

1. Legal Ad

Documents: [8-5-15 LEGAL AD.PDF](#)

2. 1375 Westbrook Street

Documents: [HP MEMO - 1375 WESTBROOK STREET.PDF](#)

3. HP Memo - 17 Carleton Street

Documents: [HP MEMO - 17 CARLETON STREET.PDF](#)

4. HP Memo - India Street

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

**LEGAL ADVERTISEMENT
HISTORIC PRESERVATION BOARD
CITY OF PORTLAND
Public comments are taken at all meetings.**

On **Wednesday, August 5, 2015** at 5:00 p.m., Room 209, 2nd Floor, City Hall, the Portland Historic Preservation Board will meet in Room 209, City Hall, to discuss the following items. (Public comments will be taken at this meeting):

I. PUBLIC HEARING

- i. Certificate of Appropriateness for Building Addition: 1375 WESTBROOK STREET; Kristin Majeska, Applicant.

II. WORKSHOP

- i. Preliminary Review of Proposed New Construction (3rd workshop); 17 CARLETON STREET; Avesta Housing, Inc., Applicant.

Break for Dinner; Meeting Resumes at 7:00

WORKSHOP, continued

- ii. Preliminary review of Reduced Boundary Option for proposed India Street Historic District; INDIA STREET AND IMMEDIATE ENVIRONS

III. CONSENT AGENDA

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**PUBLIC HEARING
1375 WESTBROOK STREET**

TO: Chair Benson and Members of the Historic Preservation Board

FROM: Rob Wiener, Preservation Compliance Coordinator

DATE: July 30, 2015

RE: August 5, 2015 Public Hearing

Application for: Certificate of Appropriateness for a residential addition

Address: 1375 Westbrook Street

Property Owners: Kristin Majeska and Luis Millones

Contractor: Peter Bolduc

Introduction

On August 5, property owner Kristin Majeska and contractor Peter Bolduc will present a request for a Certificate of Appropriateness for an addition at 1375 Westbrook Street. Located at the edge of the Stroudwater Historic District, at the corner of Penrith Road, the subject property is a 20th Century cape that is listed as non-contributing.

The owners first considered an addition to the end wall, expanding the house on the Penrith Road or north side, but they were limited by the required setback of 20'. The proposed one-story 12' x 24' addition will add just under 300 square feet of space – a bedroom, closet space, and a study – to the rear of the recently purchased property. Attached to the rear of the house, and set back from the corner, the new space will only be visible from Westbrook Street if approached from the north, as well as from Penrith Road.

Application materials supplied by the owner and contractor include floor plans, elevations, and construction details drawn by Mr. Bolduc, a plot plan, and photos of the property showing the location of the addition. Staff has included a map showing the location of the property in relation to the historic district boundary.

Subject Property

Built in Colonial Revival style, the house has an attached, two car garage on the south end and a family room addition and a deck on the back side. Two small gabled dormers sit on the front roof plane, and a full shed dormer is located on the rear. The siding is vinyl clapboard siding, with non-operating shutters flanking the vinyl windows. Windows are a mix of wood and vinyl, with some having interior grilles to simulate divided lights (6/6 in the case of the double-hungs and no divisions in several picture units.

Proposed Addition

The 288 square foot addition is proposed to be built on the rear of the house, 10 ½ feet from the northeast corner and next to the existing deck, which will be temporarily dismantled and then restored after construction of the addition. An existing picture window unit will be removed where the addition joins, and on the interior a half bath will also be expanded as part of this project. Exterior finishes and windows are proposed to match existing finishes.

Staff Comments

The limited visibility of the proposed addition, the non-contributing status of the property, and the location of the house at the periphery of the historic district make this project review relatively minor compared to some of the additions reviewed by the Board. Nonetheless, the review process is an opportunity to ensure that the proposed work will be compatible with the character and appearance of the original building, and not inappropriate for the Stroudwater District.

Applicable Review Standards

- (1) *Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose.*
- (2) *The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the 8-5-15 Public Hearing and information included in the accompanying staff report, the Board finds that the proposed addition at 1375 Westbrook Street **meets (fails to meet)** the historic preservation

ordinance review standards, specifically Standards....., (subject to the following conditions.....)

Attachments

1. Project description by contractor
2. Contractor's elevations, floor plans, and construction detail drawings
3. Plot Plan
4. Photos of existing conditions supplied by applicants
5. Map of Stroudwater Historic District, showing location of property



Att. 1
Date: 7/23/2015

**HISTORIC PRESERVATION
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS**

Pursuant to review under the City of Portland's Historic Preservation Ordinance (Chapter 14, Article IX of the Portland City Code), application is hereby made for a Certificate of Appropriateness for the following work on the specified historic property:

PROJECT ADDRESS:

1375 Westbrook Street Portland, ME 04102

CHART/BLOCK/LOT: 218/C/9 (for staff use only)

PROJECT DESCRIPTION: Describe below each major component of your project. Describe how the proposed work will impact existing architectural features and/or building materials. If more space is needed, continue on a separate page. Attach drawings, photographs and/or specifications as necessary to fully illustrate your project—see following page for suggested attachments.

Add on a 12' wide x 24' Long ell to the backside (east side) of cape. To be single story with approximate 6-12 roof pitch. Includes a 6 1/2' frost wall foundation with 5' crawlspace, temporary dismantling of deck (to be reassembled later), removal of some shrubbery and small trees, removal of the window unit in what is now the study in order to make a solid wall with a doorway to access the new addition, relocation of electrical meter in order to attach addition.

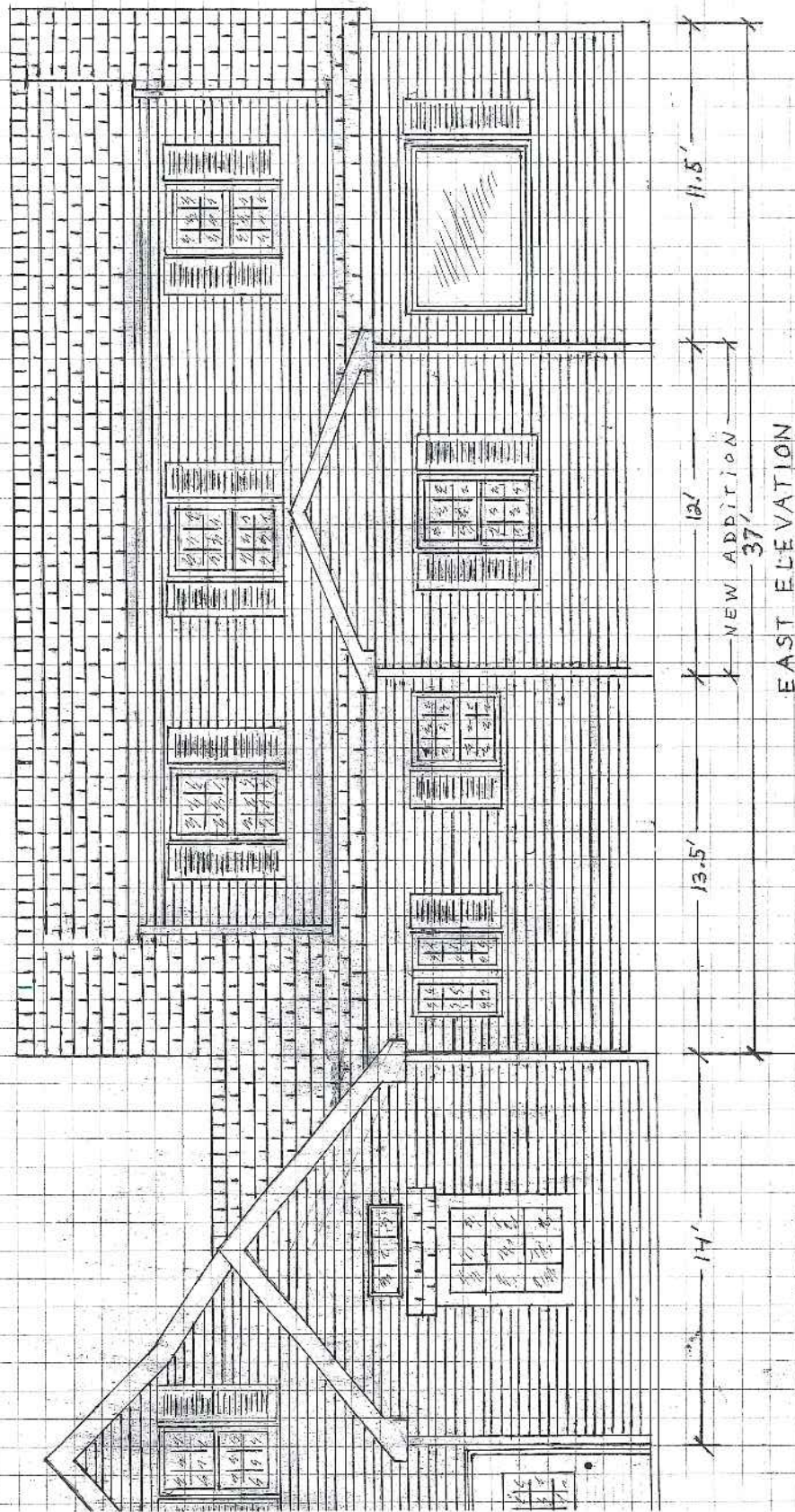
Except for removing a window to receive the addition the only features to change will be the footprint.

Att. 2

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

1375 Westbrook St.
Portland, Maine 04102

12' x 24' Addition
Scale: 1/4" = 1'

