



City of Portland ReCode Committee

June 24, 2019
5:30 PM
Room 209, City Hall

1. Introduction
 - a. Memo
2. Parking: Current policies, potential changes
3. Accessory Dwelling Units: Existing policies, proposed policy
4. Definitions
5. Public Comment Summary
 - a. Public Comment
6. Committee Discussion of Next Steps



CITY OF PORTLAND
Planning & Urban Development
Jeff Levine, AICP, Director

To: Council Ad Hoc ReCode Committee

From: Jeff Levine, Planning & Urban Development Director

Date: June 19, 2019

RE: ReCode update

I. INTRODUCTION

Since late 2017, staff in the Department of Planning & Urban Development has been working on the ReCode, an effort to rethink, restructure, and redraft the city's 900+-page land use code. The ReCode involves all elements of the current Chapter 14, including the historic preservation, site plan, subdivision, and zoning sections of the code. The purpose of this workshop is to provide the Ad Hoc ReCode Committee with an update on work since its late February meeting and to gather feedback on several key policy issues that have arisen through the redrafting process. The Planning Board considered these policy issues at a June workshop; where they have provided staff with input, it is summarized below.

II. PROGRESS UPDATE

1. Phase I

As has been previously discussed, Phase I of the ReCode project is largely organizational and involves an evaluation of the code as a whole for consistency and clarity. Phase I began with Community Conversations, a major public outreach effort with neighborhood organizations, and the launching of the ReCode website (www.recodeportland.me). Over the past year, Phase I has also included specific, focused work on particular elements of the code:

- A. *Impact fee ordinance.*** The creation of an Impact Fee system, to provide a more predictable and systematic way to assess the impacts of new development on City infrastructure, began as a study in early summer 2018 with the technical assistance of a consulting team, Tischler Bise, Inc. It was adopted as an ordinance in November 2018. A full summary of the topic and key documents are also included on the ReCode webpage.
- B. *Sign ordinance.*** Rewriting the sign code (currently Division 22) is underway with the assistance of Lisa Wise Consulting. Signs particularly lend themselves to be more visual than the current regulations are, with graphics of sign types, measurement methods, and easier to read tables. In recent years there have been changes to case law that make the timing of this rewrite, and the inclusion of a consultant team familiar with the changing legal landscape of

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regulating signs, particularly appropriate for early inclusion in Phase I. Sign technology and terminology has also changed since the section has last been revised, and this provides an opportunity to address new sign types, as well as check-in with stakeholders about what's working best and what warrants improvement in regard to signs. To-date there have been stakeholder meetings, a code audit to assess issues and needs of the current regulations, as well as frequent communication and collaboration with the consulting team as they've developed a new draft for review. The consultant has delivered a first full draft of the sign code and it is currently being reviewed by staff. Additional background on this initiative is posted on the ReCode website, and as we move into public discussion of the draft sign code additional information will be included here, as well: <https://www.recodeportland.me/sign-regulations>

In addition, Phase I has included the labor-intensive process of re-ordering and reformatting the code, much of it into tables and charts, while screening for redundancies and inconsistencies. This work is still underway. As of now, staff have developed working drafts of twenty chapters of a newly formatted, restructured code, and are working internally and across city departments to review these chapters. By necessity, Phase I has included some engagement with code language that currently lacks consistency or merits better integration with broader public policy goals. For instance, staff is working on redrafting the Accessory Dwelling Unit (ADU) provisions, parking provisions, and some definitions. These topic areas warrant consideration by the Committee and are further discussed below.

2. Phase II

Phase II of ReCode will include an assessment of where the land use code could be better aligned to achieve the goals of *Portland's Plan*. Evaluating zoning for whether complete neighborhoods (the principle that all areas of the city should provide all residents access to the basic necessities of daily life - high quality and affordable housing, schools and other civic functions, food, open space, other amenities and services - within a walkable, bikeable distance) can be achieved within current regulations is one example of this assessment. Assessing the suitability of zoning in designated priority growth areas will be another critical element of work to be done under Phase II of the ReCode.

III. POLICY AREA DISCUSSION

In the process of Phase I, staff has identified elements of the current code that, either due to their existing lack of consistency or their lack of alignment with policy goals as expressed through *Portland's Plan*, warrant not just a restructuring, but also closer policy examination.

1. Parking

As in many American communities, the city's off-street parking requirements often arise as one of the most discussed aspects of the land use code, with opinions sometimes alternating between divergent positions in the parking policy debate. Planning, in conjunction with the Planning Board and Council, has worked over the past several decades to calibrate the parking ordinance to best practice, local analysis, and the city's vision: the Council added bicycle parking standards in 2008, language allowing for requirements based on parking studies in 2010, a fee-in-lieu provision in 2010, and exemptions for some residential development in 2016. This incremental approach has been valuable for testing different strategies; now the ReCode process provides an opportunity to

consider the use of these strategies and others at a more holistic level.

As part of the Phase I work on the parking ordinance, staff has identified a number of provisions which raise questions about consistency and relationship to the city's vision more broadly, as *Portland's Plan* promotes multi-modal accessibility, sustainability in transportation policy, and more housing density proximate to services and transit nodes. Planning staff have identified several tools in the current code that could be more effectively used, including:

- A. *Residential parking requirements.* The current parking ordinance requires two parking spaces/residential dwelling unit with exceptions for certain zones and on the peninsula. While some developers choose to develop two parking spaces per unit, and in fact some choose to develop more parking than the Land Use Code requires, this parking requirement can also serve as a barrier to housing production. As part of the ReCode, staff is considering a one space/dwelling unit requirement city-wide. A one space/unit requirement is consistent with practice in many cities, including those of a similar size in the northeast, and while it does not go so far as institute a maximum (i.e. developers would continue to be allowed to develop more than one space/unit), which has been successful in many communities seeking to limit excessive additional parking creation, it would allow those developers and tenants who choose to promote and use alternative modes to avoid the cost of extra parking supply.
- B. *Off-street parking exemptions for mixed-use zones.* Current parking policy provides an exemption from minimum parking requirements for all uses in the B-5 zone. This exemption could extend to all uses in other mixed-use zones, including the B-1/B-1b, B-2/B-2b/B-2c, and B-3. This would give developers and property owners the flexibility to determine parking supply based on local data and the specific market characteristics of their development. As with a change in residential parking requirements, this policy change would not introduce maximums, but would ensure that parking minimums do not serve as a barrier for mixed-use development or redevelopment. Exemptions could be combined with or done instead of C., below, so that exemptions from parking minimums are tethered to required parking analysis.
- C. *Parking requirements through parking study.* Currently, parking requirements for developments in the B-6 and B-7 zones or for site plans >50,000 SF are identified through a parking analysis reviewed by the city through site plan review. This method allows the city to arrive at parking requirements through an analysis informed by local data and experience. Extending this means of determining parking requirements could be to other scales of development in all zones would make application of parking policy more consistent city-wide.
- D. *Peninsula fee in-lieu provisions.* The current parking policy allows any development in a non-residential zone or the India Street Form-Based Code zone on the peninsula to pay into the city's Sustainable Transportation Fund in-lieu of providing off-street parking. In practice, very few developers opt for the in-lieu fee, choosing to provide parking on-site or secure parking off-site instead. Through the ReCode, staff is considering extending the geographic scope of the in lieu fee to make it an option for any development city-wide, or alternatively for transit-proximate development, as a means of recognizing the potential for alternative modes across the city and increasing the revenue potential for the fund. It should be acknowledged

that, as currently structured, the fee-in-lieu provisions serve as a tool for property owners that want or need to provide less parking than required by ordinance; it is thus integrally tied to parking requirements and other means to meet them, such as the off-site parking regulations.

- E. *Joint use allowance.* Today's code allows the ZBA or Planning Board to approve shared parking, or "joint use" of parking, for residential uses in selected mixed-use zones in which residential is proposed with non-residential uses and a study can prove the feasibility of joint use. These provisions are commonly used where they can be, and are widely considered to provide for more efficient off-street parking. Staff would propose broadening the joint use allowance to extend to all uses in all mixed-use zones and to eliminate the ZBA or Planning Board review requirement.

At their June 11 workshop, the Planning Board reflected on these tools and others as a means of advancing the city's objectives with respect to transportation policy. The Board expressed broad support for a 1 parking space/dwelling unit residential parking requirement city-wide, noting the ways that this policy change responds to trends in transportation and the potential for oversupply. Several members of the Board requested that staff investigate ways to better leverage the in-lieu fee provisions and the potential for parking maximums in transit-accessible areas. Staff is pursuing ways to make the in-lieu fee more compelling for property owners that provide less-than-required off-street parking, perhaps by restricting the off-site parking allowances, which are more often used. Staff is also looking at ways to leverage participation in the in-lieu fee program for property owners that propose to exceed parking requirements. Last, the Planning Board encouraged staff to look into ways to use the code to build electric vehicle charging capacity within parking areas.

