1. Agenda

    Documents:

    AGENDA.PDF

1.I. 5:30 PM Shelter Backup

    Documents:

    SHELTER WORKSHOP.PDF

1.I.i. 5:30 PM R-6 Moratorium

    Documents:

    R-6 MORATORIUM MEMO.PDF

# CITY OF PORTLAND, MAINE

**CITY COUNCIL WORKSHOP**
**MONDAY, DECEMBER 11, 2017**
**5:30 P.M.**

**City Hall – City Council Chambers**

**AGENDA**

1. City Shelter

2. R-6 Moratorium

| | OXFORD STREET<br><br>FY 18 Budget | ESTIMATED NEW<br><br>200 BED SHELTER (one story) | ESTIMATED NEW<br><br>TWO STORY 200 BED SHELTER (Administrative Offices and Health Clinic on 2nd Floor) | ESTIMATED NEW<br><br>TWO STORY 200 BED SHELTER (Administrative Offices and one dorm on 2nd Floor) |
|---|---|---|---|---|
| | | | | |
| EXPENDITURES | | | | |
| Personnel | 1,996,986 | 1,905,206 | 1,905,206 | 1,983,662 |
| Benefits (37%) | 656,008 | 653,126 | 653,126 | 680,305 |
| Security - Police | 187,464 | 0 | 0 | 0 |
| Administrative Services | 7,850 | 9,813 | 9,813 | 9,813 |
| Client Supplies | 45,700 | 57,125 | 57,125 | 57,125 |
| Contractual Services | 164,760 | 51,860 | 51,860 | 51,860 |
| Land/Building Rent | 151,688 | 0 | 0 | 0 * |
| Laundry /Sheets/Towels Blanket | 102,000 | 102,000 | 102,000 | 102,000 |
| Supplies (Computers, Defib, etc.) | 27,200 | 0 | 0 | 0 |
| Utilities | 48,582 | 119,576 | 119,576 | 119,576 |
| Telephone/Cellular Phone | 7,710 | 7,710 | 7,710 | 7,710 |
| Maintenance & Repairs | 67,200 | 67,200 | 67,200 | 67,200 |
| Minor Equipment/Furniture | 11,500 | 0 | 0 | 0 |
| Copier Lease | 2,250 | 2,250 | 2,250 | 2,250 |
| Office Supplies | 12,500 | 12,500 | 12,500 | 12,500 |
| Annual Elevator Maintenance | | | 5,200 | 5,200 |
| | | | | |
| | | | | |
| TOTAL EXPENDITURES | 3,489,398 | 2,988,366 | 2,993,566 | 3,099,200 |
| | | | | |

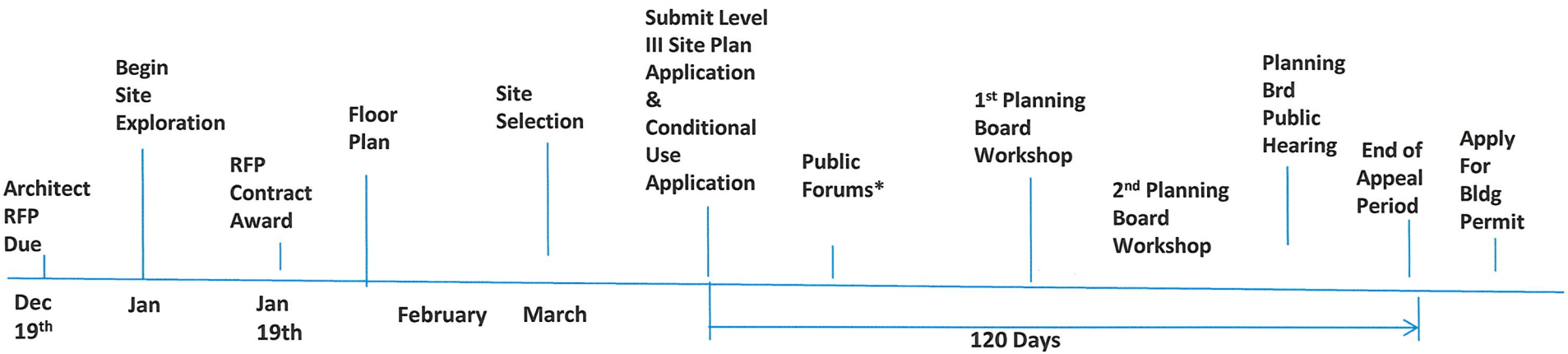
***Notes: Does not include costs associated with food service.**
**Based on City ownership of land and structure (no debt service).**

Start Up Costs*

| | | |
|---|---|---|
| Metal Detector - May have one | $6,000 | We have a metal detector downstairs, but it is not currently functional. We should check to see if it can be salvaged |
| Laundry | $15,446 | 8 stackable units at $1931 each, so guests can do regular laundry. Will greatly help with hygiene and pest control |
| 8 stackable Units $15,446 avg of cheapest | $15,446 | For guest laundry and cleaning rags and sheets |
| 12 client phones @ 10 dollars | $120 | We provide guests with phones to make local calls for jobs and housing |
| Snowblower | $15,000 | We want an all purpose machine for heavy snow removal and also potential grounds keeping |
| Minor Equipment/Furniture | | |
| Office and Conference Room Furniture | $11,853 | Office chairs $164.00 each 38 chairs, 2 conference tables at $925.00 each |
| | | |
| Lockers | $8,250 | $165.00 per locker unit |
| 12 outdoor tables/chairs | $8,575 | $715.00 per unit |
| Dayroom Folding Tables 34 tables @4 | $6,800 | $200 per table, collapsible for easy storage and maneuverability |
| Dayroom Folding Chairs 136 | $2,001 | 136 chairs for a full dining room seating at $14.71 per chair |
| | | |
| 2 Chair Racks | $500 | 2 racks, each costing $250 |
| 100 Bunk Beds (bed bug proof) | $35,750 | $375.50 for each bunk bed unit, we would need 100 units to maximize capacity |
| 12 Person van | $35,000 | 1 van to operate shuttle services to make sure guests can easily get back into town and to the shelter |
| 3 new computers | $4,500 | 3 new computers to furnish office space for community partners |
| | | |
| Food Program Start up Costs | | |
| Gas Range | $4,811 | 10 burner, two oven stainless steel - industrial kitchen model |
| Flat Top Grille | $1,200 | Large, industrial grill |
| Commercial Hood | $1,200 | Average cost of several restaurant quality models |
| Walk In Freezer | $9,500 | Average cost of several restaurant quality models |
| Walk in Cooler | $6,500 | Average cost of several restaurant quality models |
| Prep Station | $2,500 | Average cost of several restaurant quality models |
| Double Oven | $5,000 | Average cost of several restaurant quality models |
| Double gas fryer | $3,000 | Average cost of several restaurant quality models |
| Industrial dish washer | $4,100 | Average cost of several restaurant quality models |
| Stainless Steel Prep Tables | $1,000 | 4 tables at $250 each, used for meal preparation |
| Industrial Mixer | $1,000 | Average cost of several restaurant quality models |
| Double Stainless Steel Sink | $1,500 | 2 double basined stainless steel sinks for food prep, etc. |
| Bread racks | $1,050 | 3 bread racks at $350 each |
| General Kitchen Supplies | $10,000 | Rubber mats, utensils, pots, pans dishware and small appliances |
| | | |
| Total | $217,602 | |
| | | |
| Additional story will necessitate elevator | $150,000 | |
| | | |
| Total two story start up | $367,602 | |

