewalk level. Building height, mass, and scale shall be respectful of historic buildings in this subdistrict. The streetscape has steady street planting, and buildings set close to the street.

SITING STANDARDS

Orientation - Principal Frontage	Face a UA street
Lot Coverage	90% max

FRONTAGE REQUIREMENTS (within 1st Lot Layer)

(a) Building Length* at 1st Layer	50' max.
at least 75% of total building length must be built within 1st Lot Layer (see Table 14.2c.)	
Attached Buildings (Table 14.2)	
30' Building Length	unlimited run
50' Building Length	run of up to 3 buildings
100' Building Length	not permitted

SETBACKS

Principal Building	
(b) Front Yard** (1st Lot Layer)	5'0" max.
Setback Applicability	75% of total building length must be built within 1st Lot Layer
(c) Side Yard	none required
(d) Rear Yard	10'0" min.
Accessory Building	
Side Yard	5'0" min.
Rear Yard	5'0" min.

WALLS/FENCES

1st Lot Layer - Height	6'0" max.
Visual Permeability	req. above 2'0" from sidewalk
All other Lot Layers - Height	8'0" max.

HEIGHT STANDARDS

Principal Building	
Building Height Min.***	3 stories
Building Height Max.	50' and 4 stories
Ground Story Height	12'0" min. clear
Accessory Building	
Building Height Max.	25'

PARKING STANDARDS

Surface Parking Location	within the 4th layer, 35' from UA street
Garage at frontage (attached or detached)	
Setback	not permitted in 1st Lot Layer
Garage Door Opening (max)	not permitted on UA facades
Curb Cut Frequency	1 every 50'

Exceptions

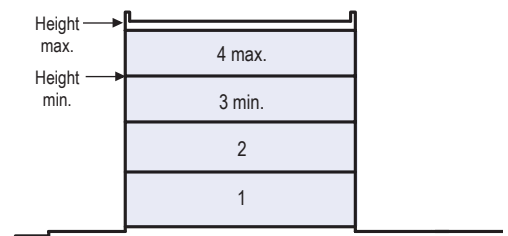
*One frontage building length up to 150' without partition walls is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 3.)

**Up to 10'0" max. front yard setback is allowed if ground plane at frontage is a continuation of the accessible public right-of-way

***Pre-existing industrial uses are exempt from story minimums.

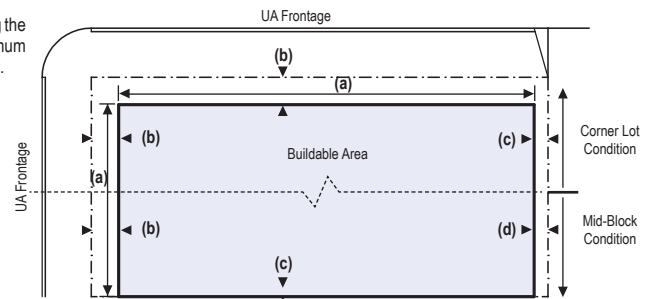
HEIGHT STANDARDS

- Height shall be measured as specified in Sec. 14-47 Definitions "Building, height of."
- Number of Stories excludes attics and raised basements.



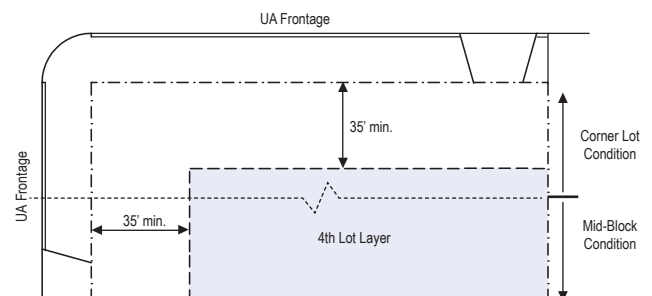
SETBACKS

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Frontage Lines to the minimum specified width in the table.



PARKING PLACEMENT

- Surface parking areas may be provided within the 4th layer (shaded area) as shown.
- Exceptions may be made for structured parking with additional design review. See Sec. 14.xx (d) 3. Exception.



SEC 14-XX SUBDISTRICT DIMENSIONAL REQUIREMENTS CORNER

Corner Lot:

For corner lots where two different subdistricts intersect at a street corner, the Dimensional Requirements and Building Envelope Standards of the “dominant” subdistrict shall apply from the 1st through 3rd Lot Layer (35' deep into the lot measured from the dominant lot line) along its associated street frontage or public ways including required mid-block passage. Otherwise, Dimensional Requirements shall be according to subdistrict onto which the building facade faces.