2. Accessory Dwelling Units

Accessory dwelling units, otherwise known as ADUs, are dwelling units that are independent of, subordinate to, and wholly contained within either a principal building or attached/detached accessory structure (such as a garage) on property where a single- or two-family dwelling is the principal use. While the City of Portland broadly permits ADUs at present, the terminology and regulations that govern ADUs are inconsistent, and are likely more restrictive than they need to be. In light of this, and based upon direction provided by the City's Housing Committee in 2018, staff are drafting a new, comprehensive set of standards that would apply to ADUs city-wide, with the goal of broadening opportunities for ADU creation, reducing unnecessary constraints, and employing consistent terminology. This effort is being undertaken as part of the first phase of ReCode.

For the purposes of this discussion, existing regulations that are to be incorporated into the draft standards are not listed within this memorandum. Proposed changes are as follows:

- A. *ADU Forms.* Under the draft regulations that staff has developed, all legally conforming and non-conforming single- and two- family residential properties would be permitted one accessory dwelling unit. These could take the form of either an internal unit (i.e. within the basement, attic or attached addition), a detached unit (i.e. within accessory structure such as a shed, garage) or as a cottage or tiny home, with more residential appearance. This differs significantly from the current restrictions, which require that an ADU be located within the principal residential structure, with no allowance for ADUs within accessory structures.

- B. *Permitted vs. Conditional Use.* Under current zoning, ADUs are identified as a conditional use, requiring approval by either the Planning Board or Zoning Board of Appeals through a finding of consistency with relevant conditional use standards. The approach taken by staff has been to reduce actual and perceived barriers to ADU development, important among those being the conditional use requirements. For this reason, the draft regulations eliminate ADUs as a conditional use and instead, permit ADUs by right in all zones where single- and two-family dwellings are the principal use on a lot.
- C. *Submission Requirements.* As stated under ‘ADU Forms’, the types of ADUs permitted under this proposal expands, with a new allowance for detached units and small, stand-alone residential structures identified as a cottage. The expansion of allowable form necessitates a different approach to reviewing such applications, particularly for stand-alone cottages. The goal of ADU regulations are to ensure that the predominant character of the zone and lot are being maintained, so that the addition of an ADU does not substantively alter the appearance or operation of single- or two-family residential properties. To affect this outcome, a series of standards have been developed to ensure compatibility of the ADU. Given the greater conceivable impact of a stand-alone cottage, the draft regulations would require that ADUs of this typology submit a Level I Minor Residential site plan application, with accompanying narrative describing compliance of the project with subsequent design standards.
- D. *ADU Design Standards.* In keeping with the goal of reducing visibility of ADUs and making them more recessive, a series of design standards are proposed for units significantly visible from public ways. First, units would be required to be sited specifically so as to minimize their visibility, with additional screening to be required as necessary. Aside from placement, additional design standards would require that the ADU be subordinate to the principal structure in scale, form, composition, and position relating to the street, and that it also be recessive in its design elements, relating to articulation, materials, forms and composition. Where reuse of an existing, non-conforming accessory structure is contemplated, the design of the ADU shall take into account the privacy of neighboring properties.
- E. *Development/Dimensional Exemptions.* A key strategy of this proposal is to relax certain dimensional requirements that would otherwise impede establishment of ADUs. For example, this proposal would exempt ADUs from meeting the lot area per dwelling unit requirement (density calculation) typical of residential zones, and would eliminate the existing parking requirement of one space per ADU (found under Division 20). Non-conforming properties would also be permitted to develop ADUs, so long as the non-conformity is not increased in any way by the ADU.
- F. *Unit Size.* In reviewing best practices and other national examples, staff established a maximum unit size for ADUs, with attached and detached units being limited in size to either 800 square feet, or less than one-third of the total floor area of the principal unit(s), whichever is more restrictive. Stand-alone cottages meanwhile would be further restricted, with the maximum unit size being 600 square feet, or less than one-third of the total floor area of the principal unit(s), with again, the more restrictive figure applying.

At their June 11 meeting, members of the Planning Board discussed the draft frameworks for ADU regulations, and were generally supportive of the approach put forward by staff. In particular, the Board appreciated that property owners seeking to develop ADUs would have fewer regulatory

hurdles to overcome, such as the conditional use application requirements, and that ADUs would be permitted more broadly, namely by expanding the allowable form and by making all single- and two-family dwellings eligible. In response to feedback received in the public comment, members of the Board questioned whether it was necessary to include design requirements focusing on the screening of cottage units, and conversely, asked that staff consider opportunities where it may be appropriate to have an ADU be more prominent (for example on properties with significant front yard area). The Board also asked that additional information be provided on where existing ADUs are located, where they could conceivably be located, and where the draft regulations would permit ADUs, to determine the potential delta. Staff are currently working to compile this information, and will continue to explore appropriate design and buffering standards for ADUs.

3. Definitions

Last, Planning staff are reviewing definitions for residential uses and for/including those with implications for the recovery and service sector. Many of these related terms have been unchanged for many years, and ReCode is an opportunity to update and clarify definitions, review standards and processes. It's also an opportunity to ensure they are in step with contemporary practices, applied equitably and with consideration of local impacts. In particular, these include definition of Family, Sheltered Care Group Home, permitted areas and standards for Manufactured Housing and related terms. Consideration of changes to these definitions, permitted locations, and review standards also prompts careful consideration of consistency with the Fair Housing Act. The June 11th workshop presentation went into greater detail on current definitions, issues for consideration when evaluating changes, and suggested strategies moving forward.

ATTACHMENTS

1. Public comments



ReCode PORTLAND

ReCode Committee
June 24, 2019

What is ReCode Portland?

The first rewriting of the Land Use Code in over half a century.



VOL. CVII..No. 36,414. © 1957, by The New York Times Company. NEW YORK, SATURDAY, OCTOBER 5, 1957. FIVE CENTS

SOVIET FIRES EARTH SATELLITE INTO SPACE; IT IS CIRCLING THE GLOBE AT 18,000 M. P. H.; SPHERE TRACKED IN 4 CROSSINGS OVER U. S.

HOFFA IS ELECTED TEAMSTERS' HEAD; WARNS OF BATTLE

Defeats Two Foes 3 to 1
—Says Union Will Fight
'With Every Ounce'

Text of the Hoffa address
is printed on Page 6.

By A. H. RASKIN
Special to The New York Times.
MIAMI BEACH, Oct. 4.—The
scandal-ridden International
Brotherhood of Teamsters elect-
ed James R. Hoffa as its presi-
dent today.
He won by a margin of nearly
3 to 1 over the combined vote
of two rivals who campaigned
on pledges to clean up the na-
tion's biggest union.
Senate racketeers investigators
and Hoffa critics in the
union rank-and-file immediately
opened actions to strip the 44-
year-old former warehouseman
from Detroit of his election vic-
tory.

COURSE RECORDED

Navy Picks Up Radio
Signals—4 Report
Sighting Device

By WALTER SULLIVAN
Special to The New York Times.
WASHINGTON, Saturday, Oct.
5.—The Naval Research Labora-
tory announced early today that
it had recorded four crossings
of the Soviet earth satellite
over the United States.
It said that one had passed
near Washington. Two cross-
ings were farther to the west.
The location of the fourth was
not made available immediately.
It added that tracking would
be continued in an attempt to
pin down the orbit sufficiently
to obtain scientific information
of the type sought in the Inter-
national Geophysical Year.
[Four visual sightings, one of
which was in conjunction with
a radio contact, were reported
by early Saturday morning.
Two sightings were made at
Columbus, Ohio, and one each
from Terre Haute, Ind., and
Whittier, Calif.]

The New York Times
Oct. 5, 1957
The approximate orbit of the Russian earth satellite is
shown by black line. The rotation of the earth will bring
the United States under the orbit of Soviet-made moon.

560 MILES HIGH

Visible With Simple
Binoculars, Moscow
Statement Says

Text of Tass announcement
appears on Page 3.

By WILLIAM J. JORDEN
Special to The New York Times.
MOSCOW, Saturday, Oct. 5.—
The Soviet Union announced
this morning that it success-
fully launched a man-made
earth satellite into space yester-
day.
The Russians calculated the
satellite's orbit at a maximum
of 560 miles above the earth
and its speed at 18,000 miles an
hour.
The official Soviet news
agency Tass said the artificial
moon, with a diameter of
twenty-two inches and a weight
of 164 pounds, was circling the
earth once every hour and
thirty-five minutes. This means
more than fifteen times a day.
Two radio transmitters, Tass
said, are sending signals con-
tinuously on frequencies of

Associated Press Wirephoto
IN TOKEN OF VICTORY: Dave Beck, retiring head of the Teamsters Union, raises
hand of James R. Hoffa upon his election as union's president. At right is Mrs. Hoffa.

Device Is 8 Times Heavier Than One Planned by U.S.

What is ReCode Portland?

Anatomy of the Code

- o Administration
- o Definitions
- o Nonconformities
- o Zones
- o Use Standards
- o Dimensional Standards
- o Overlay Zones
- o Shoreland Zone
- o Flood Plain Management
- o Site Plan Standards
- o Subdivision Standards
- o Impact Fees
- o Historic Preservation
- o Housing
- o Parking
- o Signs
- o Alternative Energy
- o Public Art
- o Home Occupations
- o Accessory Dwelling Units



Why ReCode?