*Any costs under $250,000 will be included in the conceptual architecture budget

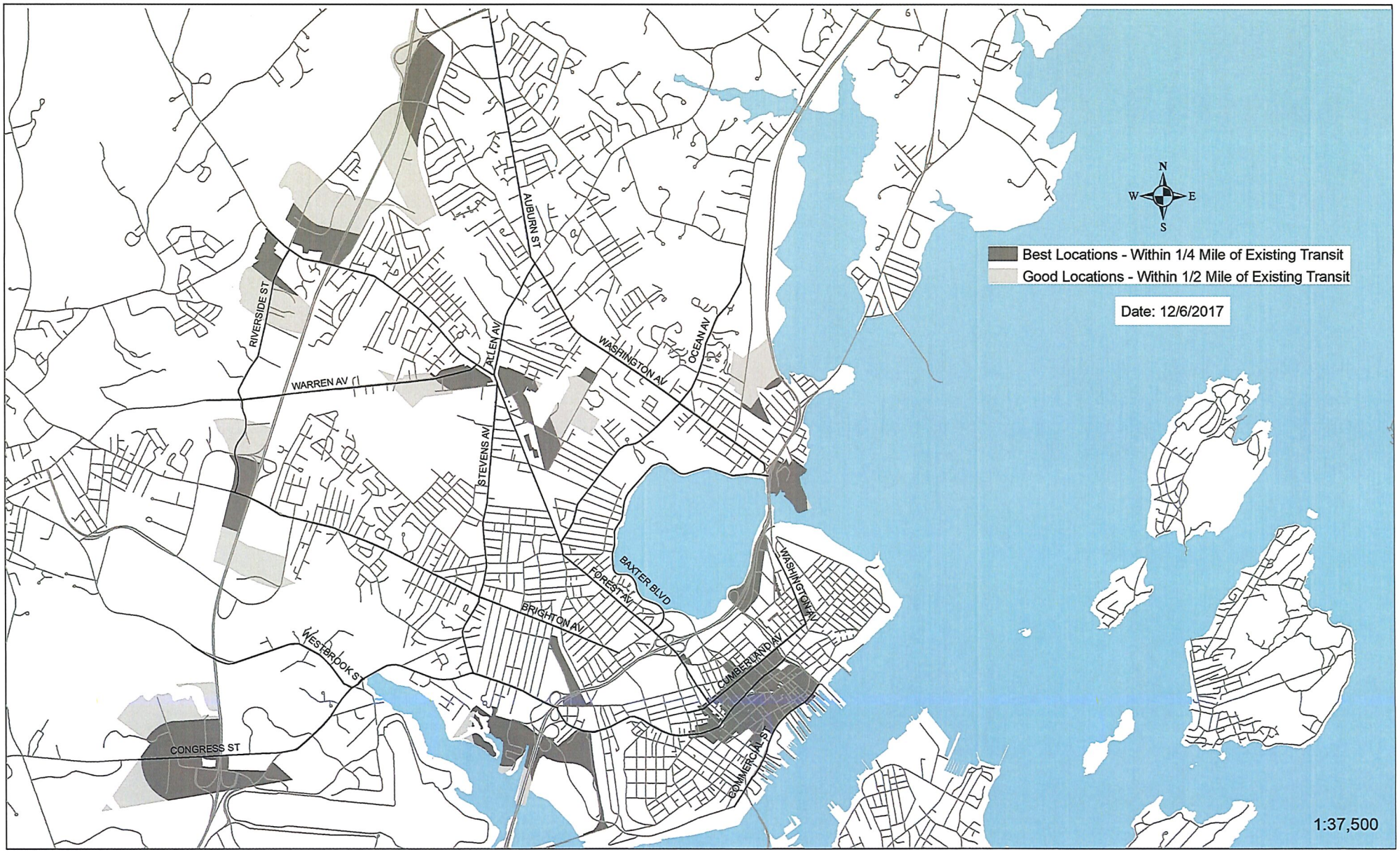
# New Shelter Timeline




*Public Forums to be held at HHS Committee Meetings or specifically scheduled

DRAFT

# Potential Areas for Shelters Based on Zoning and Proximity to Transit



**Memorandum**

**Planning and Urban Development Department**

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| | |
|---|---|
| **To:** | Portland City Council |
| **From:** | Jeff Levine, Planning & Urban Development |
| **Date:** | December 8, 2017 |
| **Re:** | R-6 Moratorium Workshop |
| **Meeting Date:** | December 11, 2017 |

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The proposed moratorium on demolitions for six months is designed to allow for a pause in removal of existing buildings on Munjoy Hill while staff completes its audit of the R-6 zone and recommends what, if any, additional zoning changes or other tools may be needed to address identified issues. While the R-6 audit has been under way for some time, there are now beginning to be some findings, and additional work will be needed to complete the effort. In addition, the moratorium will allow time for staff to conduct additional stakeholder outreach prior to making any recommendations.