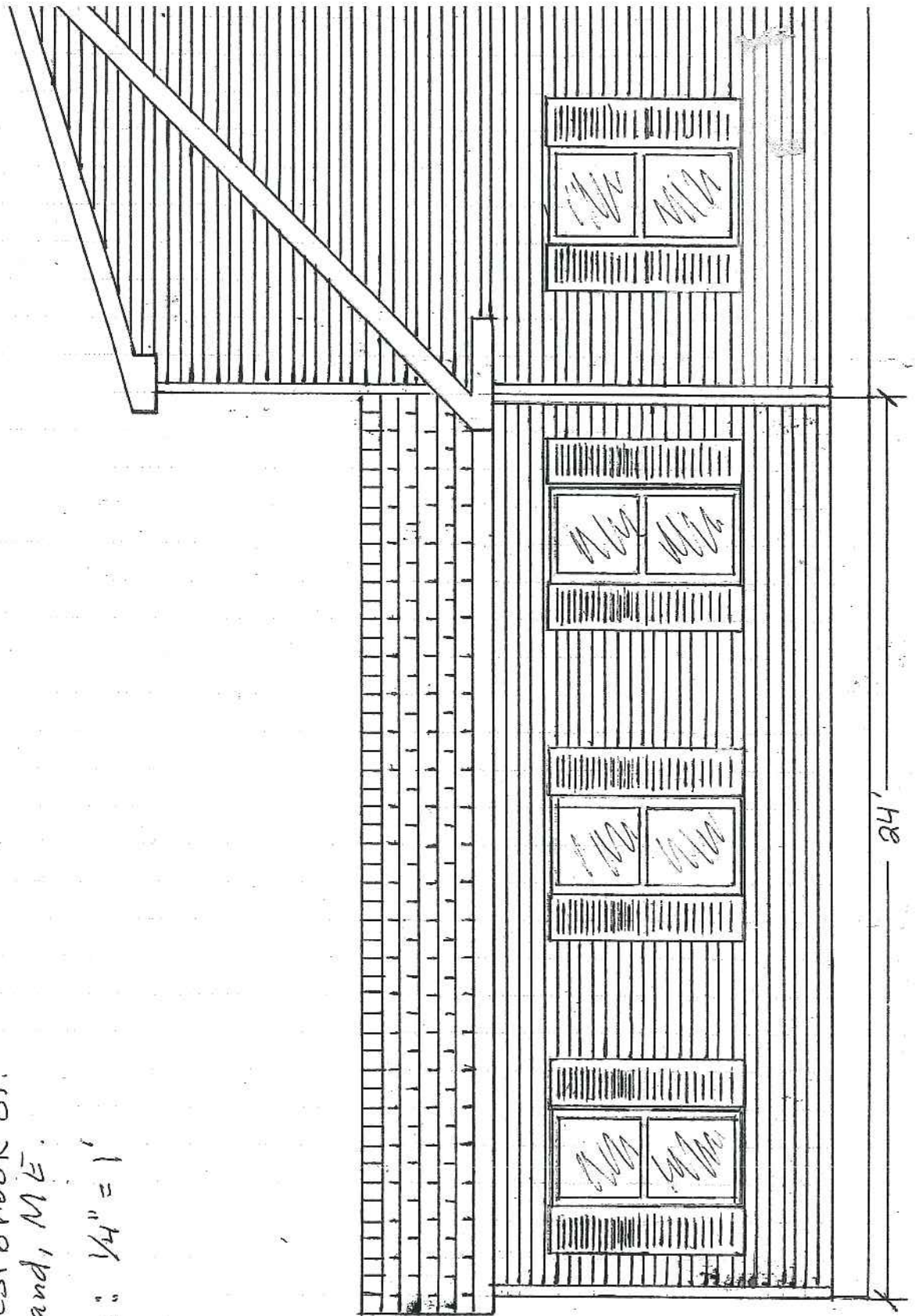


North Elevation

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

1375 Westbrook St.
Portland, ME

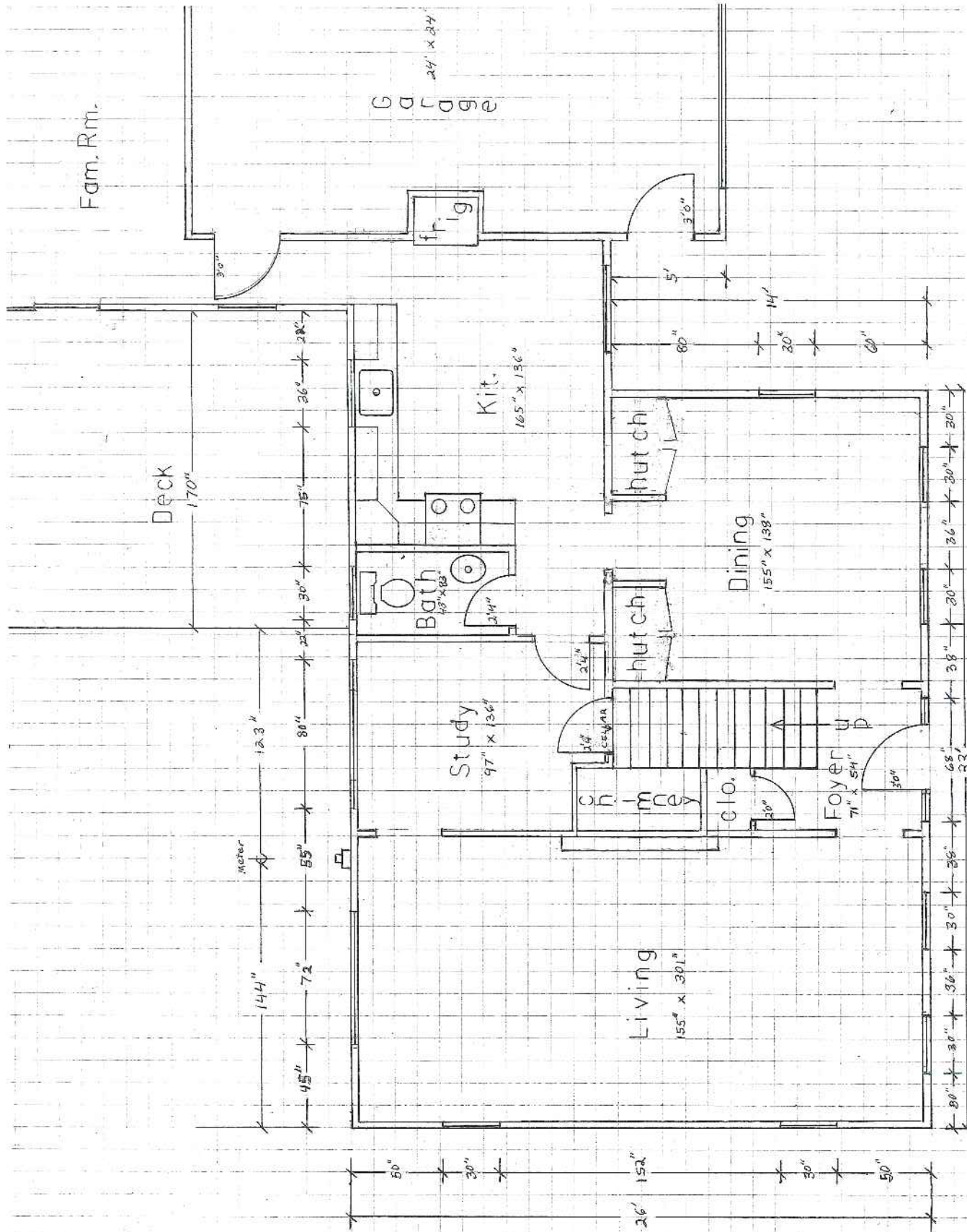
Scale: $\frac{1}{4}" = 1'$



Fgm. Rm.

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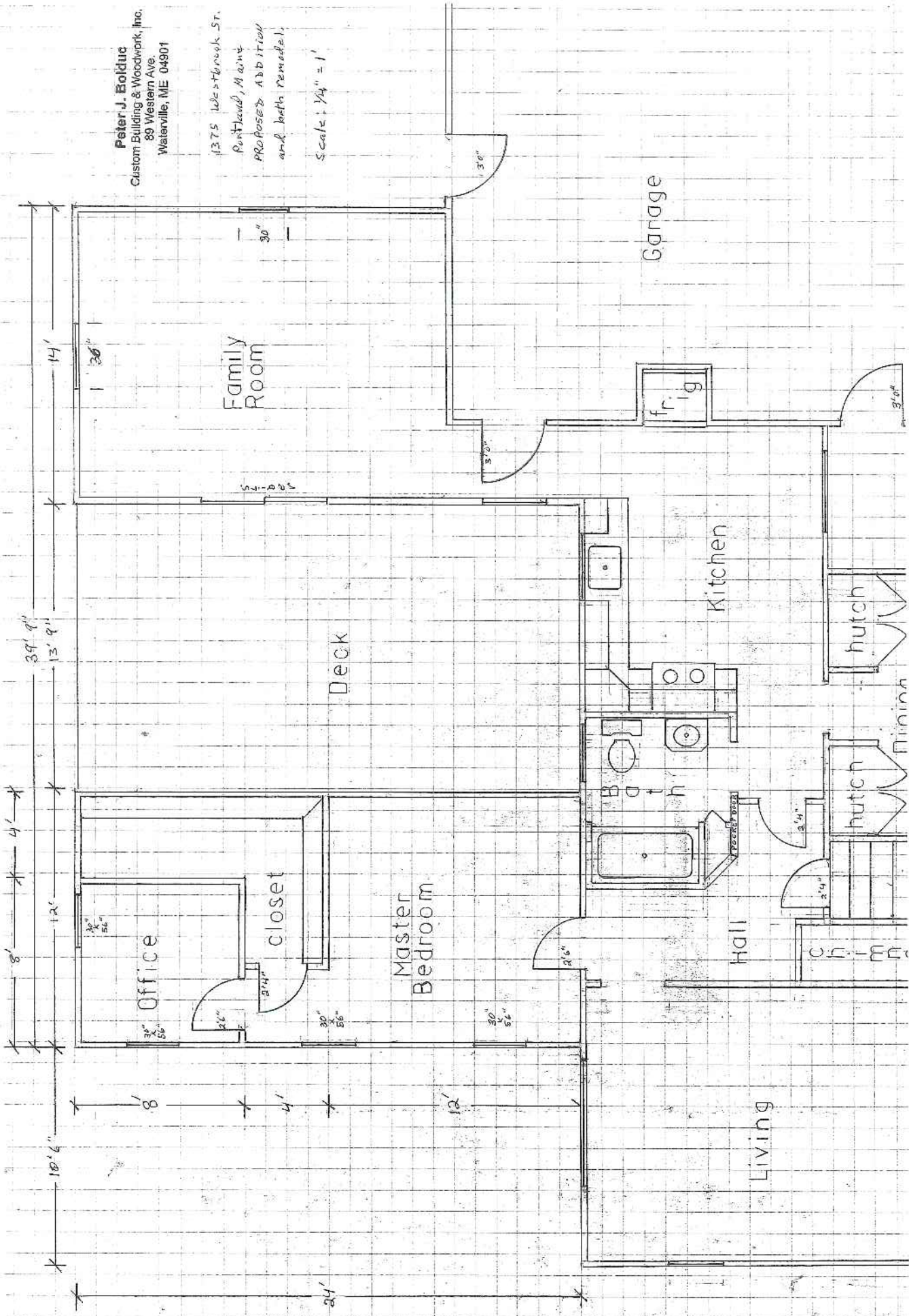
Scale: $\frac{1}{4}'' = 1'$



Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

1375 Westbrook St.
Portland, Maine
PROPOSED ADDITION
and bath remodel.

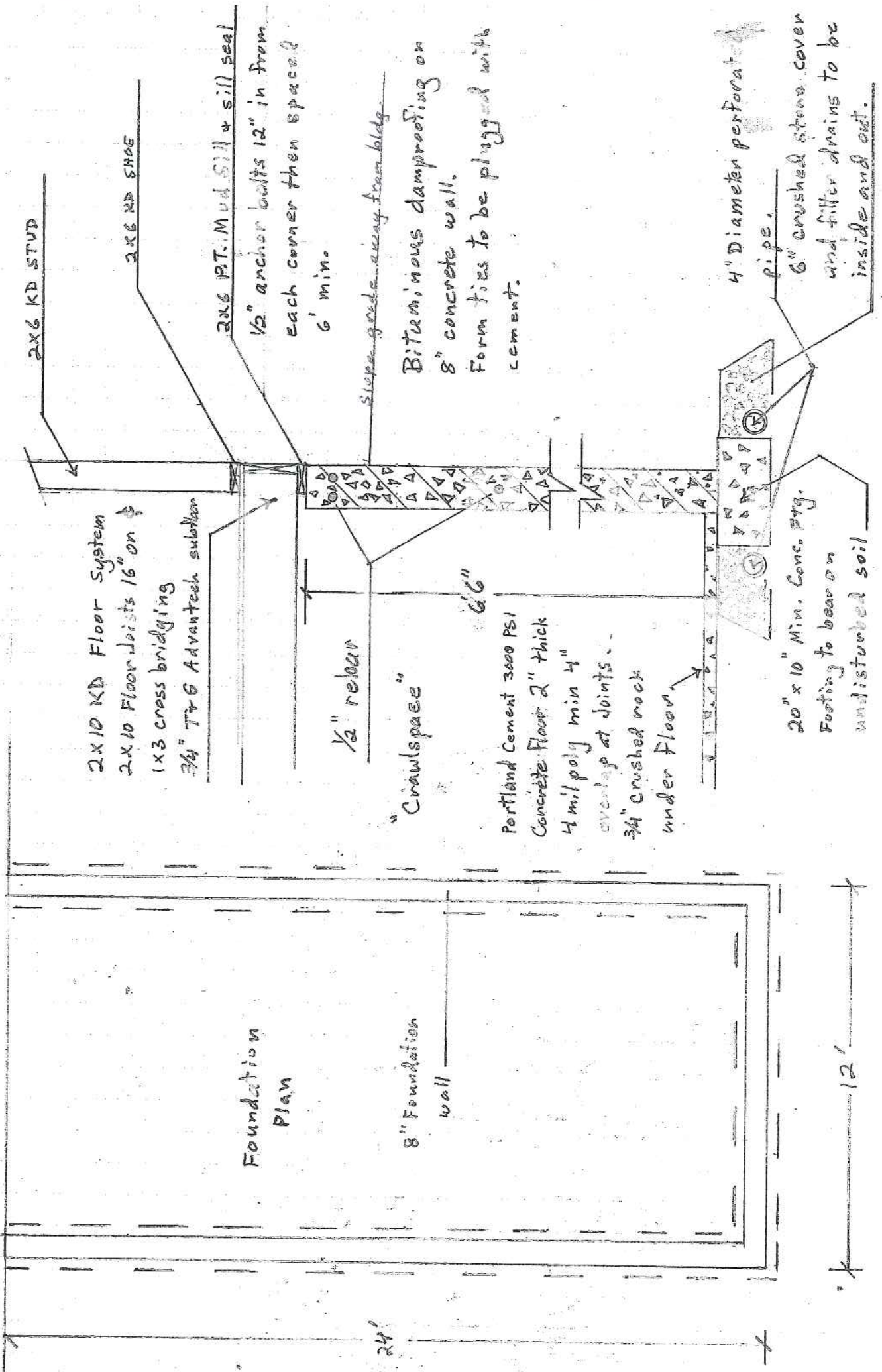
Scale: 1/4" = 1'



Foundation Wall Section New Addition

Peter J. Bolduc
 Custom Building & Woodwork, Inc.
 89 Western Ave.
 Waterville, ME 04901
 Scale 1/2" = 1'

Existing full foundation



Foundation
Plan

8" Foundation

wall

30 Year Asphalt "Architectural" Dual Black to match.

5/8" Advantech.
sheathing with I+W 3'

Pitch

12/6

2x4 collar tie

2x8 KD Rafter 16" on c

18" Fiberglass insulation in attic

8" Alum
Drip Edge

2x6 KD ceiling joist

2- 2x6 KD DBL Top Plate

3- 2x8 KD with 2- 1/2" layers Cdx sandwiched in
between and capped top and bottom with 2x6 KD
for window header.

1/2" Dry wall interior sheathing walls + ceiling.

1/2" Cdx sheathing

2x6 KD STUD 16" on c

6" Roxul insulation

2x6 Shoe

3/4" T+G Advantech subfloor

2x10 KD
Band
Joist

2x10 KD Joist 16" on c

Solid bridging

2x6 PT mudsill

"Crawlspace"

8" Concrete wall

2" Concrete floor

Footing

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

Scale - 1/2" = 1'