1 Streamline and simplify code

A well-organized new Code will increase predictability and clarity for the development review process.

2 Create consistency across the code

The ReCode process is an opportunity to ensure there's no outdated, unclear or duplicative language in the Code.

3 Introduce graphics to improve legibility

An increased use of tables and illustrative graphics will make the next iteration of the Code a more accessible document for all.

4 Align the code with Portland's Plan

The ReCode will help ensure our regulations align with our aspirations.

ReCode Phase I

1 Streamline and simplify code

A well-organized new Code will increase predictability and clarity for the development review process.

2 Create consistency across the code

The ReCode process is an opportunity to ensure there's no outdated, unclear or duplicative language in the Code.

3 Introduce graphics to improve legibility

An increased use of tables and illustrative graphics will make the next iteration of the Code a more accessible document for all.

Implementing Portland's Plan 2030



Working Waterfront



Housing Diversity, Affordability, Security



Transportation Choice



Nodes, Corridors, Connections



Creative Economy



Healthy City



Complete Neighborhoods



Strong Downtown



Climate Resiliency

Definitions

Consolidates definitions

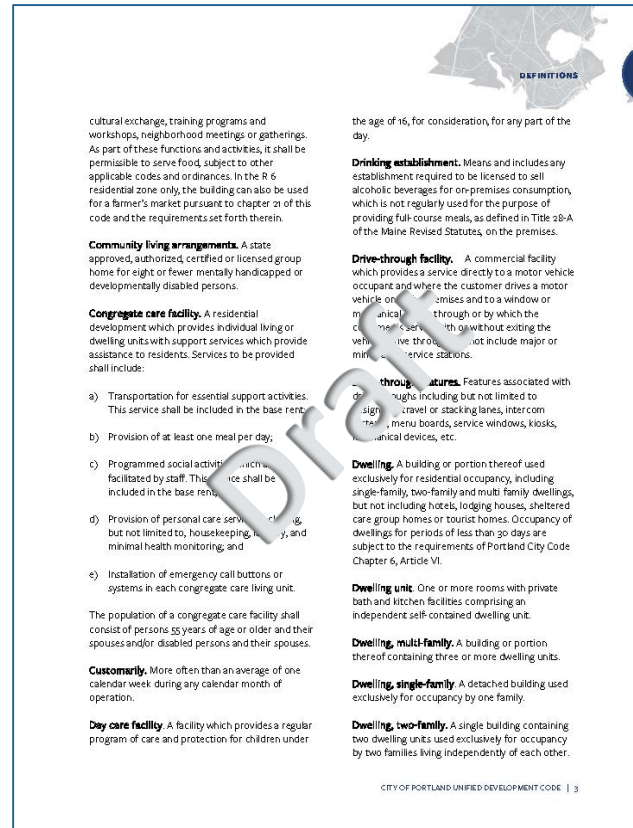
Aligns defined terms with uses & use categories

Eliminates duplicates (Lot is defined 3x)

Fills in omissions (Lot coverage, for example)

Substantive changes to following categories:

1. Lodging
2. Places of Assembly
3. Family Definition
4. Group homes and related



Zoning Law Shouldn't Define Wh...
https://www.citylab.com/perspective/2019/06/zoning-ordnances-formal-family-code-housing-discrimination/591427/

CITYLAB

DESIGN / TRANSPORTATION / ENVIRONMENT / EQUITY / LIFE



A large house advertised as for sale in California. Should zoning ordinances restrict what kind of functional family can inhabit this house? // Ben Margot/AP

PERSPECTIVE

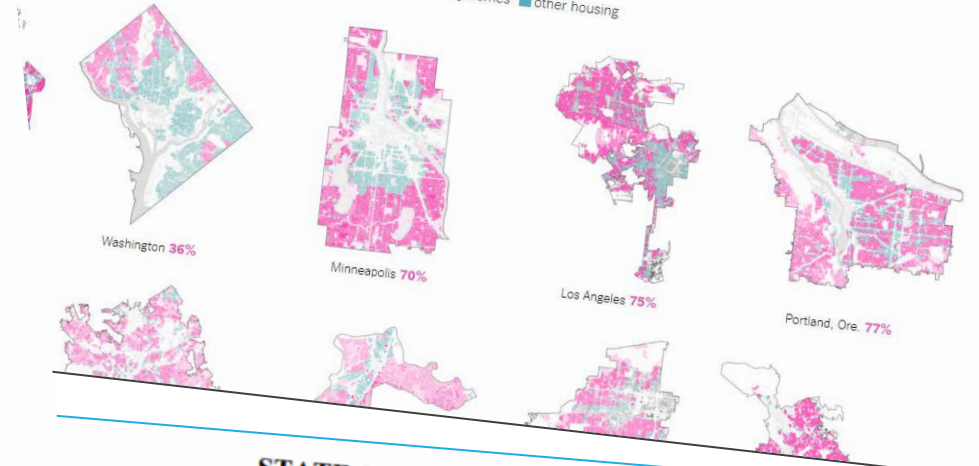
Why Are Zoning Laws Defining What Constitutes a Family?

https://www.nytimes.com/interactive/2019/06/18/upshot/cities-across-america-question-single-family-zoning.html?action=click&module=Top%20Stories&pgtype=Home...
THE UPSHOT | Cities Start to Question an American Ideal: A House With a Yard on Every Lot
By EMILY BADGER and QUOCTRUNG BUI | JUNE 18, 2019

Cities Start to Question an American Ideal: A House With a Yard on Every Lot

Townhomes, duplexes and apartments are effectively banned in many neighborhoods. Now some communities regret it.

Residential land zoned for: ■ detached single-family homes ■ other housing



STATE OF MAINE HOUSE OF REPRESENTATIVES 129TH LEGISLATURE FIRST REGULAR SESSION

AMENDMENT " " to H.P. 279, L.D. 353, Bill, "An Act To
Residences as One-family Dwellings for the Purposes of the Fire

by striking out the title and substituting the following:

Amend the bill by striking out everything after the enacting clause and inserting the
following:

Definitions – Manufactured Housing

Title 30-A M.R.S.A. Section 4358: *Municipalities may not prohibit manufactured housing.*

Existing:

- *Manufactured Housing*
- *Manufactured Housing Parks*
- *Multiple-component manufactured housing*

Proposed: Simplify categories, eliminate “manufactured housing parks” and permit manufactured housing as single family dwelling units.



Definitions - Family

Family: *Not more than **16** individuals living together in a dwelling unit as a single nonprofit housekeeping unit. A group occupying a hotel, fraternity house or sorority house shall not be considered as a family. The family may include necessary servants.*

Family definition is intertwined with other Residential Use Categories, dwelling unit definitions. For ex., Dwelling Unit, Single Family, Two-Family, Multi-family, Sheltered Care Group Homes.

Definitions – Sheltered Care Group Home

Sheltered care group home: *A facility which, in addition to providing food and shelter to a defined population, provides guidance or counseling services....*

Residential Conditional Use requirements:

- up to **12** individuals + staff
- Not handicapped persons, parolees, persons in correctional prerelease programs, or current illegal drug users
- Not within 500 feet of another
- Other: Restrictions on open outside stairways, requirements for staffing, building maintenance, lighting, fencing, security, screening, compatibility of the architectural character, limitation on the duration of a sheltered care group home permit.

Definitions – Potential Changes

- Changes to *Family* definition. Fewer than 16 people, no reference to servants.
- Simplify review standards for *Group Homes*.
- Add language to Land Use Code about making all reasonable accommodations to meet Fair Housing Act.

Considerations:

- ❖ Focus on impacts, equal treatment.
- ❖ *Group Homes* serve protected class, review cannot be unequal or more arduous than for other residential uses.
- ❖ *Family* cannot be so narrowly defined as to rule out households not related by blood or marriage.

Parking



- National research indicates broad bias towards oversupply, overreliance on ITE
- Incremental approach over past decade
- Opportunity to look more broadly
 - Consistency & continuity across zones/uses
 - Alignment with Portland's Plan & other recent planning work

Parking Policy Questions

- Will a 1 space/dwelling unit requirement help us achieve our land use and transportation goals?
- Will extending broad, zone-based exemptions from off-street parking requirements in non-residential zones do the same?
- Or would a requirement based on parking analysis in these zones be more appropriate?
- Should fee-in-lieu and joint use provisions be more widely available?