While the moratorium is in place, staff will recommend interim zoning to the City Council and Planning Board. That interim zoning will govern site plan reviews during the six-month moratorium and will be based on the audit work done to date. Interim Planning Districts are a common zoning tool used nationally in similar situations, where existing codes are being evaluated but final recommendations are not yet complete. The interim zoning is designed to provide temporary guidance based on the understanding of the issues as identified at the time of passage. I have used interim planning districts in other communities in similar situations, and found the tool to be an effective balance between leaving existing language unchanged and prohibiting all development for a period of time.

As additional background, enclosed is a memo on the R-6 zone that was distributed to the Planning Board as a communication at their December 6th meeting to update them on the status of an audit of activities in the R-6 zone as well as the moratorium being considered by the City Council (Staff also presented a brief overview of this, which can be viewed at the following link: http://townhallstreams.com/stream.php?location_id=42&id=13781). The final audit will provide detailed, data-driven information about the issues at hand and will, along with stakeholder outreach, inform final recommendations to take effect upon the end of the demolition moratorium.

**Memorandum**

**Planning and Urban Development Department**

**Planning Division**

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| | |
|---|---|
| **To:** | Chair Boepple and Members of the Planning Board |
| **From:** | Caitlin Cameron, Urban Designer |
| | Christine Grimando, Senior Planner |
| **Date:** | December 6, 2017 |
| **Re:** | R-6 Communication |
| **Meeting Date:** | December 6, 2017 |

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## I. INTRODUCTION

In recent years the Planning Board has asked that City staff conduct a review of significant zoning changes approximately two to three years after adoption, and that process is underway for zoning text amendments to the R-6 zone, adopted in April 2015. The R-6, the predominant residential zone on the peninsula, encompasses much of Munjoy Hill, Parkside, the West End, and portions of Bayside, Bayside, Libbytown and St. John Valley. Sufficient activity has now occurred to allow for an appropriate examination of development characteristics in the area to occur - particularly regarding an increasing prevalence of demolitions of existing houses and an examination of the scale and character of new development on Munjoy Hill. Staff began analyzing the data on new development in the R-6 in the summer of 2017 and is currently finalizing those results for the Planning Board and the City Council.

This communication serves to inform the Planning Board on activities in the R-6 zone since April 2015, as well as provide an update on a moratorium on demolitions and development proposals that the City Council will be considering in December. Included is a summary of the impetus and substance of the 2015 amendments; a summary of construction activity in the R-6 zone since the 2015 amendments; an overview of the design review process; a survey of recent trends in new construction; discussion of the factors influencing the design characteristics of new development, with particular consideration for the impacts of demolitions and new construction being experienced on Munjoy Hill; and next steps to address these findings in the coming months.

## II. POLICY OBJECTIVES

In 2015, zoning text amendments to the R-6 zone were aimed to simplify the ordinance,

to enable additional, incremental housing construction - including infill housing development and development of small lots - as well as to allow greater flexibility for alterations and additions of existing structures. The text changes were primarily concerned with the dimensional requirements, including setbacks, lot coverage, density, lot size, and parking standards. The project was specifically consistent with City Council Common Goals for 2014 which called for the City's zoning to allow for greater housing opportunities, specifically *Complete draft rewrites of the R-6, R-7 and B-2 portions of the zoning ordinance to allow for greater housing opportunities and present to Planning Board and Housing and Community Development Committee for review and recommendations to City Council.* In addition to the Council's policy directive, the City was receiving frequent feedback that the R-6 standards did not allow for new housing creation that was consistent with peninsula's housing goals or with existing neighborhood patterns. Prior to the 2015 amendments the great majority of parcels in the R-6 were non-conforming, with greater than 70% of existing lots non-conforming on the basis of lot size alone. There was a marked discrepancy between the residential settlement patterns of the peninsula and what could occur under the zoning ordinance, which impacted new construction as well as modifications and additions to existing homes.

Key changes to the R-6 zone included:

- *Minimum lot size* for residential uses was reduced from 4,500 sf to 2,000 sf.
- *Minimum street frontage* was changed from 40 feet to 20 feet.
- *Minimum side setbacks* ranged from 5-20 feet, and were changed to 5 feet or no less than a cumulative of 10 feet.
- *Maximum lot coverage* ranged from 40-50%, and was raised to 60%.
- *Stepbacks* were introduced for portions of structures above 35ft: no closer than 10ft from the side property line and no closer than 15 feet from the rear property line when the property line abuts a residential zone.
- *Landscaped open space* requirements ranged from 20-30% depending on number of units in a development, and was changed to 20%.
- *Retention of Larger Units*. A previously existing provision that placed limits on the conversion of existing multi-family buildings into additional dwelling units was strengthened to require that creation of new dwellings originating from the alteration of an existing residential structure not result in the creation of any new units of less than 600 square feet of floor area, and not result in any existing dwelling unit being reduced in size to less than 1,000 square feet of floor area. The goal of this change was not to prohibit division of existing units, but to aid in the retention of a varied housing stock, particularly of larger units that could accommodate families. The amendments expanded the requirement to apply not only to multifamily buildings but to single-family and two-family buildings.

- *Garage Opening* limits were introduced so that front façades shall not exceed the greater of nine feet or forty percent of a front façade, and in no garage opening on a front façade shall exceed 20 feet.

- *Parking Standards* were amended from one required space per unit to include exemptions for the first three units as well as a one-time possible exemption for one additional unit for existing buildings.

- *Density* was previously a variable standard of 1,000 sf per dwelling unit for the first three units, and 1,200 sf per dwelling unit thereafter (36 units per acre), and was amended to 725 sf per dwelling unit (60 units per acre). As the majority of development in Portland occurs on parcels of land well below the unit of an acre, it is helpful to look at the implications of the R-6 density standards for smaller lots:

| Maximum Permitted Density | | |
|---|---|---|
| | Former R-6 (1,000-1,200 sf/du) | Current R-6 (725 sf/du) |
| **2,000 sf lot** | 2 dwelling units | 2 dwelling units |
| **3,000 sf lot** | 3 dwelling units | 4 dwelling units |
| **4,500 sf lot** | 4 dwelling units | 6 dwelling units |
| **10,000 sf lot** | 8 dwelling units | 13 dwelling units |

*Table 1*

- *Small Residential Lot Development* provisions for the zone were eliminated. This standard was in place to allow for small, non-conforming lots to be developed, as the 4,500 minimum lot size renders so many small lots unbuildable, but it had proved ineffective. With the change to minimum lot size and the minimum street frontage for the R-6, this section was deemed unnecessary.