Framing Plan

Framing Plan Roof

Scale: $\frac{1}{4}" = 1'$

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

Existing House wall

Fascia &
soffit to
match existing

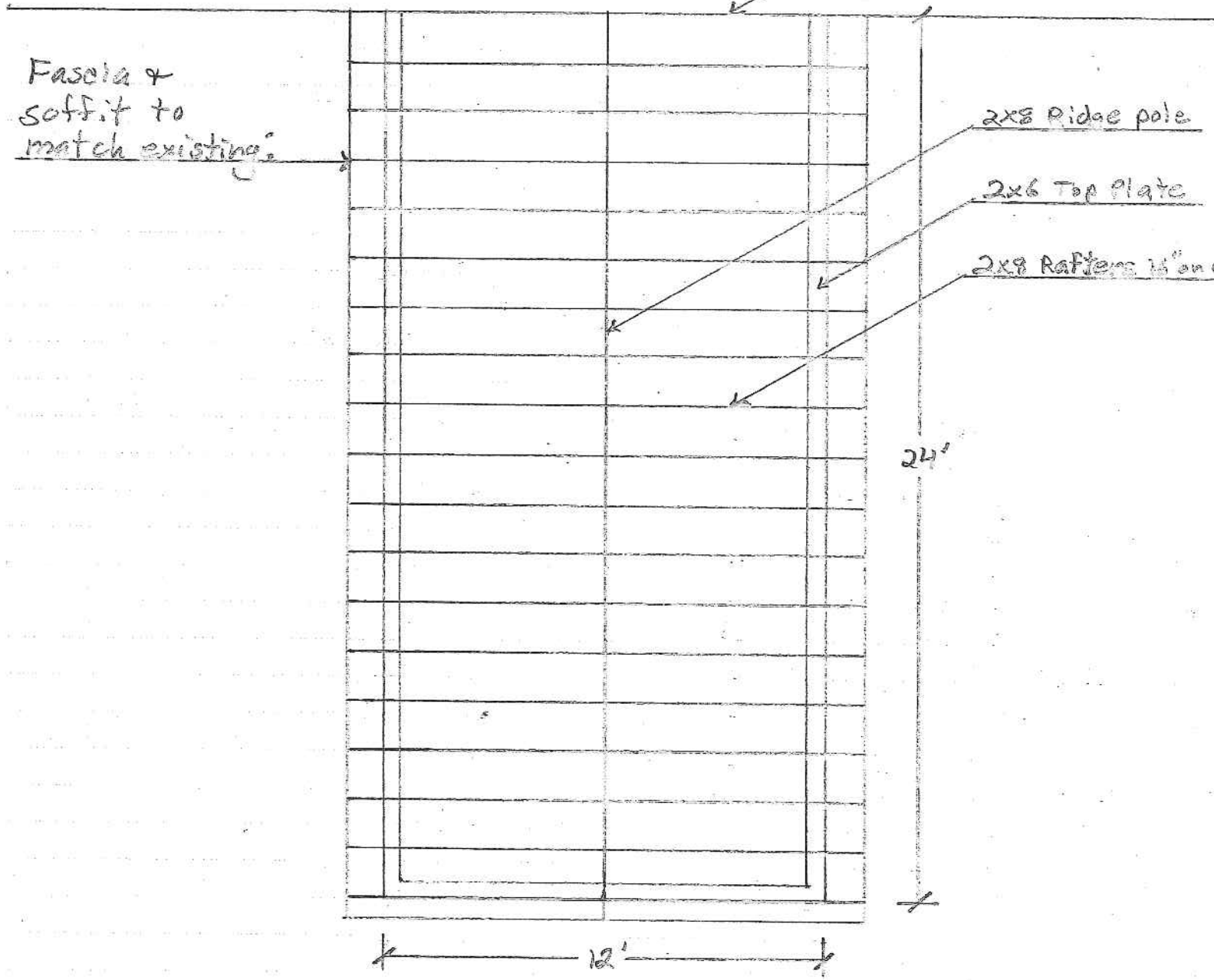
2x8 Ridge pole

2x6 Top Plate

2x8 Rafters 16" on c

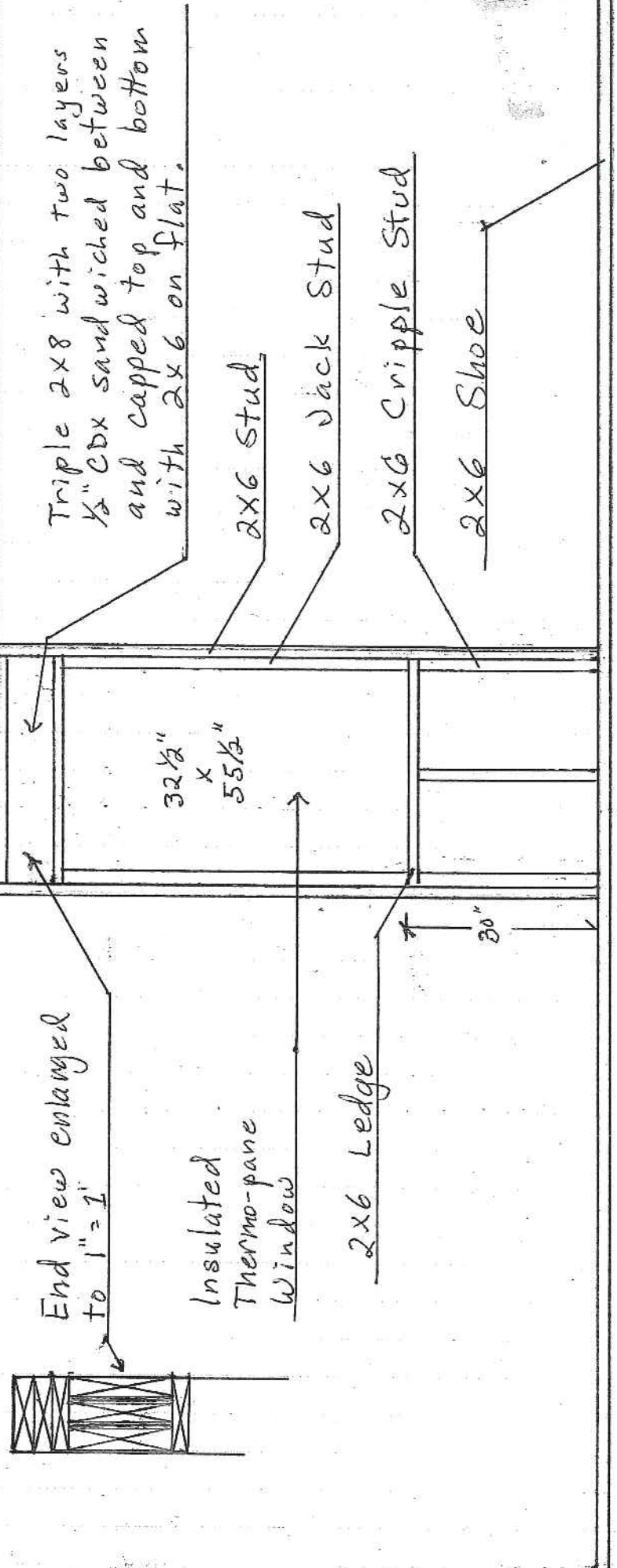
24'

12'



Framing Detail (Window)

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901



Door Schedule:

- 2) 2'6" x 6'8" 6 panel pine
- 2) 2'4" x 6'8" 6 panel pine
- 1) 1'0" x 6'8" 3 panel pine

Window Schedule:

- 4) 32½" x 55½"
Double-hung Vinyl (Built-in-Jay)
Insulated Thermo-pane
Low E, No grill, half screens

Peter J. Bolduc
Custom Building & Woodwork, Inc.
89 Western Ave.
Waterville, ME 04901

Att. 3

02/23/2010 16:05 FAX 2078825273

MHC CPI

2003

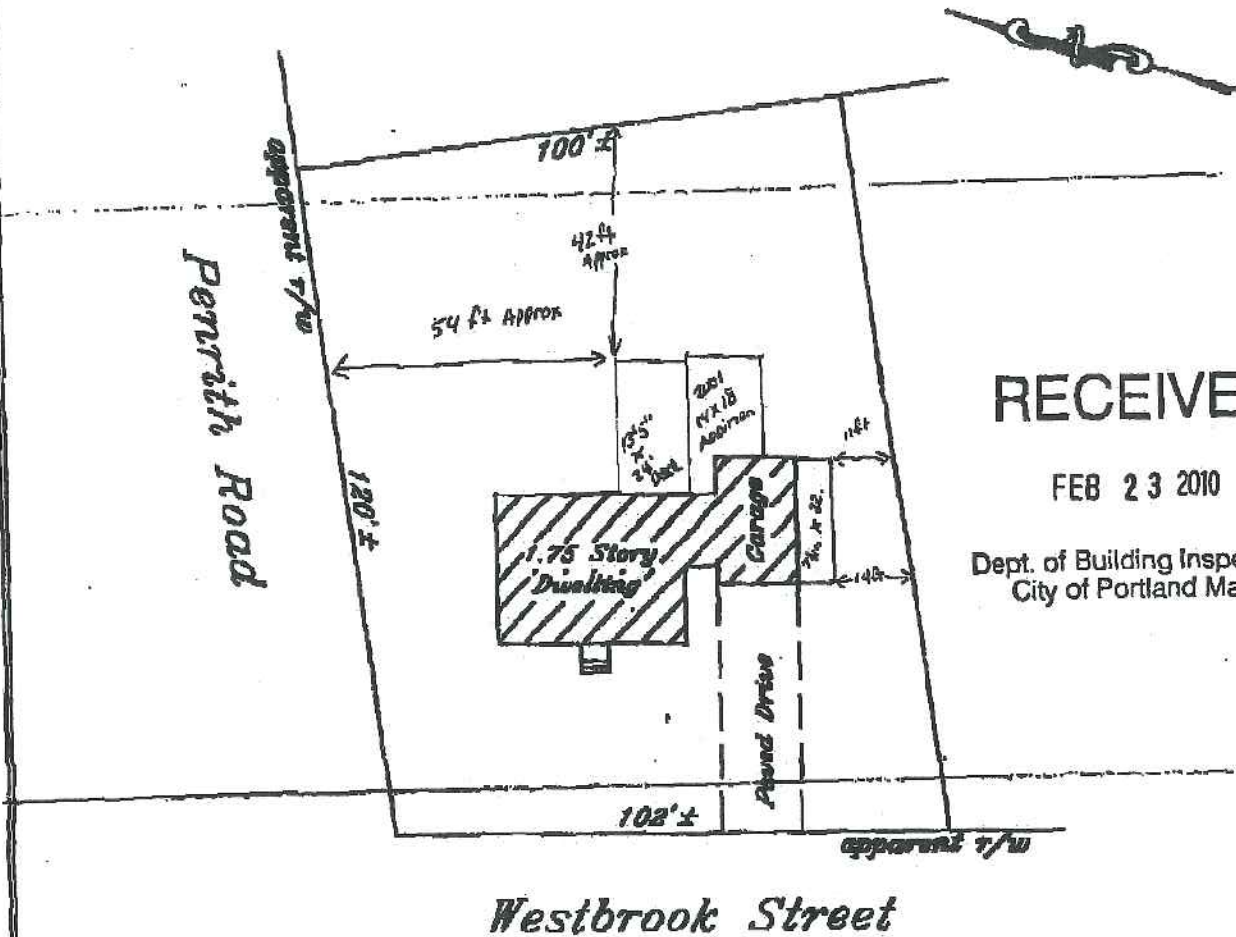
FOR MORTGAGE LENDER USE ONLY

General Note: (1) Distances shown are taken from provided title reference chain taken. (2) The purpose of this inspection is to render an opinion as follows: A) Building and accessory structure's compliance with respect to municipal zoning, setbacks, and B) Flood zone determination by horizontal reading on the latest referenced FEMA map. (3) This inspection assumes and all easements shown are shown by title of Maine Board of Licensure for Professional Land Surveyors. (4) This inspection is to be used only by the lender listed herein. This survey is not to be used and should not be used by another party for boundary line location or land title opinion. (5) A boundary survey should be performed to render a professional opinion pertaining to boundary line location.

Address: 1375 Westbrook Street
Portland, Maine

Inspection Date: 9-6-01

Scale: 1" = 30'



See title references for appurtenances.

Applicant: Joseph Fanning & Diane Dianne Fanning

Owner: Margaret Sealant

Requesting Party: Atlantic Title Company

Lender: First Massachusetts Bank, N.A.

File # 80110523 Field Book: 215-62

Map 218 Block C Lot 9

Title References:

Deed Book: 4649 Page: 6

Plan Book: 37 Page: 11 Lot:

County: Cumberland Map # 280051

Nadeau & Lodge, Inc.
Professional Land Surveyors

312 Brighton Avenue 14 Forest Street, Box 813
Portland, Maine 04107 Auburn, ME 04293-0813

1375 Westbrook St,



AH.4

1375 westbrook st.



1375 Westbrook St



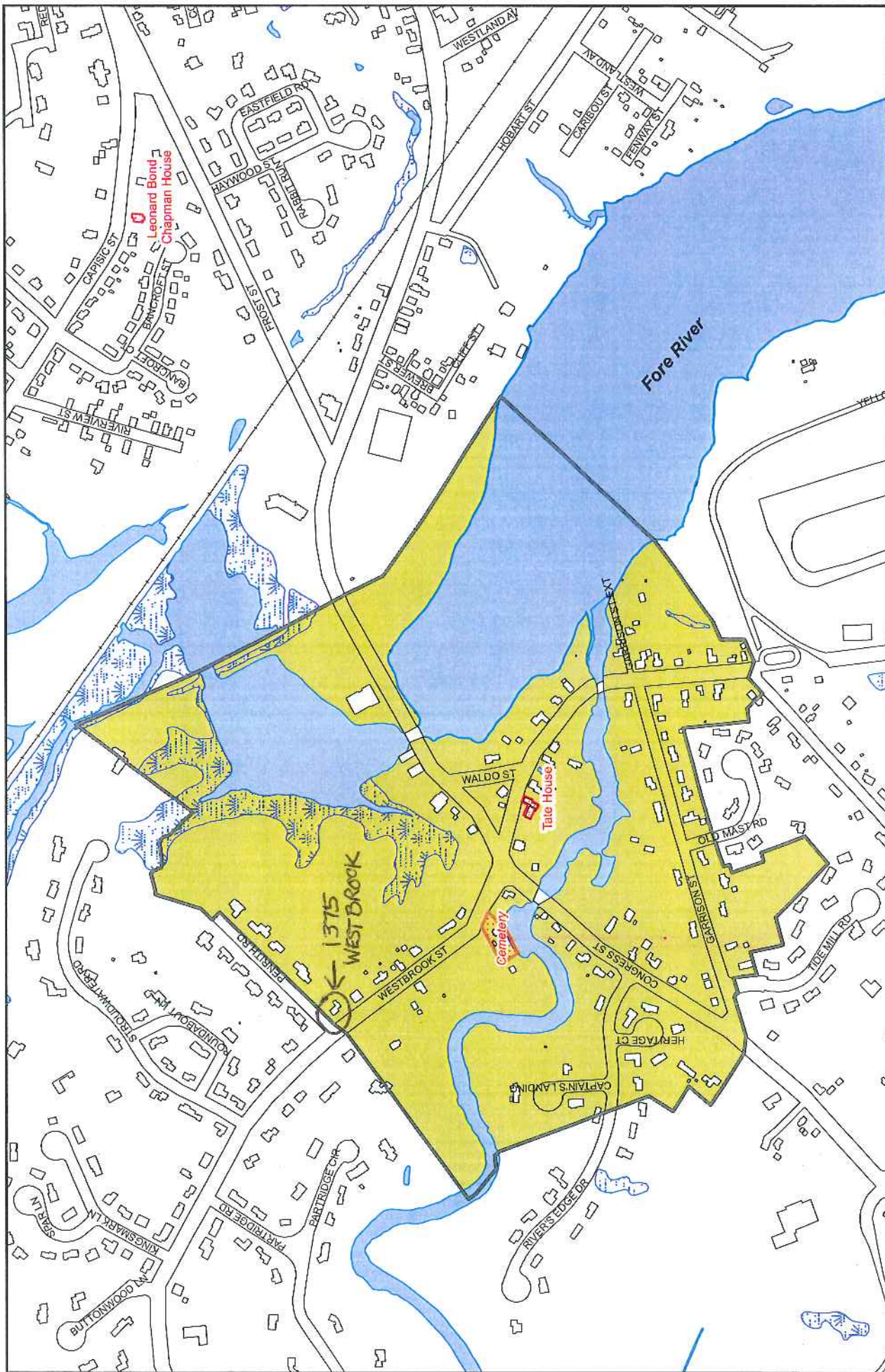
1375 Westbank
St.