UA INTERSECTS UT

Dominant Subdistrict (35' deep)	UA
Orientation - Principal Frontage	Face a UA street
Curb Cut Location	not within 50' of corner
Dominant Building Envelope Standards (applicable 35' deep)	
Ground Story Height	12' min. clear
Fenestration, ground floor	60-90%
(measured as a percentage of the facade that is between 2' and 20' above the frontage sidewalk grade)	

UA INTERSECTS UN

Dominant Subdistrict (35' deep)	UA
Orientation - Principal Frontage	Face a UA street
Curb Cut Location	not within 30' of corner
Dominant Building Envelope Standards (applicable 35' deep)	
Ground Story Height	12' min. clear
Fenestration, ground floor	60-90%
(measured as a percentage of the facade that is between 2' and 20' above the frontage sidewalk grade)	

UT INTERSECTS UN

Dominant Subdistrict (35' deep)	UN
Orientation - Principal Frontage	n/a
Curb Cut Location	not within 30' of corner

SETBACKS

(b) Front Yard (1st Lot Layer)	according to subdistrict
(c) Side Yard	according to subdistrict
Building facades within 10' of a corner are exempt from setback requirements in order to allow special corner treatments	

ORIENTATION

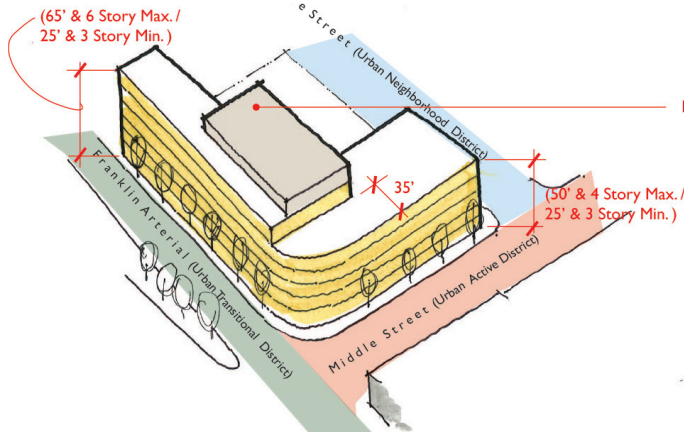
• Corner lots shall be treated as having street frontage on all streets regardless of building orientation
• Principal Building shall designate a Principal Frontage and Secondary Frontage*
• In the case of a corner lot having UA frontage, the Principal Frontage must face a UA street*

Notes

* Does not have to correspond to legal building address

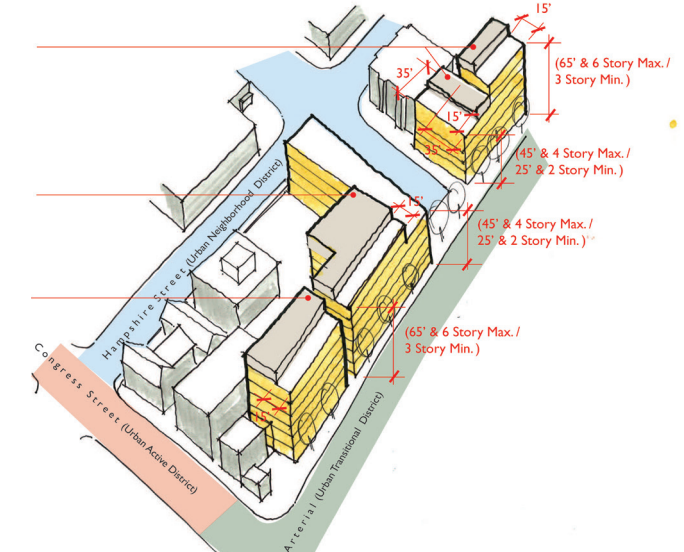
UA INTERSECTS UT (example only)

1. For corner lots where two different subdistricts intersect at a street corner, the Dimensional Requirements and Building Envelope Standards of the “dominant” subdistrict shall apply from the 1st through 3rd Lot Layer (35' deep into the lot measured from the dominant lot line) along its associated street frontage or public ways including required mid-block passages. Otherwise, Dimensional Requirements shall be according to subdistrict onto which the building facade faces.



UT INTERSECTS UN (example only)

1. For corner lots where two different subdistricts intersect at a street corner, the Dimensional Requirements and Building Envelope Standards of the “dominant” subdistrict shall apply from the 1st through 3rd Lot Layer (35' deep into the lot measured from the dominant lot line) along its associated street frontage or public ways including required mid-block passages. Otherwise, Dimensional Requirements shall be according to subdistrict onto which the building facade faces.



SETBACKS AND ORIENTATION

1. The Facades and Elevations of Principal Structures shall be distanced from the Lot lines as shown.

2. Facades shall be built along the Frontage Lines to the minimum specified width according to the requirements of the subdistrict onto which the facade faces, the dominant subdistrict setbacks having effect 35' deep.

3. Building facades within 10' of a corner are exempt from setback requirements in order to allow special corner treatments.