The maximum height, 45ft, remained unchanged.

## III. 2014-2015 Process

In April 2014, an initial proposal for the R-6 amendments was presented to the Council's Housing and Community Development Committee for direction. Following that, in the summer of 2014 staff met with eight impacted neighborhood associations about the changes, in addition to numerous other meetings with interested groups and individuals. Neighborhood outreach included meetings in the West End Neighborhood, the Western Promenade, St. John Valley, Libbytown, Parkside, Bayside, Munjoy Hill, and East Bayside. Feedback received at these meetings was constructive and creative, and altered the substance of the eventual amendments. In addition to numerous community meetings, the Planning Board held three workshops and a public hearing on the amendments in 2014 and 2015 before forwarding a recommendation to the City Council in March 2015.

## IV. Findings to Date

The changes in the R-6 zone in the last two years are the result of multiple types of residential projects, including new construction on vacant land (or parcels where no housing exists, such as the recent multi-family project at 17 Carleton Street), demolitions to make way for new construction, additions, and renovations that increased or decreased the quantity of housing overall. There has also been renovation and investment in the existing housing stock in the same period, not included in the summary below, such as deck addictions, interior remodels and related.

Housing activity in the zone has included both increase and loss of dwelling units, resulting in a net gain of 89 dwelling units for all development approvals in the R-6 since April 2015. This activity includes two demolitions that do not have corresponding development proposals (one due to fire, resulting in a loss of six units); five developments for new construction on vacant parcels; twenty-six alterations and additions to existing structures; and fifteen demolitions and replacements of existing structures with new housing.

Table 2 shows a summary of all activity that impacted total number of dwelling units. *Dwelling Units Before* refers to number of dwellings units in place on the properties that received development applications, *Dwelling Units After* to total dwelling units for those same properties after approval.

**Total R-6 Housing Activity including New Construction, Demolitions, Additions, and Renovations**

| | Dwelling Units Before | Dwelling Units After | Net | Affordable Units | Demolitions |
|---|---|---|---|---|---|
| Munjoy Hill Totals | 44 | 73 | 29 | 0 | 11 |
| All Other R-6 Totals | 61 | 121 | 60 | 38 | 5 |
| Totals | 105 | 194 | 89 | 38 | 16 |

*Table 2*

The distribution of housing types for new construction proposals, not including renovations to existing structures or stand-alone demolitions, shows a range of single family, two-family and multi-family building, as shown in Table 3.

| Total R-6 New Housing Construction by Project Type | | | | | |
|---|---|---|---|---|---|
| | Total Projects Munjoy Hill | Total Projects All Other R-6 | Total Projects | Total Units Proposed | Net Total Units |
| Single-Family | 5 | 0 | 5 | 5 | -1 |
| Two-Family | 3 | 0 | 3 | 6 | 3 |
| Multi-Family (3) | 1 | 1 | 2 | 6 | 4 |
| Multi-Family (4-10) | 6 | 2 | 8 | 52 | 41 |
| Multi-Family (10+) | 0 | 2 | 2 | 48 | 46 |
| **Totals** | **15** | **5** | **20** | **117** | **93** |

*Table 3*

The above data shows a disproportionate share of demolitions on Munjoy Hill. Three quarters of new construction projects in the R-6 zone have been located on Munjoy Hill, though they are relatively smaller projects (<10 units).

Though the potential impact of the parking exemptions implemented in 2015 on the on-street parking supply was a source of some concern voiced at the time of adoption, new construction applications show that off-street parking provided (124) exceeds the number of approved dwelling units (117) since implementation of the exemption.

The current trend toward increased demolitions, as well as concerns of scale and compatibility of some recent housing designs in the R-6, have prompted the need for an evaluation of additional or modified tools to encourage retention of the existing fabric, and in the case of new construction, promote more contextual contemporary designs. An overview of design trends and current design tools follows in sections V. & VI.

## V. Design Review Narrative

Building design in the R-6 is regulated through the zoning dimensional standards and the R-6 Infill Design Principles & Standards found in the *City of Portland Design Manual* (enacted in 2004, revised 2007). When a project is within a historic district, the *Historic Preservation Review Standards* supersedes the R-6 design standards and applies to alterations, new construction, or additions. Two projects (out of 20) received design review through Historic Preservation – 17 Carleton Street (Historic Preservation Board) and 22 Tate Street (advisory review). Design review applies to the front façade and those portions of the building that are readily visible from a public way and is conducted by three staff members including the Urban Designer. Level II and Level III Site Plan or Subdivision applications are ultimately reviewed and approved by the Planning Board on the advisement of staff.

The R-6 design standards are quite rigorous and value contextuality of design as stated in the *Purpose* section:

> *New residential construction within Portland's compact R-6 zones should relate to the predominant character defining features of the neighborhood. The design*

*of new development is critical, particularly elements such as the orientation and placement of a building on a site; relationship to the street; and mass, form, and materials.*

The design guidelines include seven principle statements and specific standards under each principle – Overall Context, Massing, Orientation to the Street, Proportion and Scale, Balance, Articulation, and Materials. The design standards are based on observation and inventory of predominant characteristics of the existing residential vernacular and context. The applicant is obligated to observe and design in compatibility with the patterns and characteristics of the surrounding context (described as a two-block radius). Some standards prescribe what these predominant characteristics are. For example, there are requirements for regular pattern of windows, simple window types that are rectangular and vertically proportioned, articulation elements such as bay windows, porches, or covered entries, details such as trim and cornices, and prominence of main entries to the street. In other cases, it is open for interpretation from the applicant and reviewers to determine what is compatible and complementary to the specific context – relationship to the street, roof lines, form, materials.