1975 Washin



Att. 5



Stroudwater Historic District

Effective April 15, 2009

City of Portland, Maine Department of Planning & Development and the Department of Public Services
September 2009



**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**WORKSHOP (3rd)
17 CARLETON STREET**

TO: Chair Benson and Members of the Historic Preservation Board

FROM: Deborah Andrews, Historic Preservation Program Manager

DATE: July 30, 2015

RE: August 5, 2015 3rd WORKSHOP – Preliminary Review of Proposed
New Construction

Address: 17 Carleton
(between Pine and West Streets)

Applicant: Avesta Housing

Architect: David Lloyd, Archetype Architects

Introduction

Architect David Lloyd, representing Avesta Housing, is returning to the Board for a third workshop to present revised elevations and computer-generated images of a proposed multi-unit housing development at 17 Carleton Street.

Enclosed are the latest elevations and renderings, together with a letter from Mr. Lloyd summarizing the design changes made since the previous workshop on July 15th. Also enclosed for comparison purposes are the July 15 elevations and renderings--see ATTACHMENT 3.

July 15 Design Proposal, Board Response

The design proposal presented on July 15 included a number of revisions made in response to feedback from the Board and members of the public at the initial review session. Most significant of these changes was an overall simplification of the Carleton Street façade. Where the initial proposal featured 5 individual “bays”, the revised proposal featured an “A-B-A” composition. The material palette had been simplified as well. The Carleton Street façade had been changed to a brick exterior on the upper floors, with standing seam copper at the top floor of the end sections to reduce the apparent scale of the building and relate to the mansard roofs of the flanking historic buildings. Projecting bays on the center section were also clad in the standing seam copper. The proportions of the windows had been adjusted to be more vertical were shown mostly grouped in pairs, with stone sills and lintels added.

At the ground floor level, a defined base was suggested through the introduction of a stone-like material. Piercing this base, however, was a series of double “patio” doors which led directly to the front yard. A continuous canopy was shown extending across the front entrance and the vehicular access to the rear parking area.

On the rear elevation of the building, clapboard was shown on the exterior of the center section, rather than brick. Unlike the front façade, windows were shown, for the most part, as individual punched openings, rather than paired.

At the workshop, Board members and several members of the public noted that the design had improved in a number of respects, especially with respect to an overall “quieting down” of the design and material palette, the adjustment in window proportions and detailing, etc. A number of areas were identified as unresolved, however. Aspects of the proposal warranting further resolution or revision were as follows:

- The introduction of “patio doors” on the front façade within the building “base” was seen as incongruous. Raised foundations, if pierced at all, are typically pierced by smaller, “raised basement” windows. Also, by providing direct access to the front yard, the front yard was likely to be used in rear yard fashion.
- It was acknowledged that without a true raised foundation, a successful exterior treatment of the ground floor would be challenging. That said, the fenestration at the ground floor level would need to be resolved in order for the project to relate successfully to its context.
- It was suggested that the mansard-like treatment of the top floor level at the two end sections become an actual mansard form. This would more effectively reduce the apparent scale of the building and provide an opportunity for more depth and visual interest on the upper façade, as the windows would project from the face of the mansard.
- Opportunities to add more depth or texture to the building façade, such as setting the windows back slightly from the face of the building, should be fully explored. This will add more visual interest and help the building relate to the richly detailed historic structures of its context.
- Several Board members expressed the view that the rear façade was in several respects more successful than the front façade in relating to its residential context. The front, they noted, still read as fairly commercial in character—especially in terms of its fenestration and ground floor treatment.
- Noting that the front entrance lacked visual prominence, Board members suggested that the projecting canopy over the entrance not extend over the vehicular entrance as well. This would highlight the building entrance as the intended focal point of the ground

floor. Board members also encouraged a more residential treatment for the windows of the ground floor community room.

- Regarding mechanical systems, the Board asked that ventilation needs be handled through a central system that exits through the roof, thereby eliminating the need for individual vent hoods on the building façade. The provision of central air conditioning, eliminating the need for individual windows units, was also raised.
- Regarding the drive-through access to the rear parking lot, Board members indicated that it would be important to review the treatment of the interior walls of the drive-through, as this opening in the building would be very visible.

Revised Elevations

Mr. Lloyd has provided a cover letter identifying the major design revisions made since the last workshop.

Staff Comments

The revised proposal appears to respond successfully to a number of the concerns raised by members of the Board and public at the last workshop. For example, the project architect has taken advantage of the requirement by the Fire Department to increase the height of the vehicular passageway to provide a clear base for the building that elevates the first floor above the ground. Also, the revised entry treatment on Carleton Street successfully highlights this key feature of the building and provides a clear focus for the ground floor facade. The fenestration on this façade is now also clearly residential in character. The move toward a mansard-type roof is also successful in providing more depth and visual interest in that the windows now become projecting “dormers”.

Staff has identified a few elements of the revised design that might warrant further consideration by the Board:

- Given the required height for the vehicular passage, the overall size of this opening is now significant. To reduce the visual prominence of the opening, perhaps the lintel over the opening should be made more recessive. It may help, for example, to paint out the steel lintel to match the color of the brick. This would allow the adjacent entrance porch to clearly dominate and downplay the opening. The treatment of the interior walls of this passageway will also be important, especially since one of the handicap entrances to the building will be within this passageway.

- Regarding the location of the vehicular passageway, staff is curious as to whether consideration was given to moving the vehicular passage to the north end of the building. By separating the passageway from the main entrance, further prominence would be given to the entrance. Perhaps this is not feasible from a programmatic or floor plan perspective, but perhaps worth raising.
- The proposed projection of the mansard-roofed section at the south end of the building seems a bit curious, especially when the other mansard section at the opposite end is flush with the center section. This might warrant further discussion.
- The treatment of the at-grade rear entrance to the building might benefit from the addition of simple sidelights. This would give the entry a bit more prominence and correspond to the width of the canopy in front of it.
- As regards the clapboard siding on the rear of the building, although some members of the public expressed concern about this material choice, in staff's view the material is consistent with the material palette of the neighborhood and therefore not incompatible. While this face of the building will indeed be visible from the rear of other buildings, it is the rear façade where buildings often feature a less formal design and material palette.

Applicable Review Standards

In reviewing the preliminary design proposal, the Board shall apply the historic preservation ordinance's new construction standards. For detailed and illustrated guidelines on the application of these standards, please review the chapter on new construction included in the *Historic Resources Design Manual*.

Attachments:

1. July 27 memo from project architect summarizing revisions
2. Revised elevations and computer-generated renderings
3. Excerpts from July 15 proposal

Att. 1

A R C H E T Y P E

July 27, 2015

Deb Andrews
Historic Preservations Program Manager
Portland City Hall
389 Congress Street
Portland, ME 04101

RE: Carleton Street Submission – Portland, Maine

Dear Deb,

Based upon our project review with the historic board we are pleased to submit revised drawings. Please note the following modifications.

- In discussions with Keith Gautreau he expressed that he will need fire truck access to the rear parking lot. Therefore he has requested that we give him a clear 13 feet 9 inches in the passageway under the building. To accommodate this requirement we have put the building on a base of approximately 3 feet. This does give us the feature of having the first floor raised as has been discussed to be more in keeping with the neighboring buildings. We have modified our other building entries to allow our required ADA access. Please see our revised elevations
- 4th floor roof changed to mansard
- Fenestration on Carlton street elevation revised to a similar pattern and proportion as shown on rear elevation
- Water table incorporated at base of clapboard
- 4th floor windows redesigned in mansard and details added
- Front porch revised, roof raised, front door and sidelights more traditional, columns fattened, glass wall behind redesigned as traditional windows
- Patio doors eliminated at first floor
- Bay windows deleted
- Window headers proud 1 inch
- Central ERV system to be incorporated to eliminate cooking range and bathroom vents
- Roof over car passageway eliminated
- Lattice work eliminated

Thank you for your comments to date we look forward to our next meeting.

Respectfully Submitted,



David Lloyd
Maine Licensed Architect #936

RECEIVED
JUL 27 2015
Dept. of Building Inspections
City of Portland Maine

A.H.2



1 | WEST ELEVATION
1/8" = 1'-0"

GENERAL NOTES:
1. AVERAGE GRADE BY DEFINITION: 4 CORNER AVERAGE GRADE - NW 141.2' + NE 142.0' + SE 141.1' + SW 141.5' = 565.8' / 4 = 141'-5" (AVERAGE GRADE)
2. BUILDING HEIGHT: THE VERTICAL MEASUREMENT FROM AVERAGE GRADE TO HIGHEST POINT OF THE ROOF BEAMS = 44' - 9"



3 | NORTH ELEVATION
1/8" = 1'-0"

2 | EAST ELEVATION
1/8" = 1'-0"

4 | SOUTH ELEVATION
1/8" = 1'-0"

CARLETON STREET

Carleton Street, Portland, Maine

JULY 28, 2015

A2.1





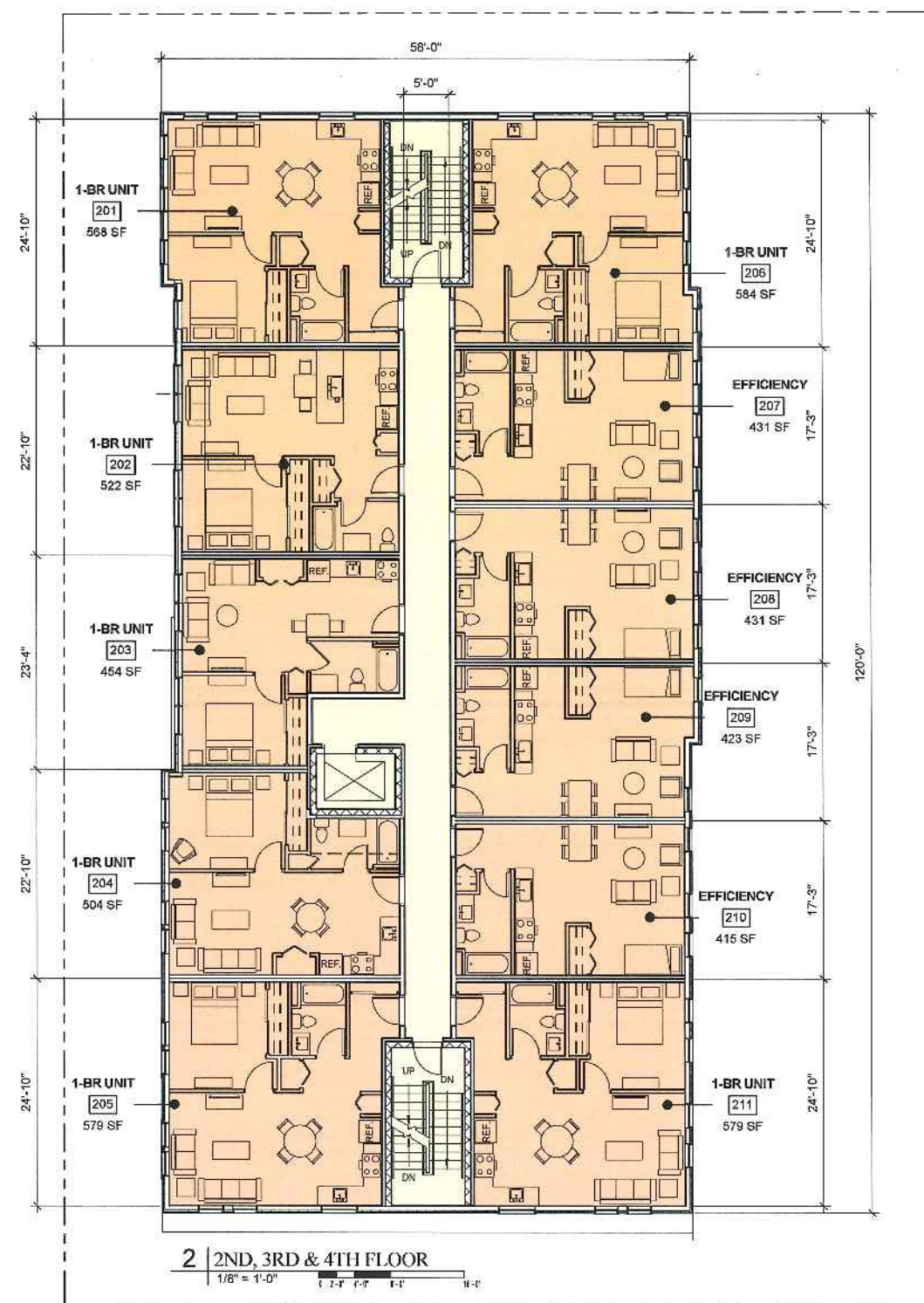
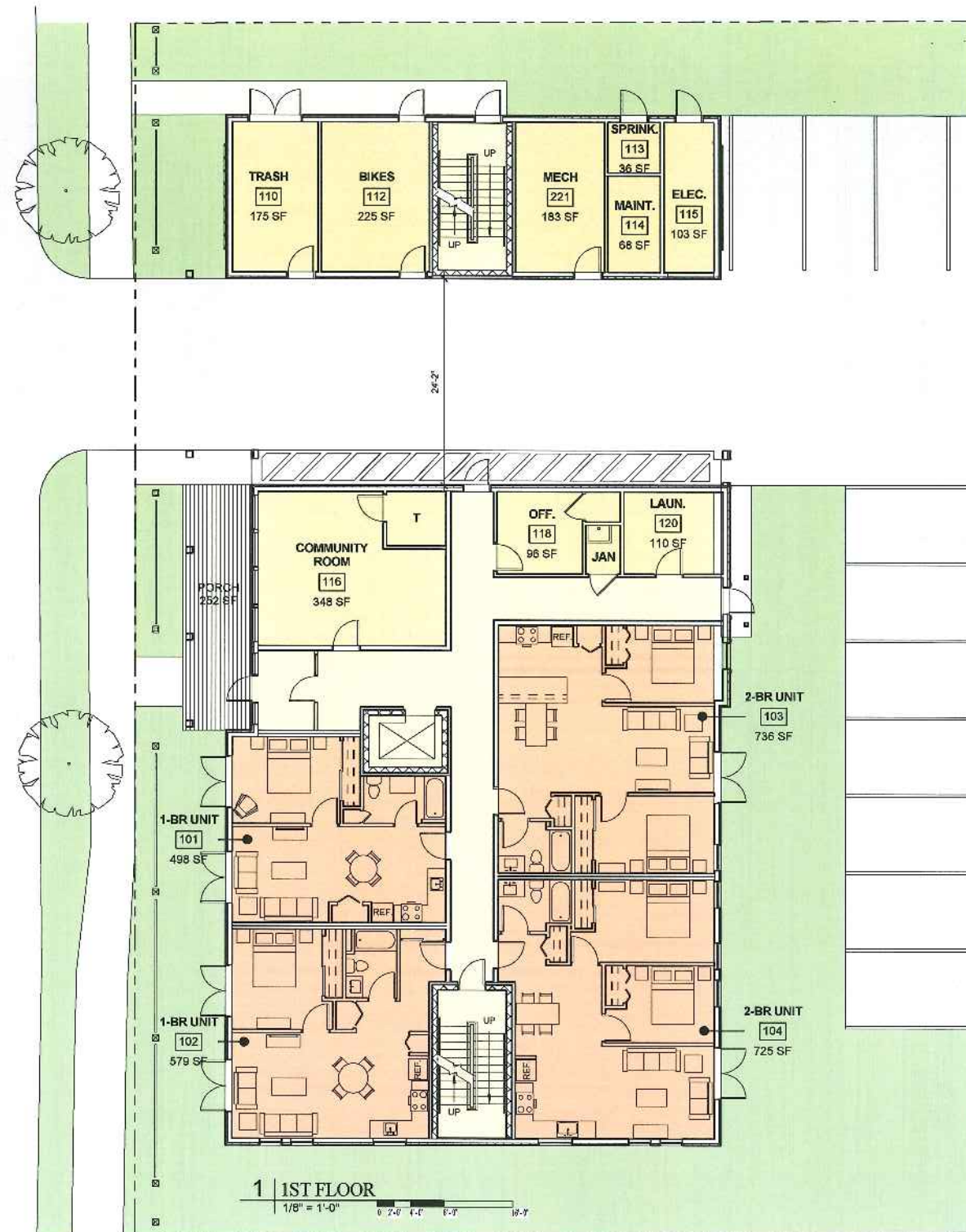