Policy Issue	Current Policy	Potential Policy	Case Studies
Residential parking requirement	2 spaces/DU, except: - 1/DU in B-2/B-2b/B-2c - 1/DU in R-6/R-6a - 1/DU on-peninsula and blanket exceptions for the IR-3 and first three units in R-6 & IS-FBC - 1/DU for changes of use	1 space/DU citywide, with exemption for first three units in R-6 and IS-FBC, ADUs	- Portsmouth, NH - .5 – 1.3/DU depending on unit size (with 1 guest space required for each 5 units) - Montpelier, VT – 1/DU - Providence, RI – 1/DU - Albany, NY – 1/DU - Scranton, PA – 1/DU - Minneapolis, MN – 1/DU - Chicago, IL - .6/DU (.4 in CBD) - Portland, OR - .2 - .33/DU for multi-family
Off-street parking exemptions	No off-street parking required in B-5 zone, IR-3 zone	Extend exemption to B-1/B-1b, B-2/B-2b/B-2c, and B-3 (where no parking is currently required for change of use)	- Buffalo, NY – no off-street parking for projects < 5,000 SF - Hartford, CT – no off-street parking for residential - Lexington, KY – no off-street parking for specific business districts - Cincinnati, OH – no off-street parking in specific districts
Parking requirement based on parking study	Eligible/required in B-6, B-7, USM Overlay, MMC Overlay, site plans > 50KSF	Expand parking study method to other scales of development in all zones	- Eugene, OR – Allowed city-wide - San Jose, CA – Required city-wide
Peninsula fee-in-lieu of parking	Any development located in a non-residential zone on the peninsula or the IS-FBC zone eligible for fee in lieu of providing off-street parking	Any development [anywhere or near transit] eligible for fee-in lieu	- Northampton, MA - \$2,000/space in CBD - Albany, NY – with approval of Planning Board - Lake Forest, IL - Jackson, WY - Bend, OR
Joint use allowance	Permitted by ZBA or PB based on analysis for residential uses in B-1, B-1b, B-2, B-2c, and B-3 which propose joint use with non-residential	Permitted based on analysis for all uses in all mixed-use zones	- Portland, OR – Allows joint use anywhere - Waltham, MA – Allows joint use anywhere - Marlborough, MA - Allows joint use anywhere

Accessory Dwelling Units (ADU)

What is an ADU? An additional residence, either within a single or two-family home, within an accessory structure such as a garage, or as a small free-standing cottage.

Why do they matter? ADU's are an important element of Portland's approach to creating a well-rounded housing supply and an organic way to allow neighborhoods to retain their character as they grow. They increase supply and diversity of housing, provide flexibility for property owners, and allow for the adaptation of existing housing and infrastructure.

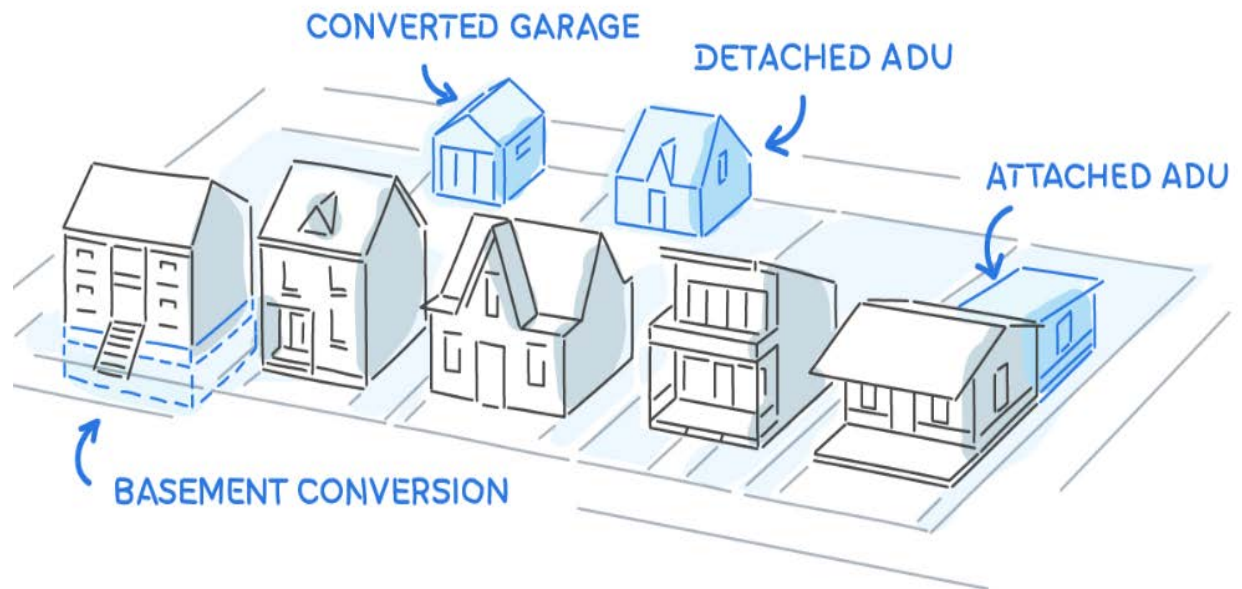
The Status of Existing Regulations. At present, some form of accessory dwelling unit is permitted within most of Portland's residential zoning districts. Terms, requirements, review standards, and process varies.

Goal. Create a clear unified approach city-wide that permits and encourages contextual ADUs in Portland's neighborhoods.



Draft ADU Framework

- ADU Form
- Use Category
- Submission Requirements
- Design Standards
- Development/Dimensional Exemptions
- Unit Size



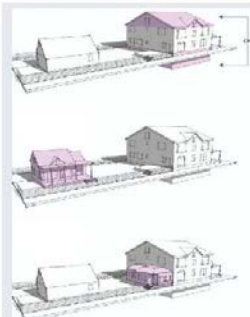
ADU Policy Questions

- Are three forms of ADU - attached, detached and cottage - acceptable?
- Should ADUs be permitted in all zones where single- and two-family dwellings are legally non-conforming use?
- Are the dimensional/development regulations appropriate?
 - No required parking
 - Not counted towards residential unit density requirements
 - Permitted so long as dimensional non-conformities are not exacerbated
- Unit size:
 - Attached/Detached = 800 SF or $< 1/3$ of total floor area of the principal unit, whichever is less.
 - Cottage = 600 SF or $< 1/3^{\text{rd}}$ of total floor area of the principal unit, whichever is less.

ReCode PORTLAND



Accessory Dwelling Units (ADUs)



POLICY GOAL

Establish a uniform definition and set of easily accessible city-wide requirements that would facilitate the development of ADUs as a means of expanding housing choice, supporting aging-in-place, increasing density, and encouraging year-round communities on Portland's islands.

CURRENT POLICY

In all zones, ADUs are identified as conditional uses, subject to additional standards and increased oversight by either the Zoning Board of Appeals or Planning Board, case depending.

While permitted as a conditional use within almost every residential zone, existing ADU standards differ from zone to zone. For example, the R-1, R-2 and R-3 permit ADUs so long as the total floor area does not exceed 30%, whereas in the IR-1 and IR-2, the limit is 35%.

ADUs are limited in form to those found within a principal residential structure, or within an attached addition to that structure. ADUs within detached accessory structure and or stand-alone tiny homes are not permitted.

PROPOSED POLICY

- Permitted use city-wide
- Allow on lawfully conforming and legally non-conforming one- and two-family properties
- Expand permissible form to include detached accessory structures and tiny homes
- Eliminate parking requirement
- Regulate unit size, tenancy periods, site design standards and ownership requirements

CASE STUDIES

PORTLAND, OR	PORTSMOUTH, NH
MONTPELIER, VT	CAMBRIDGE, MA

What is an ADU?
An ADU is an additional living quarter that is independent of and wholly contained within a principal building or attached detached accessory structure (such as garage) on property where a single or two-family dwelling unit is the principal use. ADUs are equipped with kitchen and bathroom facilities and are typically subject to standards relating to placement, on a lot, design, and size. An ADU within a single family home is distinguished from a duplex, for example, because the ADU is intended to be clearly subordinate in scale and placement in relation to the primary residence.

Where can I find more information?
<https://www.recodeportland.maine.gov/accessory-dwelling-units>
<https://www.planning.org/knowledgebase/accessory-dwellings/>

www.recode.portlandmaine.gov | recode@portlandmaine.gov



14 October 2026

0% Homeless Rate

in Portland Maine

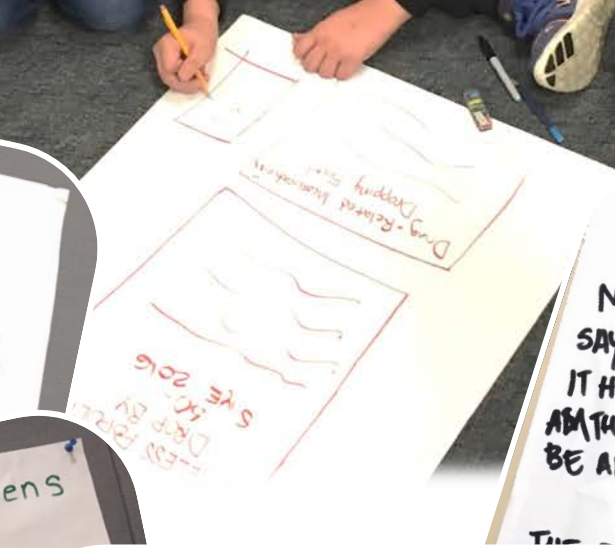
"I grew up here, it's an amazing city!"
- President Talia Cosole
#Bless up

Portland has done a Fantastic job at building new houses

"Started From the bottom"

Climate Change no Longer Threatens Casco Bay!