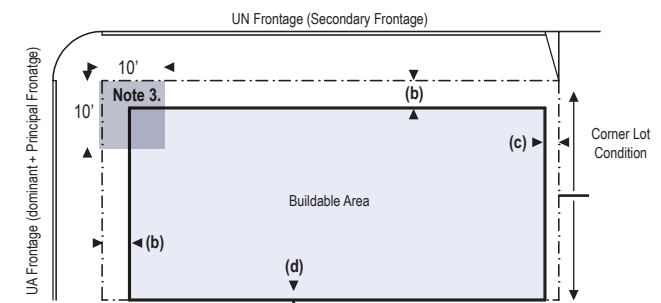
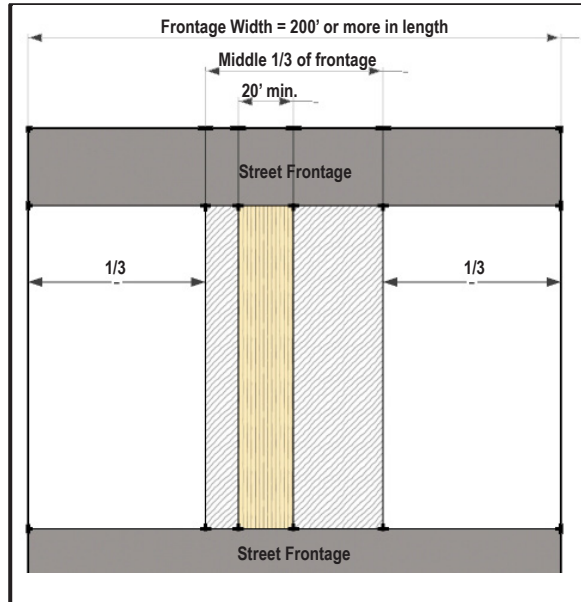
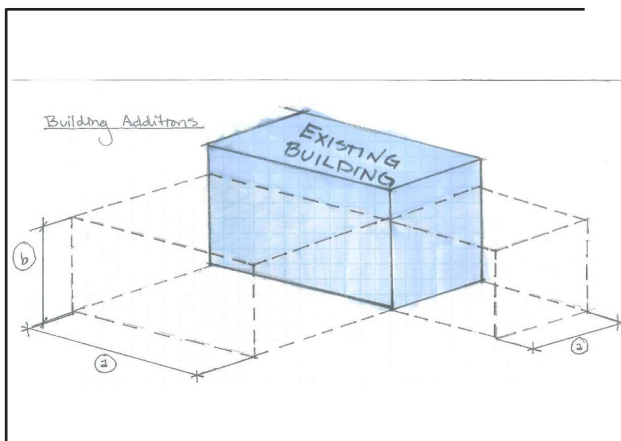


TABLE 14.2 DIMENSIONAL REQUIREMENTS ILLUSTRATED

a. MID-BLOCK PERMEABILITY

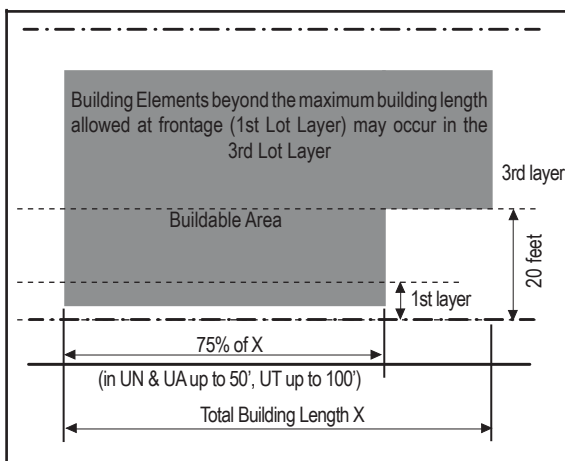


b. ADDITION

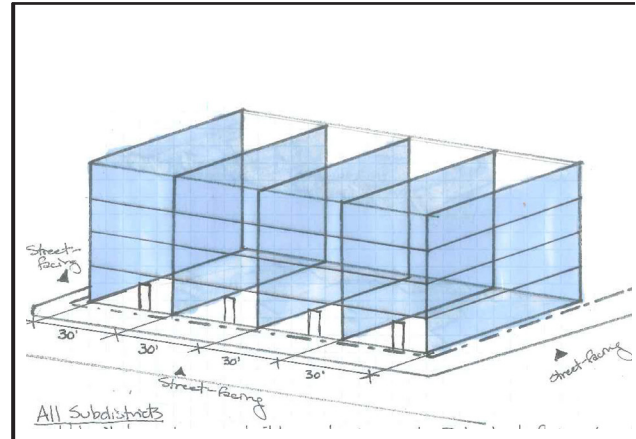


- Addition length may match but not exceed the length of existing building to which it is an addition
- Additions shall conform to all other Dimensional Requirements according to subdistrict

c. FRONTAGE BUILDING LENGTH

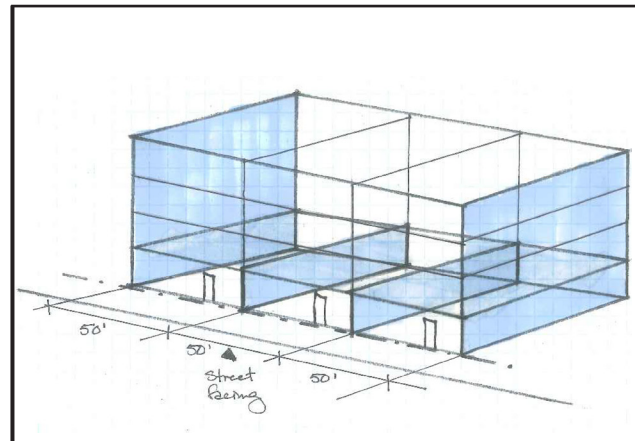


d. BUILDINGS - ATTACHED 30'