Within the R-6 Infill Design Principles & Standards exists the option for an Alternative Design Review intended to provide flexibility for contemporary design approaches. An applicant may propose an alternative design provided the following conditions are met:

- *The proposed design is consistent with all of the Principle Statements.*
- *The majority of the Standards within each Principle are met.*
- *The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two block radius in terms of size, scale, materials and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.*
- *The design plan is prepared by an architect registered in the State of Maine.*

The majority of projects rely on the flexibility of the Alternative Design Review. Only four projects (out of 20) have not used the Alternative Design Review process and strictly adhered to meeting every standard – 72 Munjoy Street, 16 Morning Street, 5 Monument Street, and 67 Merrill Street. Those projects are the most similar to or referential of the traditional character – observe referential elements such as the front-end gable roof line, bays, elevated ground floor, vertical proportions.

*Figure 1 - 93R Cumberland Avenue*

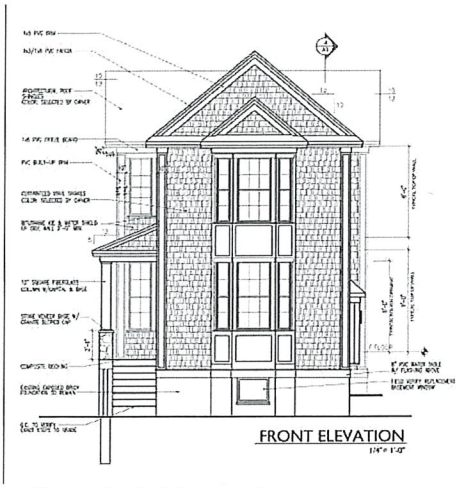



*Figure 2 - 16 Morning Street*

Over the two years of design review since the R-6 changes, staff have several observations. There are four major factors that contribute to contemporary development patterns different from existing, historic R-6 patterns.

1) **Building Code and Life Safety** – Building and life safety codes have changed and become stricter since the era many R-6 projects were built. These codes impact egress (number, size, and placement), proximity of buildings, and size and placement of openings. In addition, City life safety reviewers will sometimes require a larger building separation than allowed by zoning or existing patterns in order to maintain fire access to dwelling units.
   Design Impacts – Building placement on the lot is not always able to follow the existing patterns. If a building is four units or more, ADA and Fair Housing Act also affect the design of the ground floor, parking, and entries making it difficult to meet both the accessibility regulation and the design expectations to be contextual – 17 Carleton Street is an example project where it was difficult to find a balance between the historic pattern of a raised first floor and the need to make an accessible building entrance.
2) **Car Ownership and Parking** – Car ownership is now much more prevalent than when the built form of the R-6 neighborhoods were established. Past housing design rarely includes attached garages in R-6 neighborhoods. The typical existing pattern places the building to one side of the lot, often a 0' side yard setback, to make room for a side driveway, sometimes leading to a detached garage in the rear of the property. In some cases, lots are too narrow to accommodate a side driveway.
   Design Impacts - New construction often includes structured, attached parking (whether it is required by zoning or not). This approach prioritizes garage design rather than following the established patterns. The resulting architecture includes a ground floor dedicated exclusively to parking. This also contributes to the increased heights of new construction because an extra floor of building is needed for the parking. Garage doors facing the street create an inactive, inhospitable

streetscape and also compromise the placement and function of the main entry. Lots that are too narrow for a side driveway will sometimes propose a central drive into a garage disrupting the built pattern and also in conflict with driveway separation and on-street parking technical standards. Thirteen projects (out of 20) include attached structured parking. Seven of those include street-facing garage doors. See examples in Section VI – 40 Quebec Street, 95 Cumberland Avenue, 5 Merrill Street, 34 Howard Street.

3) **Materials and Technology** – Building technology and material innovation means changes to building form and exterior character. Contemporary architecture is simpler in character and eschews more historic trends like trim, decoration, and embellishment.

   Design Impacts - New buildings rarely include basements making it difficult to follow the established pattern of a raised ground floor with a brick water table. It is expected buildings will include HVAC systems which often translates into taller floor to floor heights and mechanical units and vents more visible on roofs and facades. Panelized materials and metal finishes are more common and are frequently proposed for exterior cladding.

4) **Real Estate Market** – Because of the current nature of real estate development many projects, particularly investment properties, are likely to build the maximum allowed under zoning to optimize returns on investment and to minimize overall construction costs.

   Design Impacts – New buildings are scaled to create the highest number of units and parking spaces or to maximize views rather than following established patterns of building placement, height, scale, or form. To make units more sellable, developers often insist on building parking spaces (though not always required by zoning) and including features such as roof decks that impact the roof line and height of buildings with stair and elevator towers. See examples in Section VI – 31 Fore Street, 30 Merrill Street.

Design Standards attempt to regulate and evaluate the objective aspects of design. Portland's design guidelines, including for the R-6, emphasize compatibility with context – in some cases this is easy to define but often there is a degree of interpretation that creates a challenge when determining compatibility. Design review does not cover subjective style and aesthetic decisions – contemporary buildings should be allowed to be an architectural expression of their time and not be forced to reproduce historic styles. This is a difficult but important distinction to make. The following observations cover additional design review criteria not mentioned above.

**Scale (height, width)** – In most cases the scale of new development is larger than the existing context. This manifests in a couple of ways. First, buildings are taller because of increased floor heights to accommodate building systems, because attached, structured parking is occupying the ground floor, and to make the project economically viable, developers maximize the floor area and build as tall as possible for views. Current zoning interpretation allows rooftop appurtenances to exceed height maximums. Second, cars need more space and attached parking can increase the building footprint. Third, though the scale of new buildings is increasing, the proportion of open space or distance

between the new buildings and the adjacent existing buildings is not increasing and therefore exacerbating the perceived scale of the new buildings in relationship to the existing. Since the R-6 zone changes, there have been five new single-family homes developed; none of those single-family homes are taller than 35' or three stories. There are ten projects taller than 35' or three stories, two of those are two-families, and the remaining eight are four or more units. Historically, single-family homes are two and half stories or shorter and the R-6 should continue to promote that scale of development. The numbers show that multi-family buildings of four or more units are the projects to focus on for mitigating scale.