- no cars allowed on Peninsula
- 70% Citizens are Vegan
- Decomposable Fish



Smallest city to have a Subway system fueled by garbage

Weather 64° and sunny

Patriots win Superbowl

Cover Story - All about the new system, how it was made and the process. How Garbage is fueling the Subway System.

Quotes

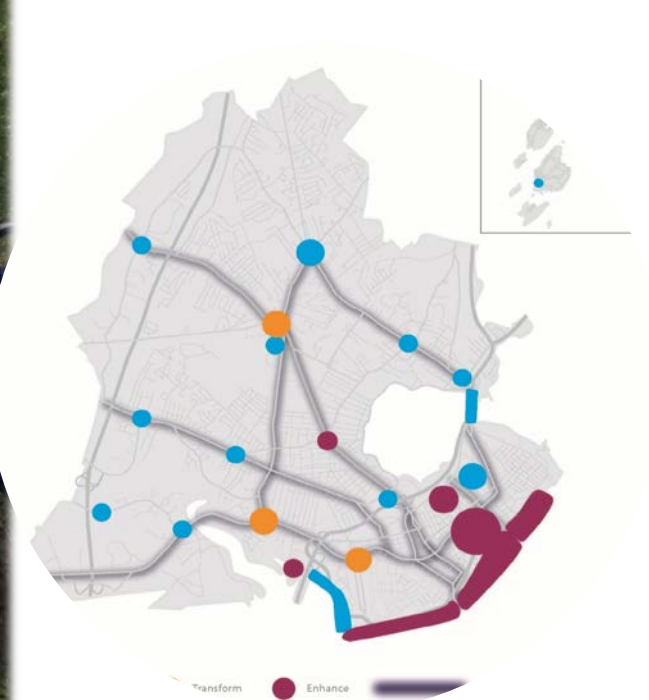
Mayor, City Planner on how innovative it is. Introducing the Subway System.

MAYOR HINCK SAYS "I LOVE IT HERE" AND "AM THRILLED TO BE ALIVE!"

DOWNTOWN PORTLAND, ME IS CAR FREE AND THRIVING!



ENERGY EFFICIENCY REACHES ALL TIME HIGH.



NORTH DEERING
9/13/17

KIDS + FAMILIES

STRENGTHS

TRAILS

ACCESS TO QUALITY TREES
SAFE

WALKABILITY

NICE RES. NEIGHBORHOODS
LIBS - BUSINESSES

NO MORE B-2?

TRANSIT

LACK OF DENSITY

SITE PLAN STDS -

WEAKNESSES

LACK OF BIKE FACILITIES
SIDEWALK GAPS

LACK OF GREENSPACE
COMMUNITY CTR

LACK OF VIBRANCY

LACK OF LOCAL BUSINESSES

TRAFFIC + CUT-THROUGHS

SUBDIVISION STDS + PAPER STDS

NOT AS TRANSIT ACCESSIBLE

AS POSSIBLE

OPPORTUNITIES

REDEVELOP SHAW'S P. LOT
INTEGRATE AFFORDABLE HOUSING

TRAIL ON FALL BROOK

MORRILL'S CORNER

HABITAT HOMES/AFT. HOUSING

TRANSIT + ALT. MODES

CONSIDER ALT COMM ZONES

THREATS

CUT THROUGH + SPEEDING TRAFFIC

LANDFILL HAZARDS

ZONING BEHIND CURVE

TOOLS

ZONING REVIEW?



cost prohibitive to local businesses?

INTERNAL

EXTERNAL



need more user-friendly map



SHAW'S PARKING LOT

library? BOOK MOBILE!

places for people to come

speeds

Allen Ave.

cost of curbing bringing to stds.

enough to support vibrancy



green space plaza

community center

coffee?

integration

ped safety

driver experience

B-2b

B-1



traffic and conflict

enviro

summit

to wash

Artes

coffee

luchman project

props on market

tiny homes



Allen Ave
Washington Ave
Arling Ave
school times

public health

desert

acres

what we want

PARKSIDE



STRENGTHS

- Neighborhood events - flower power day - community dinners
- City helps immigrants
- NBHD Assn - problem solving + connectivity
- Community policing - coordination - strong communication - 510 Cumberland
- Diversity + Immigrants
- Convenient location - MMC, state + merril - ice arena - Hadlock - TP
- Access to schools - King, Reiche, PHS, BA
- Access to healthcare
- Public transportation
- Faith groups
- YMCA
- Open space - Deering Oaks, Congress Sq



WEAKNESSES

- Congestion
- Lack of parking
- Pedestrian safety + barriers - State + High - rivers of traffic
- Maintenance + age
- Lack of activity?
- Absentee landlords - not knowing needs
- Lack of transparency (service providers) halfway houses, lack of regulation
- Lack of sidewalk lighting in key spots - Grant St
- Snow removal - sight lines, enforcement issues
- Immigrant access to housing + services + information/ integration - language barrier - can't attend meeting times



OPPORTUNITIES

- Youth + mixing cultures
- Homeownership + turnover
- Aging in place + complete nbhds
- Potential for additional services - Joes perfect spot - Mellen St Market
- Parking lot
- Communication ReCapital
- Projects + timeline for addressing issues - fix it (accountability)
- State + High 2-way - how to create momentum
- Lack of public toilets, trash
- Invite immigrants to bring culture/ experience to city - city hall, info sports, new harmony



THREATS

- Building height + form
- Rising rents + affordability - threat to long term residency
- Transparency + lack of long term investment
- History + perception - data on vacancies - dangerous - "parkside the darkside"
- City's lack of system/approach to affordable/ subsidized housing
- Highway through the neighborhood
- Code does not support compatible design
- Immigrants leave - integrate promoting participation - create plan for retention + physical disbursement - motivation? Cultural identities celebrated
- Loss of OA as a hub - 510 Cumberland, how to recreate?

NEIGHBORHOOD SWOT ANALYSIS

NORTH DEERING



STRENGTHS

- Kids + Families - SF homes
- Trails - river, need more user friendly map
- Access to quality schools
- Trees
- Walkability
- Nice residential neighborhoods
- Shop local
- Libraries
- Businesses
- No more B-2? built out
- Transit - 9A 9B



WEAKNESSES

- Lack of bike infrastructure
- Sidewalk gaps
- Lack of green space + amenities in parks - greenspace plaza, community center, Shaws parking lot
- Lack of vibrancy - places for people to come
- Lack of businesses - coffee?
- Traffic susceptibility + cut throughs - pedestrian safety, driver experience
- Subdivision SIDS + paper streets - cost of curbing bringing to stds?
- Not as transit accessible as possible
- Lack of density - enough to support vibrancy



OPPORTUNITIES

- Redevelop Shaw's parking lot/northgate - greenspace plaza
- Integrate affordable housing
- Trail on fall brook - to Washington Ave coffee
- Morrill's corner
- Habitat homes/ affordable housing - tiny homes
- Transit + alternative modes
- Consider alternative comm zones - B2b B1



THREATS

- Cut through + speeding - Allen Ave, Washington Ave, Auburn Ave, Summit St, school times
- Traffic + volumes
- Landfill hazards - public health - environment
- Zoning behind curve - properties on market - doesn't get us what we want - Lachman project

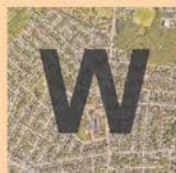
NEIGHBORHOOD SWOT ANALYSIS

DEERING CENTER



STRENGTHS

- Big old trees
- Authenticity
- Architecture
- Community Garden
- Desirability
- Schools - walkable, UNE, street facing
- Variety of businesses - BID, local
- Library - Burbank
- Community of people, families
- Green spaces + Evergreen Cemetery
- Clear edges + center - Forest Ave, Stevens, Mother House
- Age diversity - schools, businesses
- Churches
- B-1 working



WEAKNESSES

- Lack of diversity - ethnic, housing, SES
- Lack of affordability
- Lack of SW + SW maintenance - safety issue - traffic calming
- Code doesn't match existing form - impact on ability to stay - front yard setbacks - can't add decks/ additions
- Longfellow playground - needs upgrade, basketball court
- Car reliance - idling - drop off at Longfellow
- Brentwood/ Stevens - Siano's lot
- Lack of coordination between businesses



OPPORTUNITIES

- More activity not more traffic - alternative transportation
- NBHD as little downtown
- Walkable drug store
- Accessory dwelling units - density provisions, R3/R5
- Integrate UNE - educational opportunities, community meeting rooms, connect physically
- More traffic calming
- New buildings + pocket park
- School campus - Deering + Longfellow - stormwater, fields
- Another playground?
- B-1 vet center - Siano's
- B-1D - lighting - self assessment, benches for uniform improvements, trash receptacles, paving, sewer, vocabulary



THREATS

- Local/ regional traffic - UNE, Mother House, walkability
- Mismatch zoning + character
- UNE
- Cut through traffic - Brentwood, Willow, Pleasant, see speed bumps on Stevens
- Access/ connections to other neighborhoods - train tracks - Forest Ave - nodes as antidote