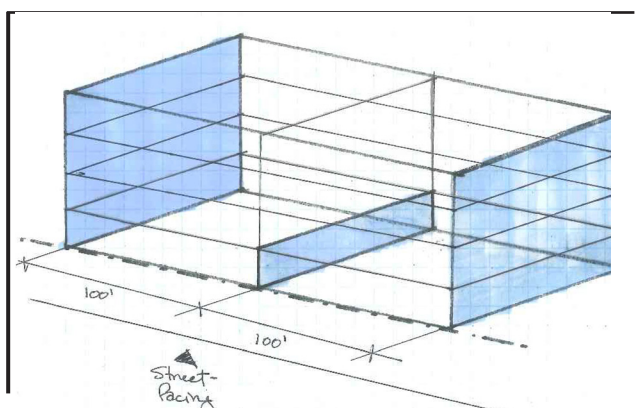
Unlimited contiguous buildings having up to 30' street-facing building length are allowed with zero lot lines; A party wall condition is required every 30' and for the entire height of each building

e. BUILDINGS - ATTACHED 50'



Three (3) contiguous buildings having up to 50' street-facing building length are allowed with zero lot lines; A party wall condition is required every 50' on the ground level only; Upper stories may be a continuous space

f. BUILDINGS - ATTACHED 100'



Two (2) contiguous buildings having up to 100' street-facing building length are allowed with zero lot lines; A party wall condition is required every 100' on the ground level only; Upper stories may be a continuous space.

SEC. 14-XX BUILDING ENVELOPE STANDARDS

The **Building Envelope Standards (BES)** contained herein address the quality of the India Street Neighborhood urban environment, recognizing that it is ultimately formed by numerous individual, private creative decisions. The BES provide an overview of how to create a pedestrian-oriented, visually cohesive, and economically vital neighborhood. They are designed to promote a clear, consistent, and predictable process for the redevelopment of land within the India Street Neighborhood.

Description of Terms

Design review is mandatory for all projects in the India Street Form-based Code District. The goals and requirements of the design review are listed under three headings for each review issue: **Intent, Guidelines, and Standards**. Descriptions for each are as follows:

Intent: Intent statements are provided to define goals which the guidelines and standards have been created to achieve. In circumstances where the appropriateness or applicability of a guideline or standard is in question or under negotiation, the intent statement will provide additional direction.

Guidelines: Design Guidelines provide further considerations to promote the goals defined by the intent statements. Guidelines use the term “should” or “may” to denote they are considered relevant to achieving the stated intent, and will be pertinent to the review process but will not be required for approval. Guidelines will, however, be strongly considered when there is a request to waive a related standard.

Standards: Design standards are objective criteria that provide specific direction based on the stated intent. Standards are used to denote issues that are considered critical to achieving the stated intent. Standards use the term “shall” to indicate that compliance is required unless it can be demonstrated that an acceptable alternative meets one or more of the following conditions:

- The alternative better achieves the stated intent;
- The intent which the standard was created to address will not be achieved by application of the standard in this particular circumstance;
- The application of the other standards and guidelines to achieve stated intents will be improved by not applying this standard;
- Unique site factors make the standard impractical or cost prohibitive.

Neighborhood Context

Intent

- Promote active ground level and streets (**especially in the UA Subdistrict**)
- Provide human-scale through change, contrast, and intricacy of facade form, color, and material where lower levels of structures face public streets and sidewalks
- Spatially define the street space to concentrate pedestrian activity and create a clear urban character and street wall edge
- Encourage easy pedestrian access to buildings and uses along public streets and sidewalks
- Promote architectural relationships between buildings of various height and mass and between adjacent urban districts

Guidelines

- New construction and ADDITIONS should respect the surrounding context demonstrating recognition of patterns and characteristics that exist in the context sharing the same streetscape. Such patterns and characteristics include:
 - Rhythm of spacing and structures on the streetscape
 - Proportion of principle facades
 - Rhythm of solids to voids in facades
 - Proportion of openings
 - Rhythm of entries and projections
 - Relationship of materials, texture, and color
 - Roof shapes

SEC. 14-XX. BUILDING ENVELOPE STANDARDS (CONTINUED)

Façade Proportion

Intent

- To ensure the provision of human-scaled architecture
- To provide variation of building massing that relates to the scale and proportions that exist in the context sharing the same streetscape
- To reinforce the distinctions between public and private spaces and uses

Guidelines

- The impact of large scale forms should be mitigated by large scale variations in the building form, mass, and composition such as stepping back an upper floor, or a change in the direction of a wall or roof line
- Large scale variations in the building form, mass, and composition should reflect surround lot and block patterns and relate to the scale of surrounding buildings and the context in which it is seen.