**Form (shape, proportion)** – The R-6 context includes simple forms and roof lines on small lots. Several factors are creating forms that are not consistent with these historic forms. First, the revised R-6 requires side stepbacks after 35' in height – the intention was to mitigate the effects of height and scale. The unfortunate result is strange "pop-up" structures on the fourth floor of buildings that differ from the simple forms and roof lines established (see images below). Second, there is a desire to maximize views and provide rooftop spaces requiring stair towers to overrun the main roof form. Rooftop mechanicals are not being integrated into the overall building form. Designers also struggle to use proportion systems found in the context, especially when trying to fit all the programmatic needs of the project onto the site – the priority has shifted away from the relationship to the street and impact on streetscape.

*Figure 3 - 5 Merrill Street*

*Figure 4 - 34 Howard Street*

**Articulation, Detail, and Visual Interest** – Contemporary design aesthetic favors simplification, flat roofs, limited trim and cornice lines. Some of this is subjective style choice, some of it is related to the evolution of building systems and materials. However, the existing historic buildings have characteristics such as articulated cornice lines, fine-grain materials and details, and façade thickness and depth through the use of plane changes, reveals, massing variation, and bay windows. These elements bring visual interest and a human scale to buildings. Recent proposals struggle to find contemporary ways to introduce similar features without becoming historicist in character. In addition, to minimize cost, buildings are designed to be flat, simple boxes. Where feasible, staff

have asked applicants to introduce elements like bay windows, canopies, more prominent cornice lines, or fine grain materials to address some of these concerns (see image below).

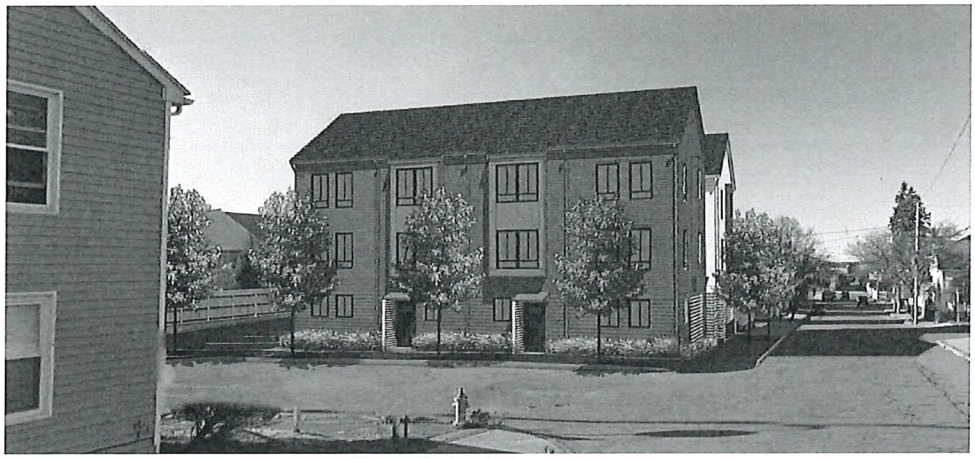


*Figure 5 - 70 Anderson Street*

**Building Placement and Orientation (including main entry)** – Buildings in the R-6 zones tend to be vernacular buildings that together create a strong fabric. There are distinct patterns of development in the shape and scale of building footprints and how they sit on a parcel and in relationship to each other. There is also legibility of the buildings – entrances are visible from the street and emphasized with features like stoops, porches, canopies, recesses. New proposals often struggle to follow these patterns because the priority of new development is not to follow context but to accommodate on-site parking and to maximize building envelope.

*Figure 6 - R-6 Fabric*

**Post-approval Changes** – Another trend affecting the quality of design in the R-6 is the modification of designs after the Site Plan approval. Revisions can include window size

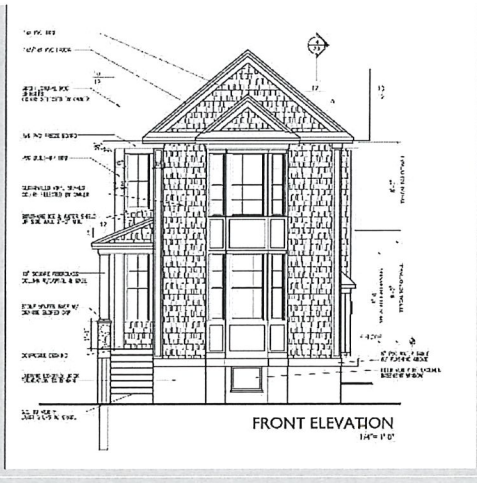
and placement, changes to railings, balconies, trim details, placement and visibility of mechanicals and vents. Applicants are supposed to apply for amendments for changes and staff determines whether the changes are substantive or de minimis in nature. In practice, some changes are being made without applying for amendment or consulting City staff. The City has some leverage over this situation through the control of the Performance Guaranty and Certificate of Occupancy but in some cases changes are irreversible and sometimes contribute to the lack of contextuality or sensitivity originally intended by the design standards.

Staff determined that three aspects of the R-6 zone change are contributing to, though not solely responsible for, the less contextual designs – the forms and roof lines are affected by the stepbacks; and the increased lot coverage and reduced side yard setbacks allows for larger scale buildings – nine (out of 20) new construction projects took advantage of the higher lot coverage. One important and positive result of the zone change is the size limitation on garage doors. The other design concerns and observations identified existed prior to and regardless of the R-6 zone changes and are impacted by the four factors described in this section.

## VI. R-6 Demolitions and New Construction Comparison

The following comparison focuses on projects that demolished an existing structure and replaced it with new construction. The intent of the images is to compare the previous and new building scale and architectural character and form. The project data includes number of dwelling units, lot coverage, height in stories, number of parking spaces, and density which is a calculation of lot size divided by number of dwelling units.