ATT 3
JULY 15
PROPOSAL









2f

GROSS SF CALCULATIONS:
FOOTPRINT (4 FLOORS) 6,960 GSF +
TOTAL 27,840 GSF

TOTAL: 37 UNITS

SPACE CLASSIFICATIONS (MEASURED ROCK TO ROCK)

1ST FL: DRIVE ISLE UNDER BUILDING: **1,390 SF**
1ST FL. UNITS: **2,529 SF**
1ST FL. COMMUNITY SPACE,
CIRCULATION, UTILITY: **2,392 SF**

UPPER FLOORS: **UNITS: 5,490 SF (ROCK TO ROCK)**
CIRCULATION: 800 SF (ROCK TO ROCK)

CARLETON STREET

Carleton Street, Portland, Maine

JUNE 2, 2015

A1.2

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**WORKSHOP
INDIA STREET AND SURROUNDING NEIGHBORHOOD**

TO: Chair Benson and Members of the Historic Preservation Board

FROM: Deb Andrews, Historic Preservation Program Manager

DATE: July 30, 2015

RE: August 5, 2015 Workshop to Consider Revised for India Street Historic District,
Relationship of Historic District Designation to Proposed Form-
Based Code

Introduction

A follow-up workshop has been scheduled to continue discussion of a proposed India Street Historic District. The Board will be considering a proposed district that is reduced in size and scope, focusing on the main corridors into and through the India Street neighborhood and including key structures that largely define the historic core of the neighborhood. The workshop will also include a status report on the development of a Form-Based Code for the India Street area and the intended interface between historic district designation and the new Code. The workshop will also provide an opportunity for public input on the latest draft district proposal, which was developed in an attempt to balance numerous goals and objectives as well as feedback from a variety of stakeholders.

ATTACHMENT 1 is a revised district boundary map that was created in response to the Board's preliminary discussion on July 22nd regarding a reduced district. The Board will be asked to review the boundary as shown to confirm whether it accurately reflects the previous discussion and to identify any areas of the draft boundary that merit further consideration.

Also enclosed is the latest draft of the proposed Form-Based Code for the India Street neighborhood—see ATTACHMENTS 3 and 4. On Wednesday, Urban Designer Caitlin Cameron will review key provisions of the Code and discuss how project review under the two land use regulatory tools will be coordinated. Board members will have an opportunity to raise questions or identify areas of concern that might be addressed in the final text of the Code.

Background

On July 22nd, the Historic Preservation Board held a workshop to consider various alternative measures to address the stated historic preservation goals within the India Street

Neighborhood Plan. Alternatives presented for review included a new designation classification which would be added to Portland's ordinance to allow for a "Multiple Property Designation". A Multiple Property Designation would provide protection for individual identified historic structures, without creating a contiguous district. Also presented for review was a preliminary proposal for a reduced historic district.

Following a presentation by staff and an opportunity for public comment, Board members discussed at length the relative merits of the two options. Board members were unanimous in favoring a smaller historic district over a Multiple Property Designation. This conclusion was based in part on additional information that came to light after the staff report was prepared about the intent of Multiple Property Designations. Further research into this designation category, as developed by the National Park Service and as implemented in several municipalities throughout the country, revealed that the concept as envisioned applying to the India Street neighborhood was not consistent with how this category of designation works elsewhere throughout the country. Additionally, Board members expressed concern that the creation of a Multiple Property Designation (MPD) would create confusion between "landmarks" as currently defined in the ordinance and individually designated historic structures that would be designated as part of a Multiple Property Designation. A more significant factor in the Board's conclusion, however, was the Board's clear position that the creation of an historic district, albeit smaller, would be the most effective tool to implement the Plan's historic preservation goals. District designation would not only protect individual historic structures, but also recognize and reinforce the context of the historic structures that remain to tell the story of this unique Portland neighborhood.

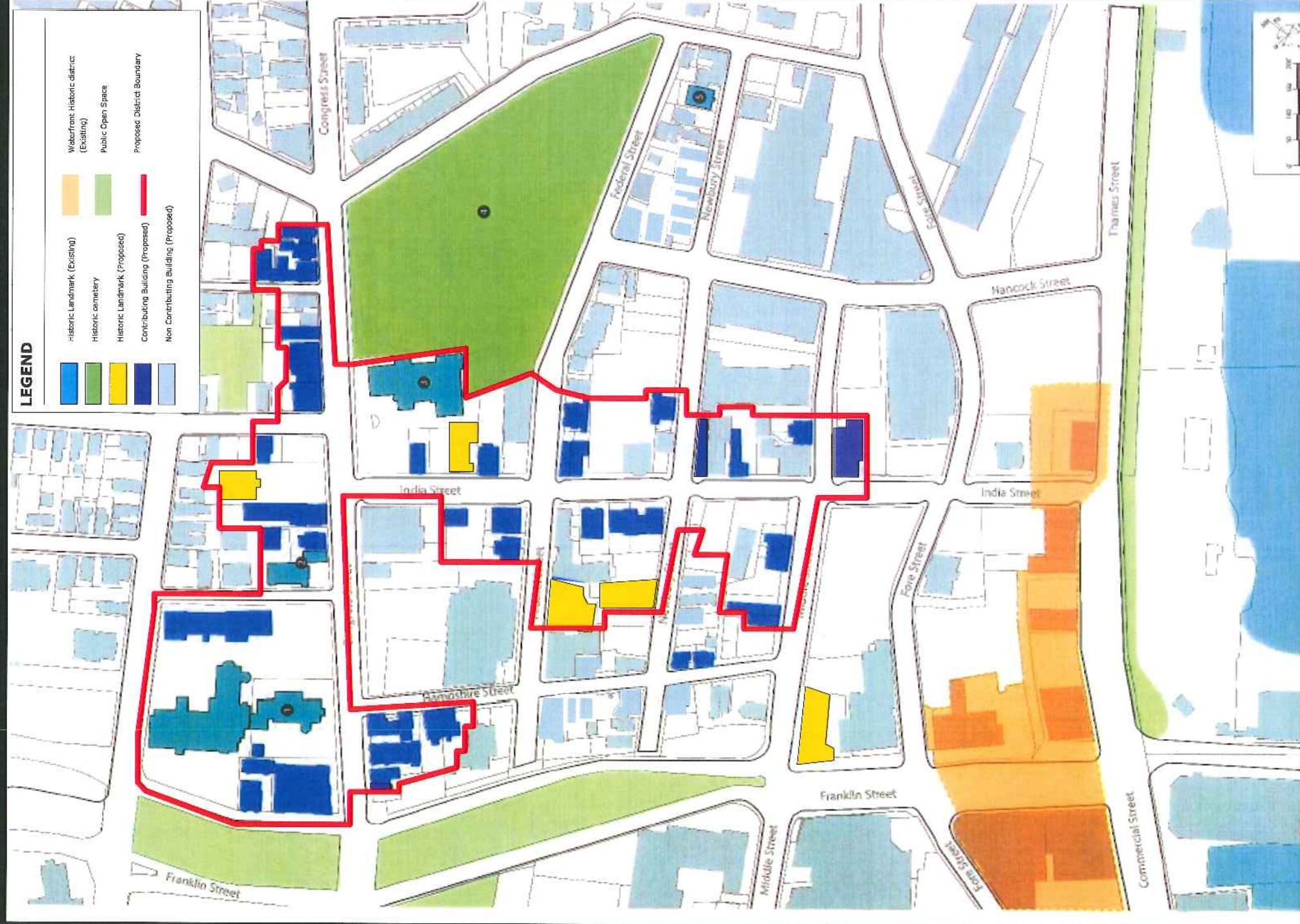
In response to concerns raised by several residential property owners in the neighborhood about district designation (based in large part on the perception that the ordinance requirements would be overly burdensome or unduly restrict the use of their property), Board members concluded that perhaps it was appropriate to limit the district to the major corridors within the neighborhood and the more "obviously" historic structures within it. In coming to this conclusion, Board members expressed regret that negative perceptions persist notwithstanding the positive effect district designation has had in other residential neighborhoods in Portland, some of which include housing stock very similar to that of the India Street area. Board members also expressed regret about eliminating most of the vernacular residential blocks from the district, as these blocks clearly convey an important aspect of the neighborhood's history and their exclusion from the district only reinforces the misguided notion among some that the historic preservation field is only concerned with preserving architectural landmarks. That said, the Board appeared willing to limit the boundary of the district, focusing on the neighborhood's major commercial corridors and the key institutional and religious structures within it.

Attachments

1. Map of draft reduced boundaries
2. Map of larger boundaries previously reviewed by HP Board
3. Map of regulating plan for Form-Based Code
4. Draft text of Form-Based Code

5. Public Comment

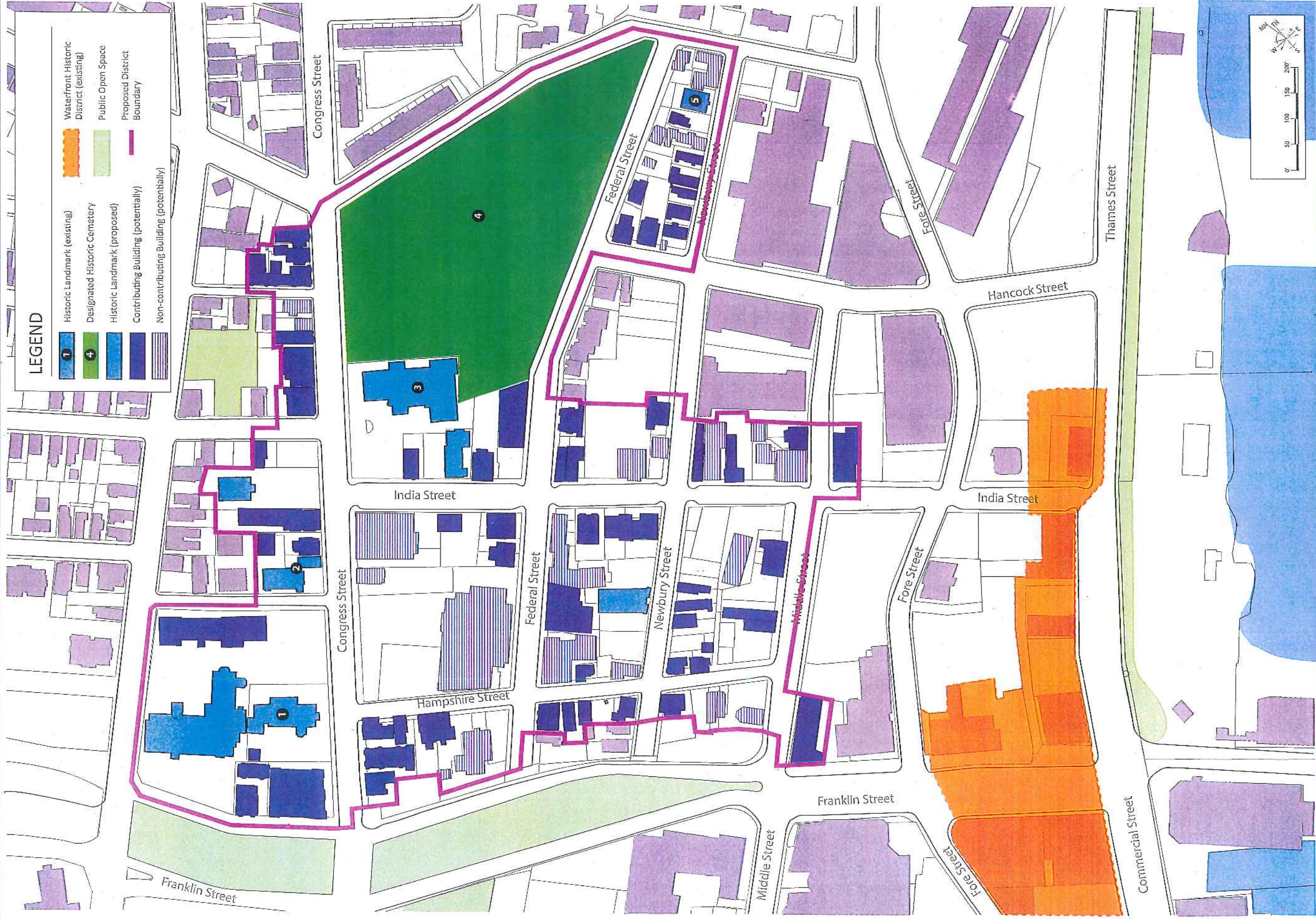
Historic District INDIA STREET, PORTLAND MAINE