NEIGHBORHOOD SWOT ANALYSIS

INDIA STREET



STRENGTHS

- Food - restaurants, groceries
- Walkability
- Arts - Merrill
- History - landmarks
- Access to waterfront
- Healthcare - pharmacy
- Worship
- Transportation - free parking, ferry
- Culture
- Tourism - foot traffic, people working
- Diversity of business - people
- Access to services



WEAKNESSES

- Parking concerns
- Construction impacts
- Strategic pedestrian safety - adequate stop signs - speed - crosswalk
- Lack of street lighting on India
- Fixing sidewalks - Federal st
- Trash - lack of city maintenance, response times
- Insufficient green space - need more pocket parks
- Lack of moped/ motorcycle parking
- ADA compliance/ access to services - conflict with outdoor seating
- Access to parks + open space - unfriendly spaces
- Loitering in general and certain locations (rite-aid alleyway) homeless problem worsening
- Appropriate parking durations



OPPORTUNITIES

- Tourism - cruiseships - some businesses benefit greatly
- Rising property values
- Beautifying India St - reinvestment in properties
- Traffic calming on India/ Middle, Fore St/ Hancock - stop sign
- More decorative lighting - finding resources, improve safety
- Greater access to cemetery
- Increasing greenspace
- Integrating NBHDS
- BID parks
- Community partnerships
- More bike infrastructure
- Pump station open space design
- Plastic trash containers to prevent litter
- Designing safer spaces



THREATS

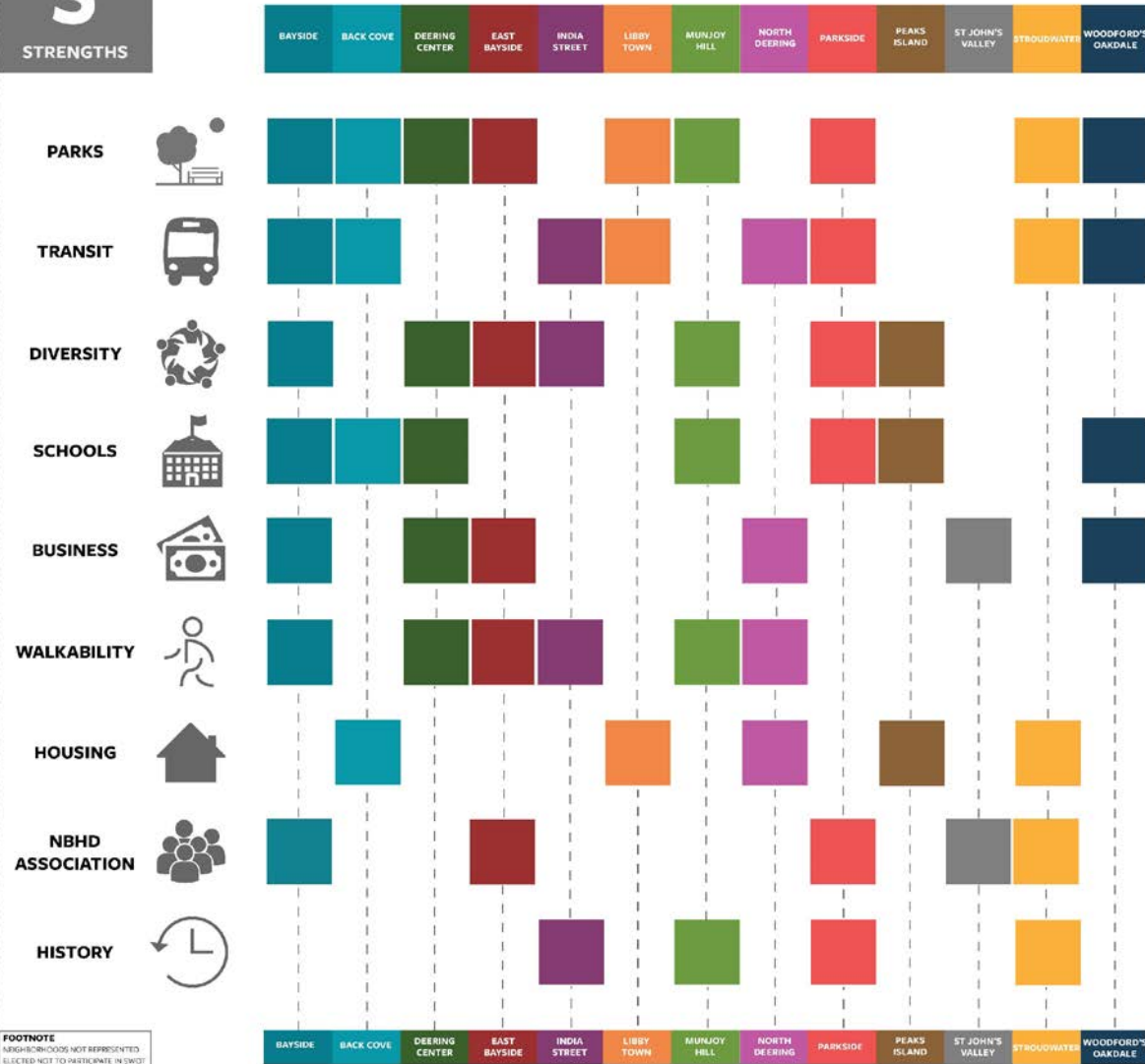
- Losing tourism to other communities
- Less economic diversity
- Rising costs - affordability
- Rate of change
- Losing neighborhood character to development
- Limited parking worsened by development
- Losing aesthetic of buildings
- Street safety issues (milestones)
- Fire sprinkler + parking requirements excessive for small projects