**16 Morning Street, Munjoy Hill**
Dwelling Units = 2 Density = 1,600 sf/du
Lot Coverage = 36% Height = 2 stories
Parking Spaces = unknown (no garage)

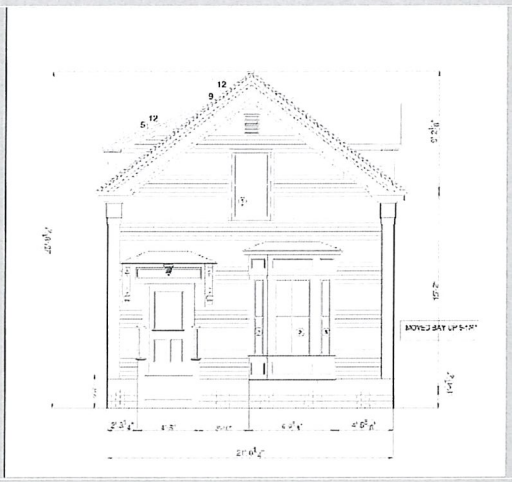



**New Construction**
Dwelling Units = 1 Density = 3,200 sf/du
Lot Coverage = 47% Height = 2 stories
Parking Spaces = 2 (attached garage)

**95 (93R) Cumberland Avenue, Munjoy Hill**
Dwelling Units = 2 Density = 1,100 sf/du
Lot Coverage = 30% Height = 2.5 stories
Parking Spaces = unknown (no garage)

**New Construction**
Dwelling Units = 1 Density = 2,200 sf/du
Lot Coverage = 44% Height = 3.5 stories
Parking Spaces = 2 (attached garage)

**67 Merrill Street, Munjoy Hill**
Dwelling Units = 1 Density = 2,312 sf/du
Lot Coverage = 50% Height = 1.5 stories
Parking Spaces = 0

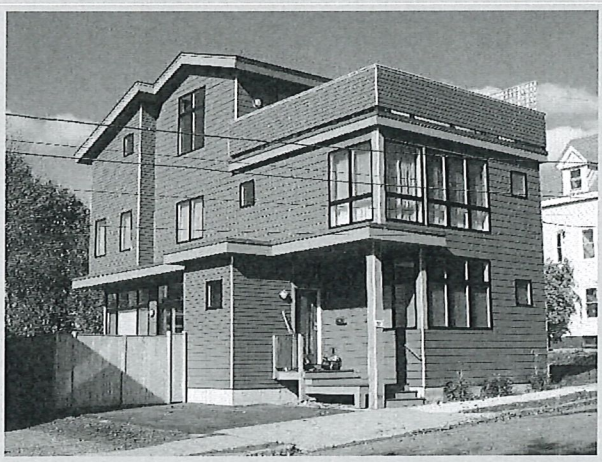


**New Construction**
Dwelling Units = 1 Density = 2,312 sf/du
Lot Coverage = 50% Height = 1.5 stories
Parking Spaces = 0

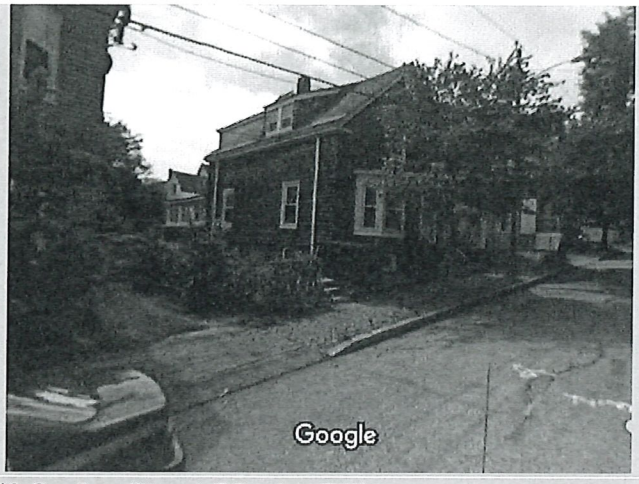
**34 Howard Street, Munjoy Hill**
Dwelling Units = 1 Density = 1,670 sf/du
Lot Coverage = 52% Height = 2 stories
Parking Spaces = 1 (side driveway)

**New Construction**
Dwelling Units = 2 Density = 835 sf/du
Lot Coverage = 56% Height = 4 stories
Parking Spaces = 1 (attached garage)

**107 Monument Street, Munjoy Hill**
Dwelling Units = 1 Density = 2,985 sf/du
Lot Coverage = 28% Height = 2 stories
Parking Spaces = 1 (side driveway)



**New Construction**
Dwelling Units = 1 Density = 2,985 sf/du
Lot Coverage = 33% Height = 3 stories
Parking Spaces = 1 (side driveway)

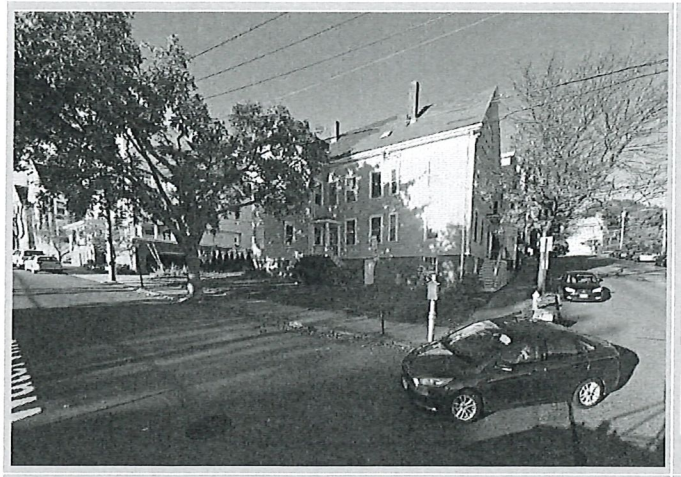



**40 Quebec Street, Munjoy Hill**
Dwelling Units = 1 Density = 2,960 sf/du
Lot Coverage = 39% Height = 1.5 stories
Parking Spaces = 0

**New Construction**
Dwelling Units = 2 Density = 1,480 sf/du
Lot Coverage = 54% Height = 3 stories
Parking Spaces = 3 (attached garage)

**5 Merrill Street, Munjoy Hill**
Dwelling Units = 1 Density = 1,820 sf/du
Lot Coverage = 64% Height = 2 stories
Parking Spaces = 1 (side driveway)

**New Construction**
Dwelling Units = 2 Density = 910 sf/du
Lot Coverage = 61.5% Height = 4 stories
Parking Spaces = 2 (attached garage)