Draft Reduced India Street Historic District Boundary – August 5, 2015 Workshop

HISTORIC DISTRICT

Sustainable Neighborhood Plan INDIA STREET, PORTLAND MAINE

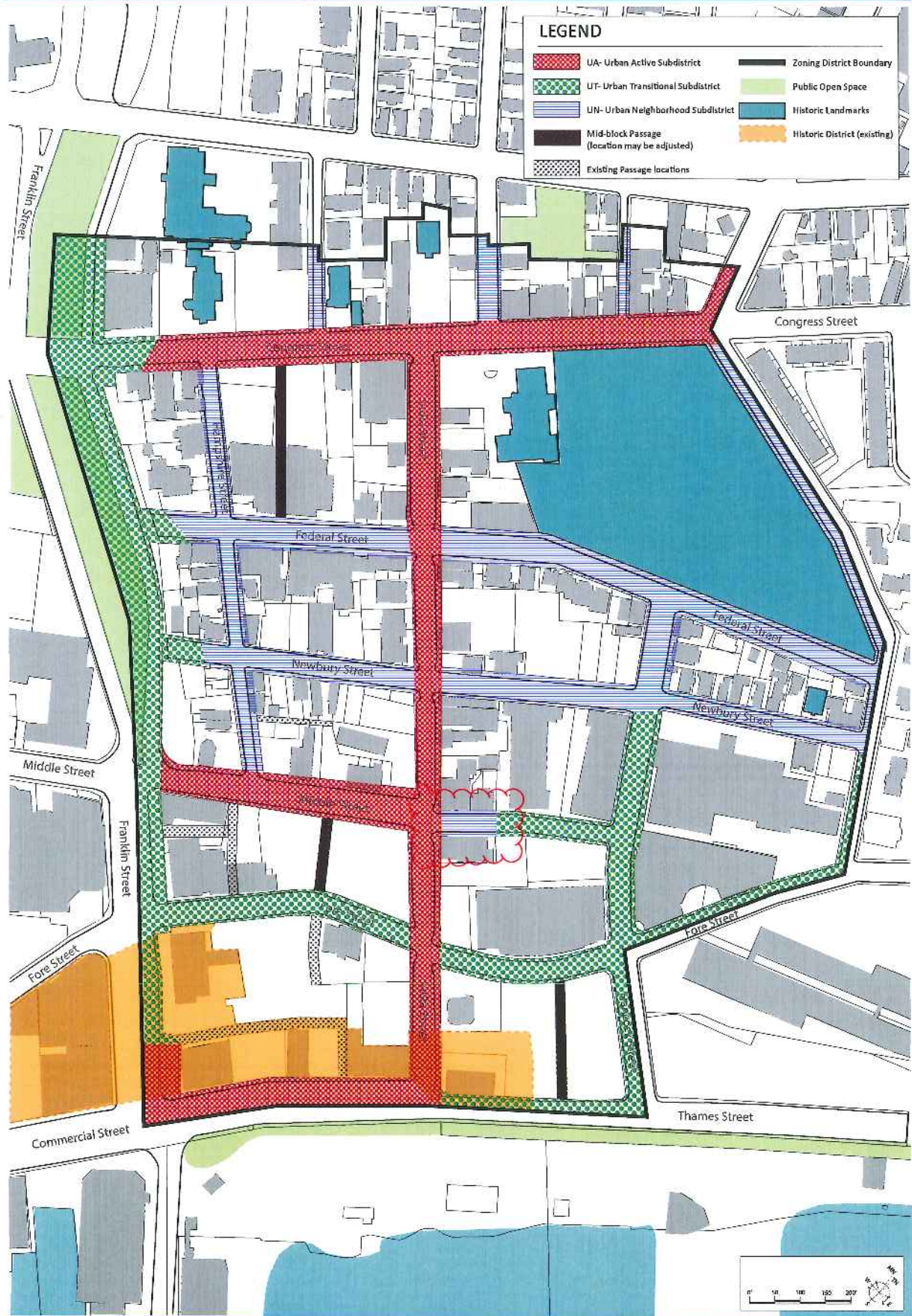


Proposed India Street Historic District Boundary - June 3, 2015

REGULATING PLAN

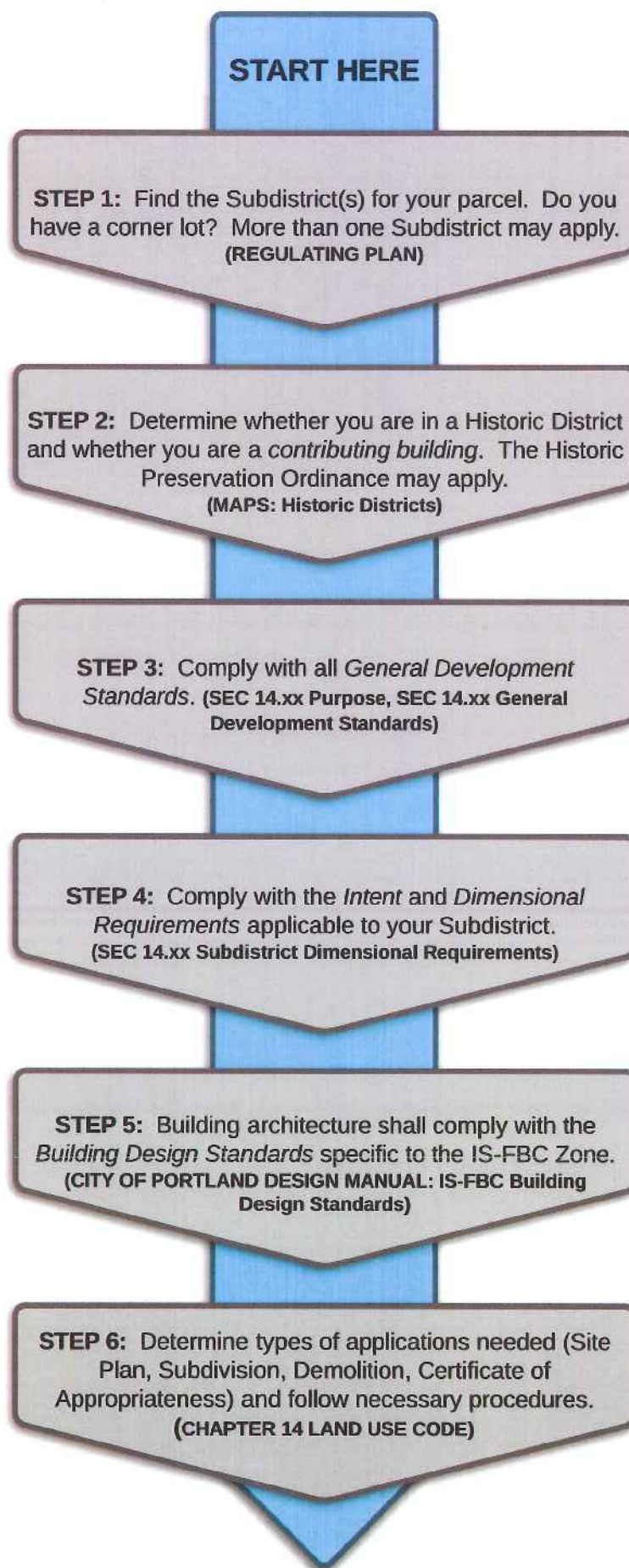
Sustainable Neighborhood Plan
INDIA STREET, PORTLAND MAINE

Att 3



PROPOSED SUBDISTRICTS, June 2, 2015

How to use the India Street Form-based Code (IS-FBC)



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

SEC. 14- XXX. PURPOSE

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

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

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

SEC. 14- XX APPLICABILITY

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

SEC. 14-XX OTHER PROVISIONS

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

SEC. 14-XX SEVERABILITY

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

SEC. 14-XX COMPLIANCE WITH THE REGULATING PLAN

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

SEC. 14-XX DEFINITIONS

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

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

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

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

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

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

BUILDINGS, ATTACHED: Two or more independent buildings that share at least one common PARTY WALL but have full building separation and independent PRINCIPAL ENTRIES; not free-standing. Attached buildings may or may not have common ownership.

BUILDING ENVELOPE DESIGN STANDARD (BDES): The basic design parameters governing building form, including intent, guidelines, and standards for architectural elements such as proportion, articulation, fenestration, entries, roof lines, and materials.

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

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

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

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

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

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

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

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

GREEN ROOF: A roof of a building that is partially or completely covered with vegetation and designed to meet City of Portland Technical Manual and Chapter 500 standards for stormwater management. A green roof may serve the purpose of stormwater retention or slowing, energy conservation, insulation, and reduced heat island effect. Green roofs may be considered pervious for zoning impervious calculations.

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

PARTY WALL: Any partition wall common to two adjoining adjacent or attached buildings.

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

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

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

YARD, SIDE: A yard adjoining a side lot line extending from the front yard to the rear yard, the width of which shall be the shortest horizontal distance between the side lot line and any structure. On corner lots, non-frontage yards shall be considered side yards. See Table 14.1.b. Setback Designations

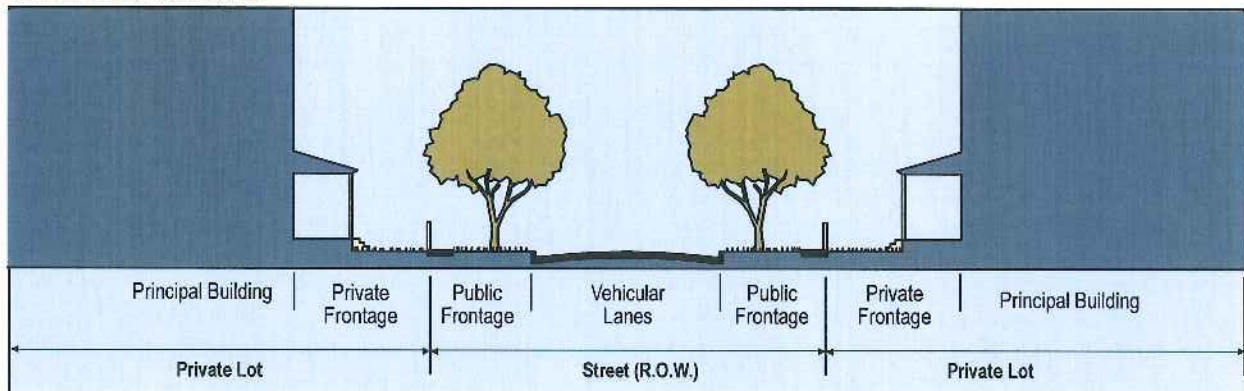
ZERO LOT LINE: The location of a structure on a lot such that one or more of the structure sides rests directly on a lot line. See Table 14.1e. Frontage & Lot Lines

TABLE 14.1 DEFINITIONS ILLUSTRATED

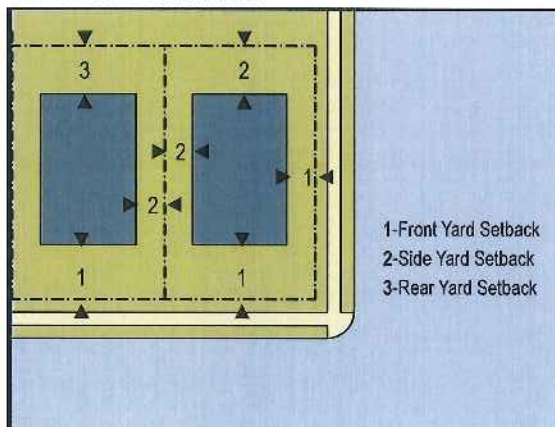
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TABLE 14.1 DEFINITIONS ILLUSTRATED