NEIGHBORHOOD SWOT ANALYSIS

S

STRENGTHS

COMMUNITY CONVERSATIONS 2017

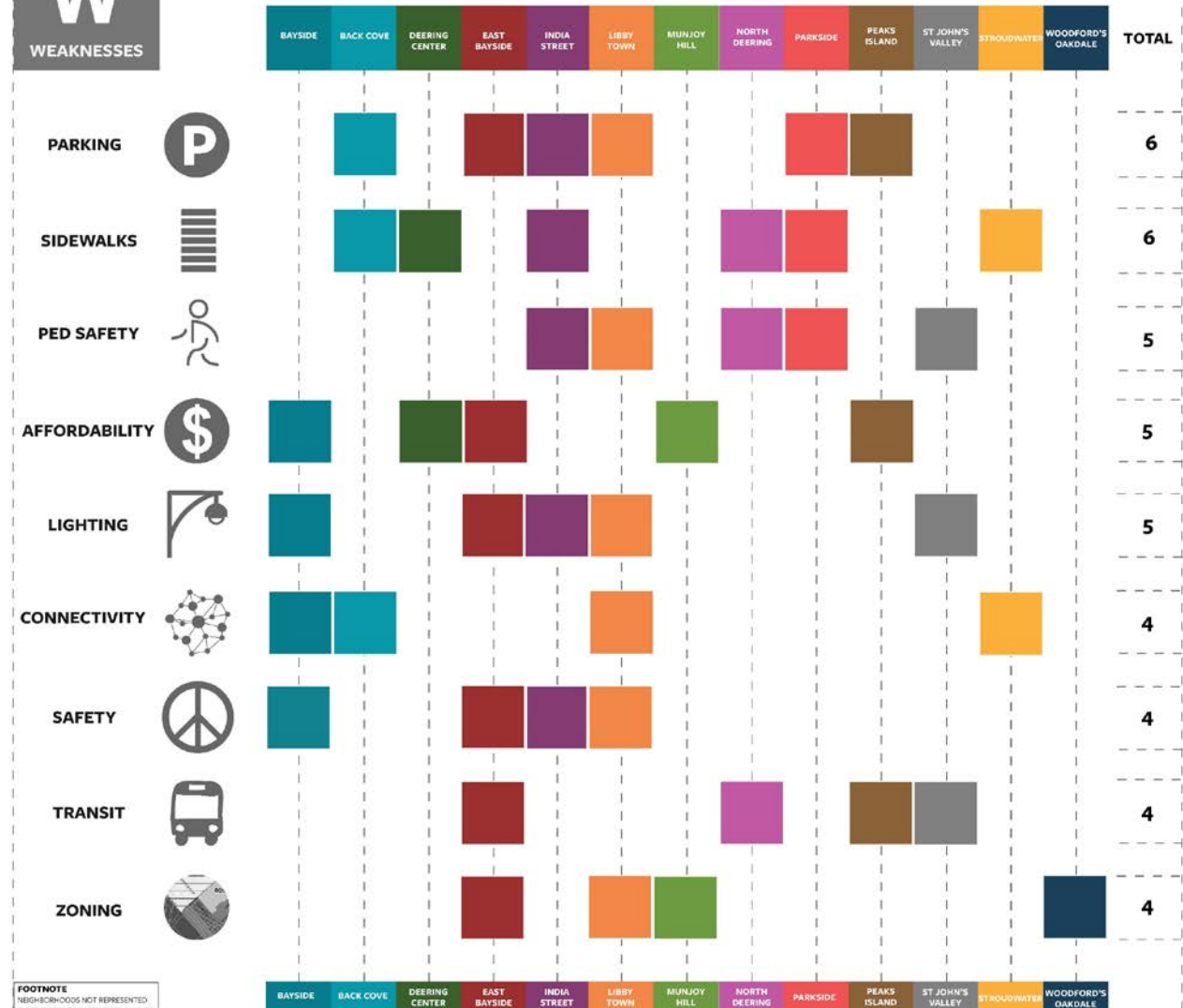


FOOTNOTE
NEIGHBORHOODS NOT REPRESENTED
SELECTED NOT TO PARTICIPATE IN SWOT
EXERCISE

W

WEAKNESSES

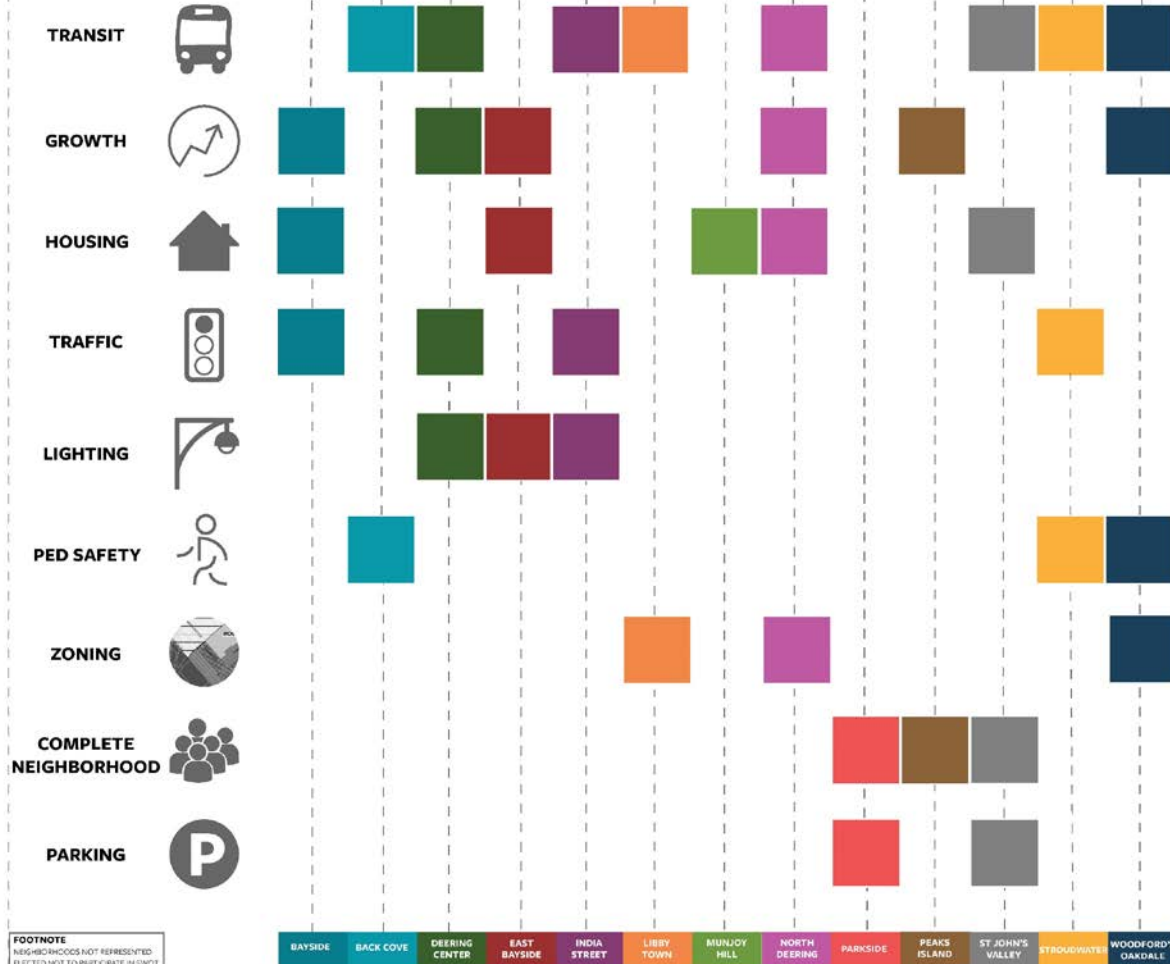
COMMUNITY CONVERSATIONS 2017



FOOTNOTE
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EXERCISE

O OPPORTUNITIES

COMMUNITY CONVERSATIONS 2017



FOOTNOTE
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EXERCISE

T THREATS

COMMUNITY CONVERSATIONS 2017

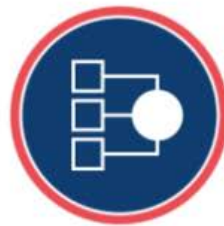


FOOTNOTE
NEIGHBORHOODS NOT REPRESENTED
ELECTED NOT TO PARTICIPATE IN SWOT
EXERCISE



COMMUNITY CONVERSATIONS (PHASE I)

The City held a series of community conversations to hear what works in the current code, what needs to be improved, and how the code could better meet the vision of Portland's Plan in Fall 2017 and



RESTRUCTURE

Based on public input, an analysis of the existing code, and best practices, the City will reorganize the existing code to streamline and simplify it.



CONVERSATIONS (PHASE II)

Following the initial restructuring, the City will hold a second round of community conversations to gather public input on substantive changes to the code.



REWRITE

Ultimately, the City will rewrite elements of the code to better align with Portland's Plan and address substantive issues raised by public input and technical analysis.

Webpage:

<https://www.recodeportland.me/>

Email:

recodeportland@portlandmaine.gov



Fwd: Parking policy suggestion in ReCode

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jun 11, 2019 at 11:52 AM

----- Forwarded message -----

From: **Christian MilNeil** <c.neal.milneil@gmail.com>
Date: Tue, Jun 11, 2019 at 10:48 AM
Subject: Parking policy suggestion in ReCode
To: Christine Grimando <CDG@portlandmaine.gov>

Hi Christine,

I just read through your memo re: proposed parking policy changes for the ReCode effort, and was heartened to read that staff at least considered the concept of a maximum parking ratio.

To that end, I'd like to offer a constructive suggestion: what if the City of Portland established a maximum parking ratio of 1 space per unit, AND allowed flexibility for luxury housing developers to go above that ratio **only if they make a proportional fee-in-lieu contribution to the Sustainable Transportation Fund** for the excess parking.

Staff and planning board members clearly understand that over-built parking infrastructure – especially downtown, where most new development is happening – increases congestion, generates more local air pollution, and undermines the efforts of METRO to grow ridership.

Instead of merely opening the door to invite developers to build less parking (as the current proposal does, and I absolutely agree that that's an important first step), the city absolutely needs to impose firmer boundaries and expectations around new development in order to manage parking and reduce motor vehicle congestion. A maximum parking ratio with a fee-in-lieu provision would be a better way to meet the city's goals, while offering flexibility to developers.

It would also improve the utility of the existing fee-in-lieu system, which is very rarely used, and generate new revenue for the city. A luxury housing developer whose proforma allows an extra \$25,000 in spending on an extra parking space can, and should, contribute fee-in-lieu revenue to the kinds of Sustainable Transportation Fund projects that the city really wants and needs.

I hope you, your colleagues in the planning department and the Planning Board will give some serious consideration to this idea. Thanks.

Christian MilNeil

Christian MilNeil

[double u double u double u dot christianmilneil dot com](mailto:doubleu@doubleu.com)

Zoning Reform: Don't Let "ReCode" Become a Failure

George Rheault <george.rheault@gmail.com>

Jun 11, 2019 2:53 PM

Posted in group: **Planning Board**

Reading the staff memo for the Recode item, it is obvious that, as usual, the most conservative (and reactionary AND PRIVILEGED) voices will likely be allowed to drive our land-use "reform" bus.

But there is still time for the Planning Board to issue a strong, clear message to planning staff to think boldly and bigly so 21st Century Portland gets a 21st Century zoning code (and not a warmed-over version of the worst planning mistakes of the 20th Century).

To that end, the Planning Board must be BOTH teacher and student to the wider Portland community that must ultimately live with the final ReCode results.

Here is how you can do that (1,2,3):

1) DEMAND A BROAD AND EXTENSIVE PUBLIC OUTREACH PROCESS OUTSIDE THE CONFINES OF THE PLANNING BOARD MEETING SCHEDULE

The newly enacted Comprehensive Plan has some good vision in it. That plan was the result of an unprecedented amount of outreach and public engagement (there should have been even more, but what did take place was admirable and welcome), but sadly it appears that the actual IMPLEMENTATION of the Comp Plan will likely occur mostly behind closed doors and be driven top-down from a myopic City Manager's office. This is terrible and should be immediately addressed especially since the expansive vision of the Comp Plan is likely to be stillborn without effective policy changes at the ordinance level driven by smart public engagement.

This is especially true since so much of our current land-use chaos is caused by unproductive NIMBY activity - and if this civic energy could be redirected away from misinformed fears about change - THEN we might finally be able to plan for a real future open to everyone rather than spend all our time excluding people, building walls and saying NO to good things that we all want and need.