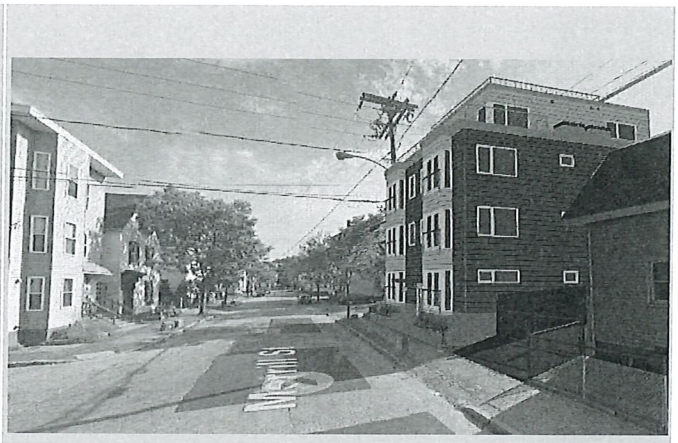
**31 Fore Street, Munjoy Hill**
Dwelling Units = 2 Density = 2,090 sf/du
Lot Coverage = 43% Height = 3.5 stories
Parking Spaces = 2 (side driveway)

**New Construction**
Dwelling Units = 4 Density = 1,045 sf/du
Lot Coverage = 60% Height = 4 stories
Parking Spaces = 6 (attached garage)

**5 Cumberland Avenue, Munjoy Hill**
Dwelling Units = 2 Density = 2,232 sf/du
Lot Coverage = 30% Height = 2.5 stories
Parking Spaces = 2 (side driveway)

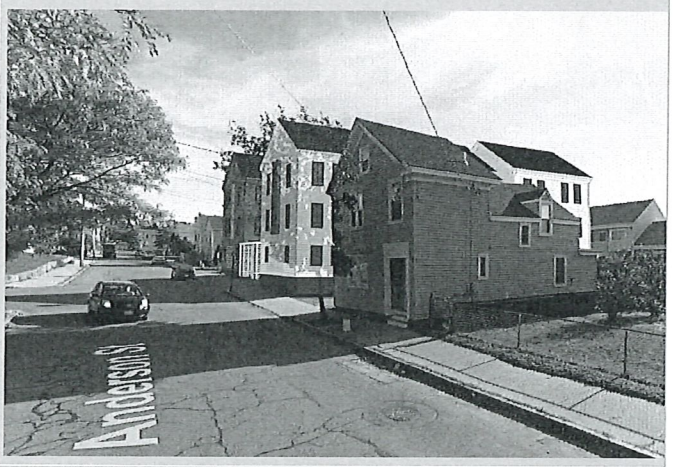
**New Construction**
Dwelling Units = 6 Density = 745 sf/du
Lot Coverage = 43% Height = 4 stories
Parking Spaces = 5 (rear surface)

**30 Merrill, Munjoy Hill**
Dwelling Units = 2 Density = 2,538 sf/du
Lot Coverage = 24% Height = 1.5 stories
Parking Spaces = 1 (side driveway)




**New Construction**
Dwelling Units = 7 Density = 725 sf/du
Lot Coverage = 36% Height = 4 stories
Parking Spaces = 6 (rear surface)

**70 Anderson Street, East Bayside**
Dwelling Units = 1 Density = 8,400 sf/du
Lot Coverage = 23% Height = 1.5 stories
Parking Spaces = 2 (side driveway, detached garage)




**New Construction**
Dwelling Units = 10 Density = 906 sf/du
Lot Coverage = 45% Height = 3 stories
Parking Spaces = 7 (side/rear surface)

**22 Tate Street, West End**
Dwelling Units = 1 Density = 6,176 sf/du
Lot Coverage = 18% Height = 2 stories
Parking Spaces = unknown (side yard surface)

**New Construction**
Dwelling Units = 8 Density = 772 sf/du
Lot Coverage = 38% Height = 3 stories
Parking Spaces = 8 (side yard surface)

**161 York Street, West End**
Dwelling Units = 2 Density = 5,523 sf/du
Lot Coverage = 19% Height = 2 stories; 2 strs
Parking Spaces = unknown (side driveway)

**New Construction**
Dwelling Units = 11 Density = 1,004 sf/du
Lot Coverage = 54% Height = 4 stories
Parking Spaces = 20 (attached garage, rear surface)

## VII. MORATORIUM

Attachment 1 contains the moratorium, and associated agenda request, being considered by the City Council this month, with a first read scheduled for December 4th and action scheduled for December 18th. It establishes a moratorium on new development applications and demolitions in order to allow the Planning Division to recommend changes to the Land Use Code for the R-6 on Munjoy Hill. The 180-day moratorium is on all demolition applications in the R-6 zone on Munjoy Hill; and any and all Level I, II, or IIII Site Plan applications and amendments in addition to all demolition applications, for an interim period of the first 45 days of the moratorium (applications for demolitions

or building permits that are the result of a previously approved site plan approved prior to the effective date are not subject to the moratorium).

## VIII. Next Steps

The last two years have seen relatively high density, compact infill development and production of needed housing in the R-6 zone, as intended, but it has also seen impacts to the urban fabric that call for modifications to current standards. Though the initial impetus for an assessment of activity in the R-6 zone was the 2015 text amendments, development outcomes are influenced by numerous factors, some of which extend beyond the reach of the amendments. R-6 design guidelines have been in place since prior to 2015, for instance, and some of the recent development could have occurred under the prior iteration of the zone. Findings to date indicate there are multiple factors – including intense market demand, design guidelines, and the sum of R-6 dimensional requirements – influencing development trends in the R-6, and staff will look to tools to address the range of concerns, including:

- Building scale and height in relationship to context and typology
- Building placement including proportion of building scale to setbacks
- Parking types and placement
- Reinforcement of desirable, existing characteristics (form, proportion, street activation, materials, articulation, façade composition)
- Deterrence of demolitions

In the event the City Council passes the moratorium later this month, that will dictate the timeline and sequence of proposals brought forward for Planning Board and City Council review. The moratorium as written has a start date of December 4th, which would require interim zoning changes to be implemented by January 18th, and any other proposals to be developed and implemented within a 180-day window. Interim zoning changes would follow a planning best practice of putting an "interim planning district" or "interim planning overlay district" in place while more permanent changes are considered. These interim districts are designed as a best guess as to what final zoning changes might encompass, and allow for a change to see how they are working while a more extensive process unfolds. In the meantime, staff continues to analyze development trends and will support any proposals with supporting data.

## IX. Attachments

1. R-6 Moratorium and accompanying agenda request