Standards

- Buildings of four (4) or more stories shall be designed to have a defined base, middle, and top.
- Building facades shall be designed using simple proportions such as the rational (1:1, 2:1, 3:2, 4:3, etc.) and the irrational (the square root of 2 and the golden ratio).

Articulation Elements

Intent

- To create a comfortably scaled and well-detailed urban environment through the establishment of an organized variety of façade composition, architectural form, and detail
- To provide for the comfort and interest of the pedestrians environment through the provision of human-scaled architectural character
- To avoid large areas of undifferentiated or blank building facades
- To establish architectural scale patterns or features that relate to adjacent buildings

Guidelines

- Architectural scaling elements should be used to break down the appearance of large building facades into authentic architectural patterns and component building forms. Building facades should provide variation of building massing corresponding to architectural or structural bay dimensions. Variation in building massing may include changes in wall plane or height and may relate to primary building entries, important corners, or other significant architectural features.
- Find common reference lines to surrounding built context examples of which include expression lines, change of material, delineation of floors, window alignment.
- Required articulation elements should be integral with the building form and construction, not a thinly applied facade.
- Variation in building massing and detail should relate to the scale and function of pedestrian-oriented uses along the street.
- Architectural detail may relate to but not necessarily mimic traditional building details to establish a human-scale vocabulary. Detail patterns may also relate to the inherent formal qualities of architectural structural systems.
- Where the architecture meets the street, the base of all buildings should be clearly expressed by the articulation of forms and details. Special ground level features such as canopies, awnings, storefront, and emphasized entrances lend richness to the street.
- Blank, undifferentiated walls should be avoided.
- Balconies and terraces should be incorporated into vertical and horizontal shifts in building massing to avoid building facades that are dominated by cantilevered balcony projections.

SEC. 14-XX BUILDING ENVELOPE STANDARDS (CONTINUED)

Standards

- Each building facade shall use articulation strategies that incorporate three or more of the following elements (listed in descending order of impact):
 - Expressions of building structural elements such as floors (banding, belt courses, etc. but not less than 1" deep and 4" wide), columns (pilasters, piers, quoins, etc. but not less than 4" deep and 1' wide), and foundations (watertables, rustication, etc.)
 - Stoops, porches, bay windows, overhangs, and other variations to the façade planes
 - Recessed entrances and windows into the façade to create depth and shadow lines
 - Projections or unique design features at building entrances or corners
 - Trellises, canopies, awnings, or similar projecting features over openings
 - Patterns of window and door openings that are emphasized through change of plane (not less than 4" deep) and/or the use of sills, lintels, mullions, muntins, and other scale-providing elements
 - Changes in material
 - Changes in color
 - Changes in texture
 - Changes in material module or pattern
 - Patterns of architectural ornament integral to the building material
- Each change of material shall involve at least 1" variation in wall plane. Reveals shall not be less than 1" deep and 1" wide
- Blank, undifferentiated walls shall be limited as follows:

	UN	UT	UA
BLANK FACADE			
Maximum Length	15'	30'	15'

Articulation Elements: Examples



Bay projections, Base/Middle/Top, Delineation of floors, Lintels, Recessed entry, Overhang cornice



Lintels, Expressed structural elements, Fenestration recessed from building face, Change of materials, Arcade, Cornice



Delineation of floors, Window details add scale, Change of materials, Stepback, Recessed entry



Base/Middle/Top, Window details add scale, Change of facade planes, Stepback, Overhang Cornice line, Recessed entry, Storefront

Blank Facades: Examples



In-active wall with articulation - Preferred



Blank, Undifferentiated Wall - Not preferred

SEC. 14-XX. BUILDING ENVELOPE STANDARDS (CONTINUED)

Fenestration

Intent

- To provide visibility that reinforces the safety and activity of the street
- To reinforce the distinctions between uses and functions within the building To provide a high degree of transparency and visibility at the lower levels of building facades **(especially in the UA Subdistrict)**
- To provide an active, human-scaled architectural pattern along the street
- To establish a pattern of individual windows at upper floors that provide a variety of scale through fenestration patterns, material variation, detail, and surface relief

Guidelines

- The majority of the lower floor facades should be transparent glazing. **(UA Subdistrict)**
- Fenestration should punctuate facades providing scale and pattern.
- Location and patterns of glazing should enhance building function and scale. Variations in fenestration patterns should be used to emphasize building features such as entries, shifts in building form or differences in function.
- Recessed glazing and glass framing and mullion patterns may be used to provide depth and substance to the building façade and should consider the play of sunlight across the façade.