2) DO YOUR HOMEWORK ON WHY LOCAL LAND USE RULES ARE EXACERBATING AMERICA'S AFFORDABILITY (WHICH IS ALSO OUR CLIMATE CRISIS)

For decades Portland has been doing all the wrong things regarding housing. If the rest of the world had been static, this might not have been so bad, but unfortunately national trends, both at the policy and macroeconomic levels, have metastasized all of Portland's mis-steps into a giant paralyzing crack-up (Portland's population is currently SHRINKING). The Planning Board must be able to talk intelligently about the process to get here so that it can be properly explained to the rest of the City (especially its homeowner class who hold the ultimate power to get Portland out of the hole it has dug for itself).

While many overviews have been done about the multi-causal factors that have been driving the housing crisis (especially in exclusionary zoned districts), the following link does a great job hitting all the bases showing the intersection of bad local land use with the bigger trends: <https://www.curbed.com/2019/5/15/18617763/affordable-housing-policy-rent-real-estate-apartment>

3) TEACH (yes, TEACH!) PORTLAND WHY A DEEPLY FLEXIBLE AND INNOVATIVE ZONING CODE CAN PROVIDE SOLUTIONS TO PORTLAND'S PROBLEMS AND SHOULD NOT BE FEARED

One of the big items in the Comp Plan is the desire for service-rich walk-able neighborhoods. But to do that, we have to address cars and expensive land costs and why these things make impossible the kind of people-rich densities that make service-rich walk-able neighborhoods economically viable. The current draft proposals outlined in the staff memo regarding parking and ADU reforms are pathetic half-measures that will accomplish nothing in the short-term (3-5 years) and precious little in the long-term (10-20 years).

What we need is a true vision and inspiration to guide specific policy proposals so (A) we can easily articulate them outside the clunky details and (B) defend them to a wider audience.

To that end, the Planning Board needs to study up on the decades-long ADU reform efforts in Vancouver, British Columbia, to help Portland learn the same lessons without having to lose precious time reinventing the wheel: <https://www.sightline.org/2013/03/07/in-law-and-out-law-apartments/> AND study up on why parking requirements

must be dispensed with in order to move forward on the kind of City we want to be: <http://www.accessmagazine.org/fall-2013/parking-reform-made-easy/>

Please take the shackles off the planning staff and ask them to get to work on revolution versus whistling past the graveyard.

ReCode Public Comment

Nathan Miller <nmlilleruw@msn.com>

Jun 11, 2019 4:32 PM

Posted in group: **Planning Board**

To Whom It May Concern,

I'm a Portland citizen who is very interested in the ReCode process and outcome, though I can't always make it to the public meetings, such as the one scheduled for tonight. I have reviewed the document titled "ReCode Progress Report"-dated 6/11/19. Below are my comments.

- 1) Overall I like the progress on parking and ADU regulations, but I feel like what is being proposed is at best a baby step in what is needed as part of the ReCode effort. At some point we are going to have to simplify and overall the higher level zoning rules that currently make it so difficult and confusing to interpret what is even allowed to be built, let alone actually move forward with a project that will help alleviate our housing shortage. I look forward to discussions of up zoning, particularly at "hubs" of transportation and commercial activity.
- 2) Regarding parking, reducing from 2 to 1 required off-street spots is a good start. I'm also supportive of expanding the no-off-street-parking requirements to more than just the "B" zones identified in the memo.
- 3) Regarding ADUs- I'm very supportive of switching them to a permitted use type rather than conditional. Make it the default that they are allowed, not something that needs to be reviewed and approved case-by-case.
- 4) Also, I am very much in favor of the development/dimensional exemptions revisions. The current rules are too restrictive and frankly hard to interpret without professional help to determine if you could even add an ADU.
- 5) I have concerns with the ADU Design Standards language. There shouldn't be any more aesthetic restrictions on an ADU than there are to build a house or garage. This is too vague, too hard to enforce, and it will make the review and permitting of ADUs more cumbersome. Who decides if it has been sited in a sufficiently "recessive" manner or if it complements the styling of a house? Why is it ok with the character of a neighborhood to stare at a garage from the street but not an ADU. This just doesn't make sense. Scrap aesthetic restrictions.
- 6) I have some concerns about the maximum ADU size restrictions. If we must have a cap on ADU size (must we?), then it shouldn't be based on the size of the adjacent house. If someone lives in a modest house and wants to add an ADU, they shouldn't be limited on the size of the ADU compared to somebody in a big house.

Thank you for your work and consideration of these comments,
Nathan Miller
79 Fessenden St
Portland

Re: [PBPA] Zoning Reform: Don't Let "ReCode" Become a Failure

Rosemarie De Angelis <rosemarie.deangelis@gmail.com>

Jun 11, 2019 4:40 PM

Posted in group: **Planning Board**

SP has similar restrictions. The idea that an ADU must be attached is absurd, which is SP code. Don't know all PORTLAND codes. Just makes affordable infill unaffordable...

Sent from my iPhone

On Jun 11, 2019, at 4:37 PM, Zack Barowitz <zbarowitz@gmail.com> wrote:

I agree with everything George has said.

I would just add that when we talk about bigger projects we start getting into code. As I understand the codes, going to 3 units pushes the building code to spec sprinklers which adds a lot of cost to the project. For example, I'd like to convert my house into two units and then rebuild my garage into a small house but I think I'd need to sprinkle it which might make it too expensive/cost prohibitive. I expect that there would be other codes as well. But this is a good question, would the detached ADU qualify the project as 3 units?

On Tue, Jun 11, 2019 at 2:53 PM George Rheault <george.rheault@gmail.com> wrote:

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207-838-6120
917-696-5649
ZacharyBarowitz.com

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Concerns over restrictions on ADUs in the zone reCode

Zack Barowitz <zbarowitz@gmail.com>

Jun 11, 2019 11:53 AM

Posted in group: **Planning Board**

Dear Chair Dundon:

Thank you for taking on the reCode with an eye toward establishing more housing and higher density. However, the language on ADU design standards and unit size is quite restrictive as to negate the purpose. In the case of the latter, the small size of stand-alone structures would be suitable for short term rental but not for long-term multi-person basis (see excerpt below "F").

The language around "reducing visibility of ADUs" is likewise troubling (see excerpt below "D"). It seems to be less about preserving architectural character and more about hiding the fact that rental units exist in a neighborhood. This strikes me as not so much an aesthetic judgement but a value (mis)judgement. Practically speaking, it will be very difficult to both preserve and transform post-war neighborhoods. Moreover, there is a definite trend toward ADUs especially so-called tiny houses with many books and websites devoted to the subject. There is not, to my knowledge, any such literature devoted to the aesthetic value of single family houses on quarter acre lots that comprise many of Portland's off peninsula neighborhoods.

Thank you,

Zack

D. ADU Design Standards. In keeping with the goal of reducing visibility of ADUs and making them more recessive, a series of design standards are proposed for units significantly visible from public ways. First, units would be required to be sited specifically so as to minimize their visibility, with additional screening to be required as necessary.

F. Unit Size. In reviewing best practices and other national examples, staff established a maximum unit size for ADUs, with attached and detached units being limited in size to either 800 square feet, or less than one-third of the total floor area of the principal unit(s), whichever is more restrictive. Stand-alone cottages meanwhile would be further restricted, with the maximum unit size being 600 square feet, or less than one-third of the total floor area of the principal unit(s), with again, the more restrictive figure applying.

----- Forwarded message -----

From: **Markos Miller** <markosmiller@hotmail.com>

Date: Sun, Jun 23, 2019 at 10:44 AM

Subject: Recode

To: jmy@portlandmaine.gov <jmy@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>

Cc: Kimberly Cook <kcook@portlandmaine.gov>, bbatson@portlandmaine.gov <bbatson@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>

Councilors

Thank you and staff for your work on this important issue. It is essential that we align our zoning with our Comp Plan so that we can achieve our community goals.

I am generally pleased with the direction the Recode effort is heading, but encourage all to be bolder and more ambitious. We need leadership more than ever.

A few quick thoughts about recode issues in front of you.

Portland is ready for parking maximums not minimums.

Parking should not be permitted near transit, ie peninsula and transit corridors

Our excessive parking (see transit study) invites more traffic degrading Transportation functionality, the built environment, and our environmental heritage.

Not to confuse accessory dwelling units with zoning reform, I have the following comments:

The minimum size Of 800 sqft or 1/3 the size of the primary structure is too restrictive. Better to limit size in proportion to lot size.

Location of ADU on lot should not be restricted. Existing design standards can allow for ADU that supports existing aesthetic of community. These need not be hidden. In fact, already paved driveways may be better locations for ADU than green open space. We do not limit visibility of garages so why limit visibility of housing?

Looking ahead, residential unit maximums must be loosened throughout the city to increase housing supply, address housing crisis, and grow our city per Comp plan goals. Other cities like Minneapolis are eliminating single family zones. All zones in Portland, particularly off peninsula, should have increased housing capacity.

Thank you for your service

Markos Miller

Sent from my iPhones