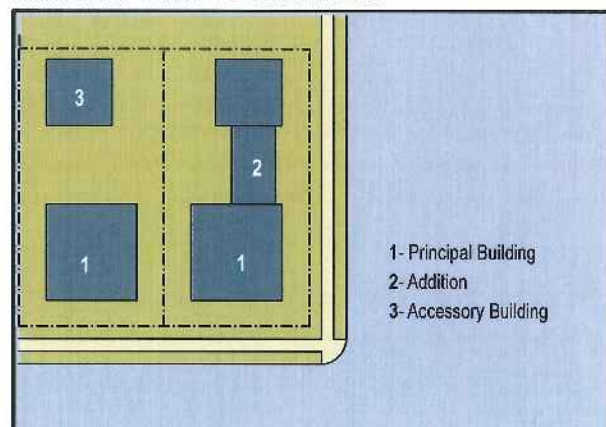
a. STREETS & FRONTAGES



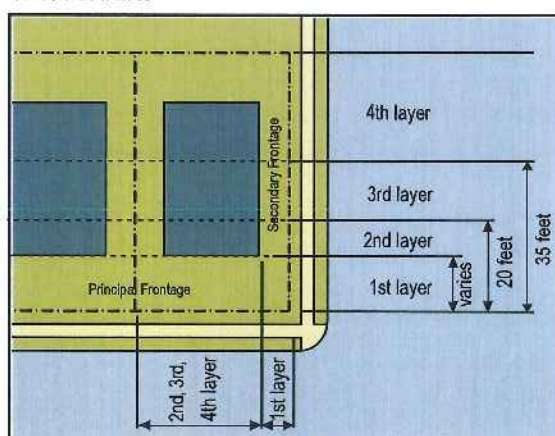
b. SETBACK DESIGNATIONS



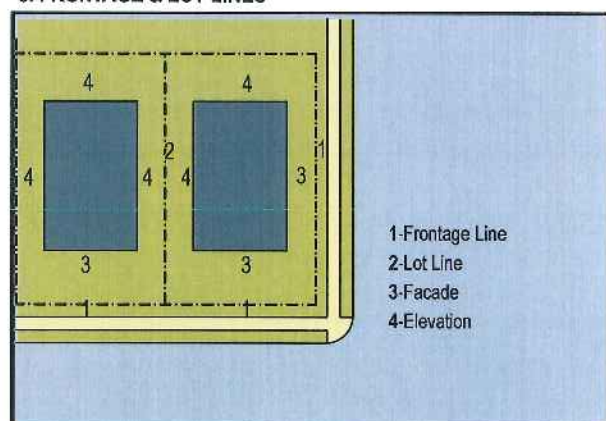
c. BUILDING - PRINCIPAL & ACCESSORY



d. LOT LAYERS



e. FRONTAGE & LOT LINES



SEC. 14-XX ESTABLISHMENT OF SUBDISTRICTS

The India Street Form-based Code ~~District~~Zone as shown on the REGULATING PLAN ~~covers 57 acres and~~ is divided into three ~~distinct~~ subdistricts.

- a) Urban Neighborhood (UN) Subdistrict
- b) Urban Transitional (UT) Subdistrict
- c) Urban Active (UA) Subdistrict

SEC. 14-XX ADMINISTRATION

- a) Application Requirements.

Applicants submitting under the India Street Form-based Code shall submit required application materials defined in Article V Site Plan.

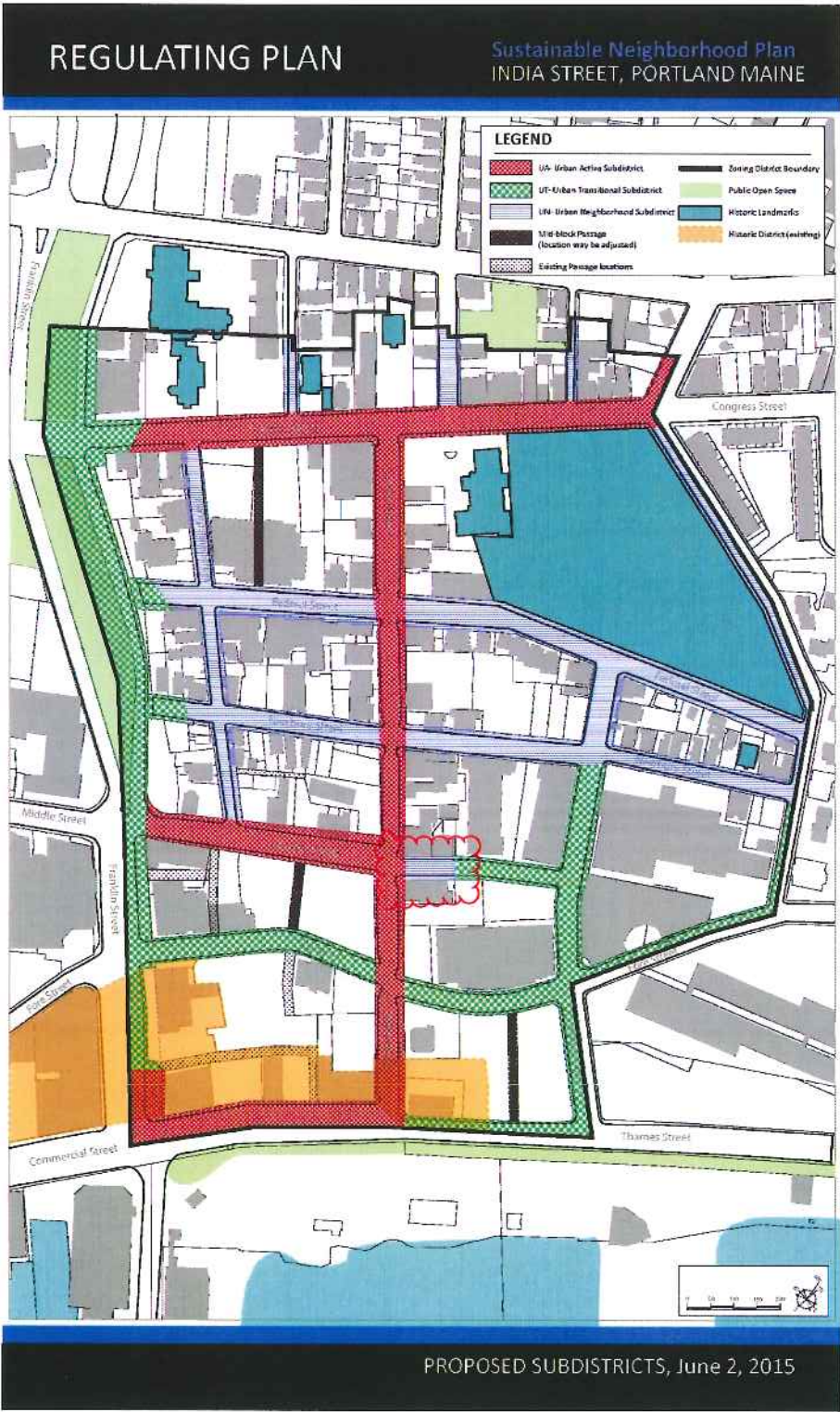
- b) Common Review Procedures.

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

Type of Application	Definition	Level of Review	Reviewing Authority
Site Plan: Level I or II	Construction of any new structures having a total floor area of less than sixty thousand (60,000) square feet in the IS-FBC zone.	Administrative Site Plan	Planning Staff
Site Plan: Level III	• Construction of any new structures having a total floor area of sixty thousand (60,000) square feet or more in all IS-FBC subdistricts. • The construction of any building addition(s), cumulatively having either a total floor area of sixty thousand (60,000) square feet or more within any three-year period in the IS-FBC zone. • The construction of any building addition(s) have a total floor area exceeding that of the existing building to which it is an addition.	Level III Site Plan	Planning Board
Master Development Plan	The Master Development Plan option shall apply in the IS-FBC zone.	Master Development Plan	Planning Board

SECTION 14-XX REGULATING PLAN

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



SEC. 14-XX GENERAL DEVELOPMENT STANDARDS

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

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

Correctional facilities,

Cremation facilities,

Drive-through facilities,

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

Major/minor auto-service station,

Truck terminals,

Waste related services,

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

- b) SITING STANDARDS

1. Mid-block Permeability

- a. Lots with frontage on two streets roughly parallel to Commercial/Thames Street, for each and every 200' in street line length of lot, a full break between structures of at least 20' in width shall be provided roughly perpendicular to Commercial/Thames Street and within the middle third of the applicable street frontage. (see Table 14.2a. Mid-Block Permeability)
- b. Is encouraged in any location that connects existing public or private alleys, PASSAGES, or streets
- c. Any development providing ~~a~~ new mid-block passage-permeability with public access between two streets is eligible for one (1) additional story of up to 12' in height (see Table xx Height Bonuses). Public access shall be defined through a legal agreement such as an easement or license.
- d. Refer to REGULATING PLAN for identified required mid-block passage-permeability locations

2. Setbacks

- a. ATTACHED BUILDINGS on Individual Lots - Subdivision developments consisting of horizontally attached buildings on individual lots are not required to have side yards between buildings where a PARTY WALL condition will exist, but shall be required to meet the applicable side yard requirements at the external and internal subdivision lot boundaries between buildings that are not attached to each other.
- b. Side Yard Setbacks for Small Lots – Lots with street frontage of less than 35' are not required to have side yards.
- c. Where new construction or BUILDING ADDITIONS creates a side yard of less than 5', a maintenance easement is required where a combination of the side yard and easement must be at least 5'. PARTY WALL conditions are exempt from providing a maintenance easement.

3. Landscaping and Screening

a. The lot shall be suitably landscaped to screen parking, surrounding uses, and accessory site elements, including storage and solid waste receptacles where required by article IV (subdivisions) and article V (site plan).

b. Wall/Fence Requirements

1. Height

a. 1st Lot Layer = 6' maximum

b. All other Lot Layers = 8' maximum

2. Visual Permeability is required above 2' from sidewalk grade

2.4. BUILDING ADDITIONS

a. BUILDING ADDITIONS which exceed the footprint of the existing building to which it is an addition or which exceeds 60,000 square feet shall be subject to Level III Site Plan review.

b. A BUILDING ADDITION length may match but not exceed the length of the existing building to which it is an addition. All other Subdistrict Dimensional Requirements shall apply. (See Table 14.2b. Additions)

c. BUILDING ADDITIONS may match existing building in number of stories.

c) HEIGHT STANDARDS

1. Height Bonus – Only one height bonus may be applied per structure.

One (1) additional story of up to 12' in height is allowed if one of the following provisions is met:

a. For residential development with residential density equal to or greater than 150 dwelling units per acre (density must may be achieved with the bonus floor in stated subdistrict maximum building height)

b. For any development providing a GREEN ROOF, where:

- ☐ at least 50% of the lot area is pervious and,
- ☐ at least 50% of the roof area is a GREEN ROOF

Table xx. Height Bonuses

Subdistrict	Maximum pre-bonus Height	Mid-block permeability (publicly accessible)	Residential Density	GREEN ROOF	Maximum Height based on bonuses	Minimum Bonus floor Stepback (from the building edge facing any public right-of-way)
UN	45' and 4 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	57' <u>up to and</u> 5 stories	15'
UT	65' and 6 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	77' <u>up to and</u> 7 stories	15'
UA	50' and 4 stories	1 story Up to 12'	1 story Up to 12'	1 story Up to 12'	62' <u>up to and</u> 5 stories	15'

d) PARKING STANDARDS

1. Parking shall be provided as per Division 20 Off-Street Parking of Chapter 14 Land Use Code.

2. As specified in Division 20, no off-street parking is required to be provided for the first three dwelling units in a multi-family residential development.

3. Any ~~major or minor~~ development shall be eligible for the Peninsula fee-in-lieu of parking subject to the provisions of Sec. 14-345 of Chapter 14 Land Use Code.
4. Exception – One frontage building length up to the maximum building length (150' in UN and UA, 200' in UT) without partition walls is allowed for the use of ground-level structured parking. Parking structures must meet the BDS for Structured Parking ~~Garages~~ (Sec. 14-xx).
- 4.5. In the case of a BUILDING ADDITION, non-conforming existing surface parking may remain. In the case of new construction, surface parking must be brought into conformance with IS-FBC standards.

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SEC 14-XX. SUBDISTRICT DIMENSIONAL REQUIREMENTS

UN

Urban Neighborhood (UN) Subdistrict:

INTENT: The intent of this subdistrict is to maintain and promote a **small-scale**, less active urban fabric. Buildings may be more private in character and have smaller footprints with building types including, but not limited to, single-family, rowhouses, duplexes, triple-deckers, and double-triples. Building frontages may be less transparent and entries may be raised above sidewalk level with frontage types including raised, recessed doorways, porches, and stoops. The streetscape has variable setbacks and landscaping with many buildings within one block and streets and sidewalks tend to be narrow.

SITING STANDARDS

Orientation - Principal Frontage	determined by applicant
Lot Coverage	90% max
FRONTAGE REQUIREMENTS (1st LOT LAYER)	
Building Length* in 1st Lot Layer	50' max.
at least 60% of total building length must be built within 1st LOT LAYER (see Table 14.2c.)	
Additional Building Length	(see also Table 14.2)
ATTACHED BUILDINGS - no more than 30' in length	unlimited building length
Ground Floor Partitions** - 3 modules, Separate entries	150' max.
Massing - at least 30% building length is in 3rd Lot Layer	150' max.

SETBACKS

Principal Building	
(a) Front Yard (1st Lot Layer)	5' max.
Setback Applicability	60% of total building length must be built within 1st LOT LAYER
(b) Side Yard***	5' min. - May be reduced to zero provided that the cumulative side yards are not less than 10'
(c) Rear Yard	10' min.
Accessory Building	
Side Yard	5' min.
Rear Yard	5' min.

BUILDING ENTRIES (SEE ALSO BDS)

Frequency	at least 35'
Principal Entries	
Orientation	any orientation allowed
Elevated Stoop (> 1 step)	allowed

HEIGHT STANDARDS

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

PARKING STANDARDS

Surface Parking Location	
Side Yard	20' max in width per lot; may not exceed 50% of frontage length
Rear Yard	4th LOT LAYER only
Garage at frontage (attached or detached)	
Garage Door Setback	not permitted within 1st Lot Layer
Garage Door Opening (max)	9' up to 40% of facade length
	20' max. limit

Notes and Exceptions

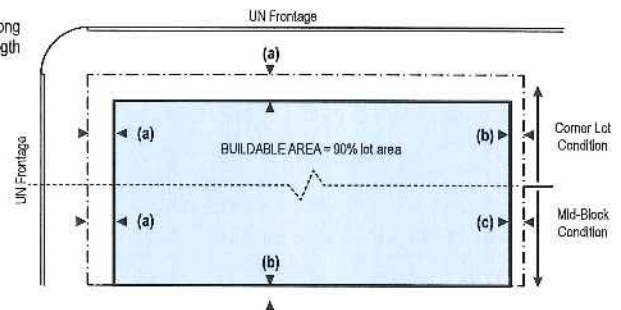
* One frontage building length up to 150' is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 4.)