Standards

- Between 60-90% of the ground floor façade shall be constructed of transparent materials or otherwise designed to allow pedestrians to view activities inside the building or displays related to those activities (measured as a percentage of the facade that is between 2' and 20' above the frontage sidewalk grade). **(UA Subdistrict)**
- Between 25 -60% of the second floor façade and above shall be transparent glazing.
- Transparent glass shall have a Visual Transmittance (VT) of at least .7.
- Areas of the building that are functionally restricted from providing vision glass may be exempted provided other architectural scaling techniques are employed.

Building Materials

Intent

- To encourage human-scaled buildings through the use of smaller material modules
- To ensure the consistent use of high quality materials appropriate to the urban environment

Guidelines

- High quality materials and design techniques shall be applied. Developments shall use high quality, durable, and authentic materials that exhibit longevity and integrity.
- Building materials and techniques shall reflect or complement the existing materials and techniques within the India Street Form-based Code District and shall be visually compatible with the predominant materials used in the structures to which they are visually related.
- Building materials used at the lower floors adjacent to street frontage shall be of the highest quality and most durable and authentic.
- Building materials used at the lower floors adjacent to street frontage should respond to the character of the pedestrian environment through such qualities as scale, texture, color, and detail.
- Carefully detailed combinations of materials should reinforce Articulation Elements requirements.

SEC. 14-XX BUILDING ENVELOPE STANDARDS (CONTINUED)

Building Entries

Intent

- To enhance the scale, activity, safety, and function of the public streets by providing frequent entries oriented to the streets
- To reinforce the convenience of pedestrian activity and circulation along the street by creating as many external, street oriented entries as possible to ground floor, pedestrian-active uses

Guidelines

- Each building should have one or more clearly identifiable PRINCIPAL ENTRANCES that address the street for each major street facing street.
- Principal building entries should be emphasized through changes in wall plan or building massing, differentiation in material and/or color, greater level of detail, and enhanced lighting as well as permanent signage.
- Entries to ground floor uses should be direct and as numerous as possible to encourage active pedestrian use.

Standards

- All buildings shall provide at least one principal entry oriented directly to a public street.
- If the LOT has a UA frontage, at least one (1) PRINCIPAL ENTRANCE must face the UA street.
- All street-oriented building entries shall be directly connected to the public sidewalk via paved walk, stair, or ramp.
- All pedestrian active uses with street level, exterior exposure shall provide at least one direct pedestrian entry from the street.
- Recessed entries shall be excluded from the setback requirements.
- Where possible, garage entrances should be oriented away from the street and should not be placed on facades within the 1st Lot Layer.
- Entry Location and Frequency are regulated as shown below:

	UN	UT	UA
BUILDING ENTRY CONFIGURATION - PRINCIPAL ENTRY(IES) (allowed)			
Street-facing Entry	X	X*	X*
Side Entry	X		
Corner Entry	X	X	X
Elevated Stoop (more than 1 step above sidewalk grade)	X	X	
*At least 1 principal entry must face an UA street			
BUILDING ENTRY CONFIGURATION - NON-PRINCIPAL ENTRY(IES) (allowed)			
Street-facing Entry	X	X	X
Side Entry	X	X	X
Corner Entry	X	X	X**
Elevated Stoop (more than 1 step above sidewalk grade)	X	X	X**
**If corner entry is at an intersection of two subdistricts, elevated stoop is allowed			
ENTRY FREQUENCY			
Entry provided at least every	35'	95'	40'

SEC. 14-XX. BUILDING ENVELOPE STANDARDS (CONTINUED)

Roof Lines

Intent

- To require buildings to integrate all building systems within a complete architectural form
- To respect the character of and views from the surrounding context
- To make a positive contribution to the Portland skyline

Guidelines

- The architecture of the building's upper floors and termination should complete the building form within an overall design concept for the base, middle, and top that works in concert with the Articulation Elements requirements.
- Roof forms should consider and respect the context in which it is viewed in terms of height, proportions, form, and materials, whether the context is surrounding buildings, view corridors, or the waterfront.

Standards

- All rooftop building systems shall be incorporated into the building form in a manner integral to the building architecture in terms of form and material. All mechanical, electrical, and telecommunications systems shall be screened from view of surrounding streets and structures.
- Roof line shall be articulated with the use of details such as, but not limited to:
 - Cornices
 - Moldings, trims, and fascia boards
 - Altering the height of the building or roofline
 - Open eaves and rakes, and other overhangs
 - Exposed rafters or purlins, or decorative brackets
- All roof forms are allowed in all Subdistricts.

Parking Garages

Intent

- To minimize the visual impact of parking structures on adjacent development and the street environment
- To minimize the impact of vehicle noise and headlights from within parking structures on adjacent streets
- To activate street level garage frontage (**especially in the UA Subdistrict**)

Guidelines

- Parking structures should not exceed 50% of any block frontage along a **UA street**
- Parking structures should use materials and architectural detailing found in the primary development being served.

Standards

- Parking structures with exposed street frontage may not be located in the 1st Lot Layer.
- Parking structures shall conform to the BES for Articulation Elements and Building Materials.
- Parking structures shall be designed to conceal the view of all parked cars and internal light sources from adjacent public rights-of-way or open space for the full height of the structure.
- Façade openings which face any public right-of-way or open space shall be vertically and horizontally aligned and the floors on such façades shall be level.
- Parking structures shall provide adequate ground floor dimensions to allow use by or conversion to active uses. Adequate dimensions shall include floor-to-floor heights, structural, driving aisle, and utility layouts within 35' of the public right-of-way designed to accommodate occupancy by active uses.

Sec. 14-xx Nonconformance

Sec. 14-xx Amendments

a) Regulating Plan Amendment

The Regulating Plan in effect from time to time may be amended as a Zoning Map amendment in accordance with the provisions of this ordinance. An application for Regulating Plan amendment initiated by or on behalf of the owner of property shall be accompanied by approved proposed site plan.

b) Preparation and requirements

An application for REGULATING PLAN amendment shall be prepared in accordance with ~~xxx~~ and shall conform to the requirements of Section 14-xx .c (below) and other provisions hereof.

c) Application Requirements

In addition to all other requirements for zoning map amendments under this Section, an application for a Regulating Plan Amendment shall include approved proposed site plan that complies with this ordinance and indicates the area proposed to be amended and all adjacent property; all existing zoning districts or Character Districts and the maximum number of stories and the maximum building height in feet and any other special requirements.

d) Plan Submission

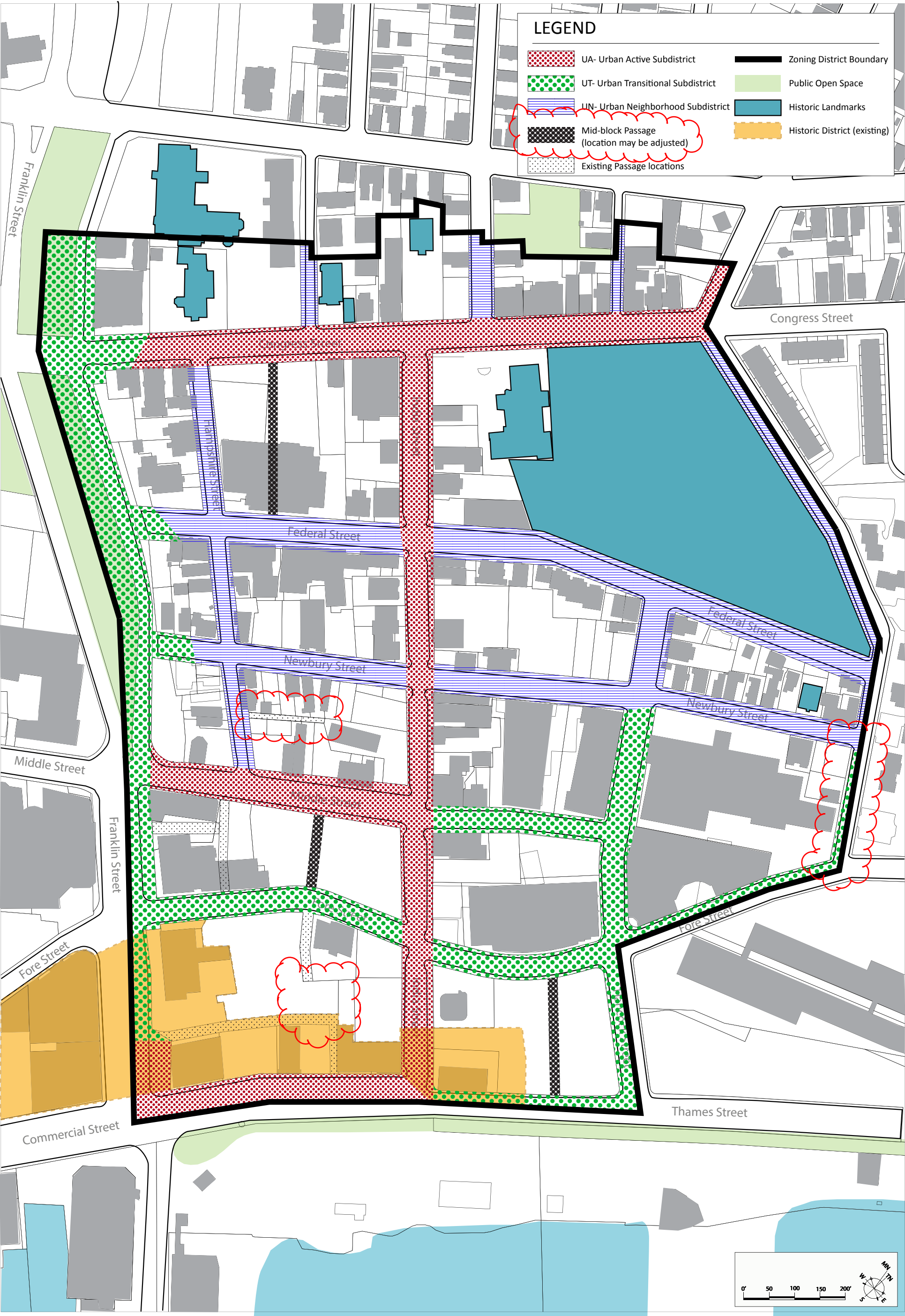
An application for a Regulating Plan Amendment shall be submitted and processed in accordance with this Section as applicable.

e) Action on Plan

Any application for a Regulating Plan Amendment shall be processed and be subject to submission, consideration, and approval as a zoning map amendment under this Section.

REGULATING PLAN

Sustainable Neighborhood Plan INDIA STREET, PORTLAND MAINE



HISTORIC DISTRICT

Sustainable Neighborhood Plan INDIA STREET, PORTLAND MAINE



Proposed India Street Historic District Boundary - March 18, 2015

Planning Board – ISN Form Based Code Questions
From the ISNA – Hugh Nazor, Pres.

3/4/2015

The Planning Board asked a question in two different ways at the first workshop on the India Street Plan using Form Based Code. The following response is from the point of view of the neighborhood.

Preamble

One must remember that the India Street Neighborhood planning process was initiated to correct the past handling of this, until recently, unrecognized neighborhood. Specifically, the ISN was zoned as a result of: assigning use zones to pre-existing housing; a “business district” height overlay from the west; the Eastern Waterfront plan from the south; and a height overlay designed to increase density that was resisted farther east and settled in the ISN.

The resulting flurry of development included many massive buildings with long and undistinguished facades. When these could not be built under the patchwork zoning, they were allowed as “contract zones”. When they were permitted because they met the requirements of a particular zone, there was no way to control quality or scale and massing. The Planning Board had virtually no discretionary authority.

More than one consultant said the equivalent of: Recent projects that were permitted should be made up for by the next project being great. The next project turned out to be Seaside Lofts.

The plan, already approved by the PB, is best implemented with FBC

What Problems does using FBC solve?

The first improvement (problem solved) by FBC is the recognition of a unique neighborhood in need of three different development requirements of form and scale. No use zone addresses massing limits (width or depth of a building).

Most basically, present zoning has never been representative of existing use nor compatible with the desires for development in any part of the neighborhood. The new code will be.

Use zoning represents – wrongly – the uses that are desired in the neighborhood. The guidance of the new FBC presents what the city wants to see built in the neighborhood. With so many open parcels, this is what pro-active zoning should always do.

The limited discretionary judgments allowed of staff, the Planning Board and Council, under the present zoning, are insufficient to prevent the approval of buildings lacking in architectural design and appropriate scale. FBC is one way to assure that more enforceable equivalents of (now unmet) design guidelines are taken seriously.

Requirements for setbacks, heights etc. are applied uniformly in subdistricts to maintain and improve the traditional character of those subdistricts. Presently a setback may be dependent upon the zoning of a neighboring lot rather than the one being developed. Intersects between zones are frequent and random.

Cannot the same results be obtained with Euclidian zoning?

It would be possible; of course, to construct Euclidian zones to accomplish much the same thing as the ISN plan calls for. The trouble is that such zones would also be brand new, applicable only in the ISN and even more confusing than the present zoning.

One original (short cut) objective of the ISNA was to have the entire neighborhood zoned B2b. As more study was done and as the needs of the City for increased density were accepted, this was no longer seen as the best solution. While possibly a good start for what we now call the *neighborhood subdistrict*, there would have to be changes such as: setbacks; some increased language to institute meaningful and enforceable design guidelines and the establishment of width limits, among others. That would mean a B2c zone that would probably apply only to the ISN.

Similarly, the B2b in the *active subdistrict* would become the B2d, with changes like the above but allowing extra height to encourage better commercial space and allowing different setbacks, parking facilities etc.

The *transitional subdistrict* would require some kind of B6 modification to address all of the desired characteristics that are so easily defined in a FBC.

These three subdistricts are each part of one planned neighborhood and should be written so as to reflect that commonality. Each has different elements and needs to benefit the neighborhood as well as City needs. These desires are most directly, honestly and enforceable presented in a FBC intended only for the areas they address.

One more thing

The illustrations in the draft FBC are the simple representation of the maximum envelopes within which buildings may be designed. No structure neither has to go to the maximum dimensions, nor has to have the alternative of party walls, nor to have a need to meet any significantly restrictive requirement. Efforts were made to be inclusive of the expressed desires of all stakeholders willing to participate over a three-year period.

Heights and scale have been extended far beyond what the neighborhood originally desired. Nonetheless, the ability to build truly out of scale buildings in the most sensitive subdistricts has been appropriately limited.

The neighborhood worked with the developer to modify the building pictured below. The massive 300 foot long scale was still overwhelming after the improved façade treatment. While better than other recent projects allowed in the neighborhood, this structure is just too massive and would have changed the character and texture of the India-Middle Street corner. What the new plan and the FBC would allow would be better for the neighborhood. Like others built recently in the ISN, this building was in-house engineered by the developer rather than being architecturally designed.



Middle Street View

June 01, 2012

JORDAN'S REDEVELOPMENT PHASE II

Portland, ME