** Partitions must extend at least 2/3rds building depth from FACADE, may have openings, and must be architecturally expressed on building exterior

*** Zero lot lines are allowed under certain conditions (see Sec 14.xxb)2. Setbacks)

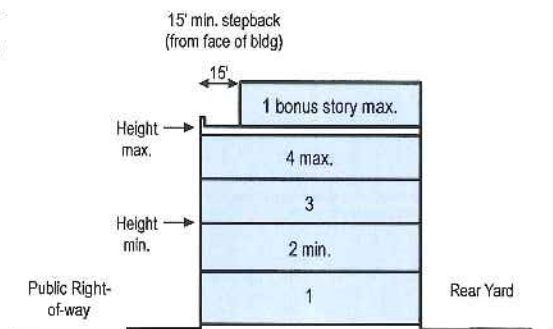
SITING STANDARDS

- The FACADES and ELEVATIONS of Principal Buildings shall be distanced from the lot lines as shown.
- FACADES shall be built along the frontage lines to the length specified in the table.



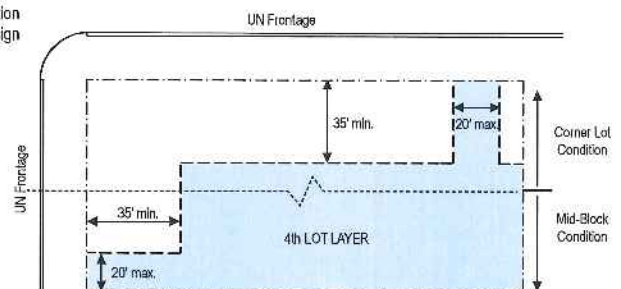
HEIGHT STANDARDS

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



PARKING STANDARDS

- Surface parking areas may be provided within the shaded area shown.
- Exceptions may be made for structured parking with additional design standards. See Sec. 14.xx (d) 4. Exception and IS-FBC Building Design Standards.



SEC 14-XX. SUBDISTRICT DIMENSIONAL REQUIREMENTS

UT

Urban Transitional (UT) Subdistrict:

INTENT: The intent of this subdistrict is to encourage higher density, mixed-use building types that accommodate any use. Building frontages are a mix of activity level, **have larger footprints, and the most flexibility of height and scale.** Building ground floor spaces tend to accommodate flexible and changing uses **with frontage types including doorways, forecourts, arcades, and storefronts.** The streetscape may be less active than the UA subdistrict with wide sidewalks, street trees, and setbacks and setbacks providing relief from large building masses.

SITING STANDARDS

Orientation - Principal Frontage	determined by applicant
Lot Coverage	90% max
FRONTAGE REQUIREMENTS (1st LOT LAYER)	
Building Length* in 1st Lot Layer	100' max.
at least 60% of total building length must be built within 1st LOT LAYER (see Table 14.2c.)	
Additional Building Length	(see also Table 14.2)
ATTACHED BUILDINGS - no more than 30' in length	unlimited run
Ground Floor Partitions** - 2 modules, Separate entries	200' max.
Massing - at least 30% building length is in 3rd Lot Layer	200' max.

SETBACKS

Principal Building	
(a) Front Yard (1st Lot Layer)	10' max.
Setback Applicability	60% of total building length must be built within 1st LOT LAYER
(b) Side Yard***	10' min. - May be reduced to zero provided that the cumulative side yards are not less than 20'
(c) Rear Yard	10' min.
(d) STEPBAC (adjacent to UN)	10' min. setback after 45' height
Accessory Building	2nd thru 4th LOT LAYER
Side Yard	5' min.
Rear Yard	5' min.

BUILDING ENTRIES (SEE ALSO BDS)

Frequency	at least 95'
Principal Entries	
Orientation	any allowed
Elevated Stoop (>1 step)	allowed

HEIGHT STANDARDS

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

PARKING STANDARDS

Surface Parking Location	4th LOT LAYER only
Garage at frontage (attached or detached)	
Garage Door Setback	not permitted within 1st Lot Layer
Garage Door Opening (max)	9' up to 40% of facade length
	20' max. limit

Notes and Exceptions

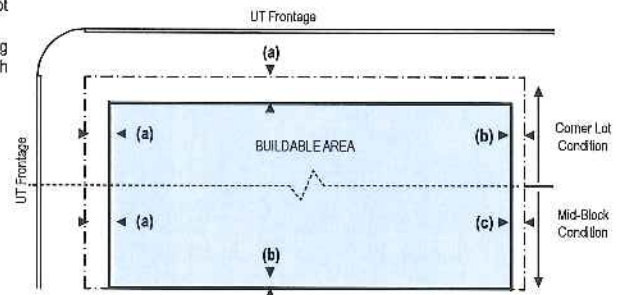
* One frontage building length up to 200' is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 4.)

** Partitions must extend at least 2/3rds building depth from FACADE, may have openings, and must be architecturally expressed on building exterior

*** Zero lot lines are allowed under certain conditions (see Sec 14.xx b) 2. Setbacks)

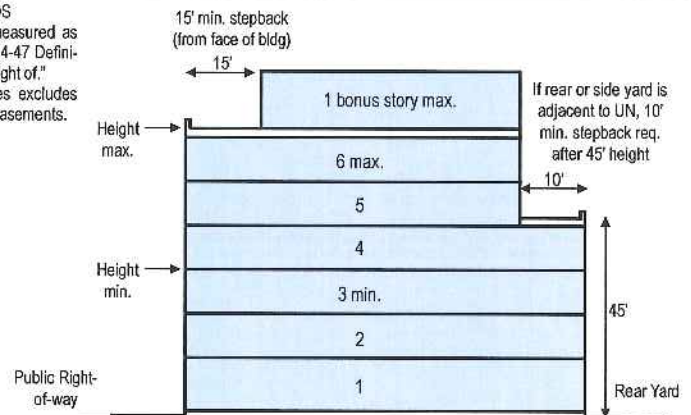
SITING STANDARDS

- The FACADES and ELEVATIONS of Principal Structures shall be distanced from the lot lines as shown.
- FACADES shall be built along the frontage lines to the length specified in the table.



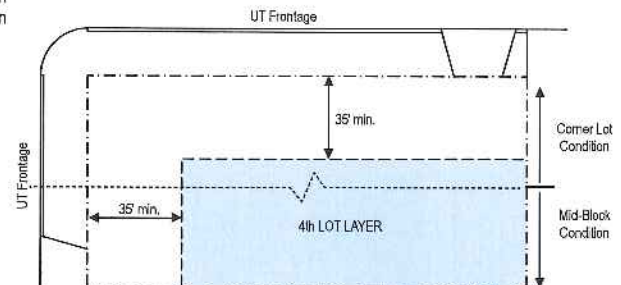
HEIGHT STANDARDS

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



PARKING STANDARDS

- Surface parking areas may be provided within the shaded area shown.
- Exceptions may be made for structured parking with additional design standards. See Sec. 14.xx (d) 4. Exception and IS-FBC Building Design Standards.



SEC 14-XX. SUBDISTRICT DIMENSIONAL REQUIREMENTS

UA

Urban Active (UA) Subdistrict:

INTENT: The intent of this subdistrict is to maintain and promote moderate-scale, diverse, mixed-use neighborhood with vibrant streets and active ground floor spaces. Buildings **are more active and** engage with the street at the ground level. Building frontages are transparent and entries are at sidewalk level **with frontage types including storefronts and recessed doorways**. The streetscape has steady street planting, and buildings set close to the street **providing a consistent street wall**.

SITING STANDARDS

Orientation - Principal Frontage	face a UA street
Lot Coverage	90% max
FRONTAGE REQUIREMENTS (1st LOT LAYER)	
Building Length* in 1st Lot Layer	50' max.
at least 60% of total building length must be built within 1st LOT LAYER (see Table 14.2c.)	
Additional Building Length	(see also Table 14.2)
ATTACHED BUILDINGS - no more than 30' in length	unlimited run
Ground Floor Partitions** - 3 modules, Separate entries	150' max.
Massing - at least 30% building length is in 3rd Lot Layer	150' max.
Fenestration, ground floor	60-90% (see BDS)

SETBACKS

Principal Building	
(a) Front Yard*** (1st Lot Layer)	5'0" max.
Setback Applicability	60% of total building length must be built within 1st LOT LAYER
(b) Side Yard****	5' min. - May be reduced to zero provided that the cumulative side yards are not less than 10'
(c) Rear Yard	10'0" min.
Accessory Building	
Side Yard	5'0" min.
Rear Yard	5'0" min.

BUILDING ENTRIES (SEE ALSO BDS)

Frequency	at least 40'
Principal Entries	
Orientation	at least 1 facing UA street or corner
Elevated Stoop (>1 step)	not allowed

HEIGHT STANDARDS

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

PARKING STANDARDS

Surface Parking Location	4th LOT LAYER only
Garage at frontage (attached or detached)	
Garage Door Opening (max)	not permitted on UA FACADES
Notes and Exceptions	

*One frontage building length up to 150' is allowed for the use of ground-level structured parking on special condition (see Sec 14.xx d) 4.)

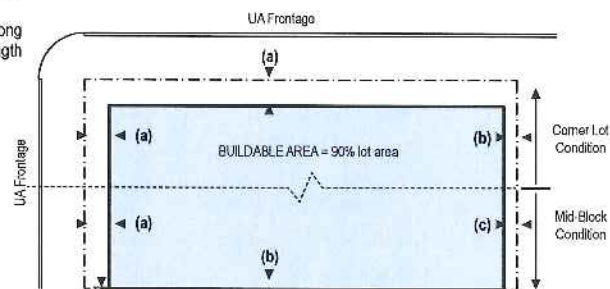
** Partitions must extend at least 2/3rds building depth from FACADE, may have openings, and must be architecturally expressed on building exterior

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

**** Zero lot lines are allowed under certain conditions (see Sec 14.xx b) 2. Setbacks)

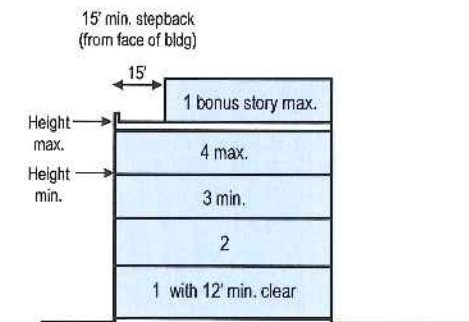
SITING STANDARDS

- The FACADES and ELEVATIONS of Principal Buildings shall be distanced from the lot lines as shown.
- FACADES shall be built along the frontage lines to the length specified in the table.



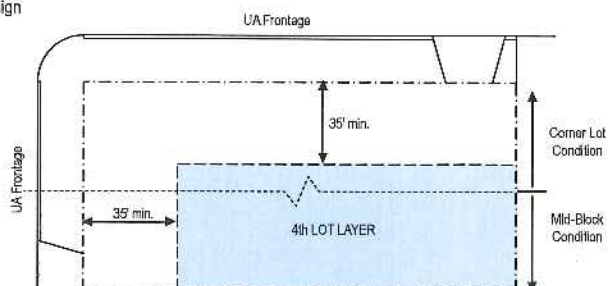
HEIGHT STANDARDS

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



PARKING STANDARDS

- Surface parking areas may be provided within the 4th layer (shaded area) as shown.
- Exceptions may be made for structured parking with additional design standards. See Sec. 14.xx (d) 4. Exception and IS-FBC Building Design Standards.



SEC 14-XX SUBDISTRICT DIMENSIONAL REQUIREMENTS

CORNER

Corner Lot:

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

UA INTERSECTS UT

Dominant Subdistrict (35' deep)	UA
Orientation - Principal Frontage	UA street
Dominant Building Design Standards (applicable 35' deep)	
Ground Story Height	12' min. clear
Fenestration, ground floor	60-90% (see BDS)
(measured as a percentage of the FACADE that is 2' above sidewalk grade)	

UA INTERSECTS UN

Dominant Subdistrict (35' deep)	UA
Orientation - Principal Frontage	UA street
Building Length - UN FACADES	100' max.
Dominant Building Design Standards (applicable 35' deep)	
Ground Story Height	12' min. clear
Fenestration, ground floor	60-90% (see BDS)
(measured as a percentage of the FACADE that is 2' above sidewalk grade)	

UT INTERSECTS UN

Dominant Subdistrict (35' deep)	UN
Orientation - Principal Frontage	determined by applicant

SETBACKS

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

ORIENTATION

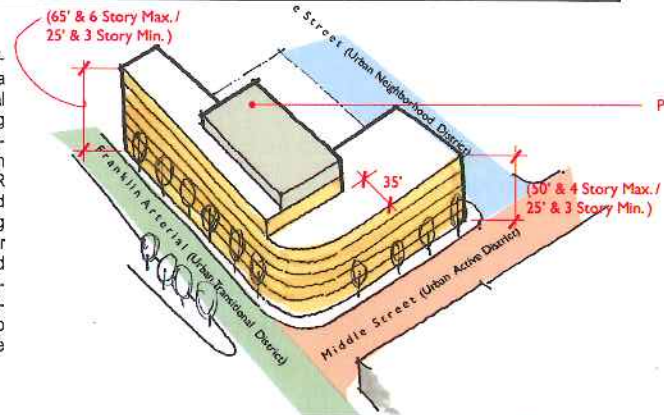
- Corner lots shall be treated as having street frontage on all streets regardless of building orientation
- Principal Building shall designate a Principal Frontage and Secondary Frontage*
- In the case of a corner lot having UA frontage, the Principal Frontage must face a UA street*

Notes and Exceptions

- * Does not have to correspond to legal building address

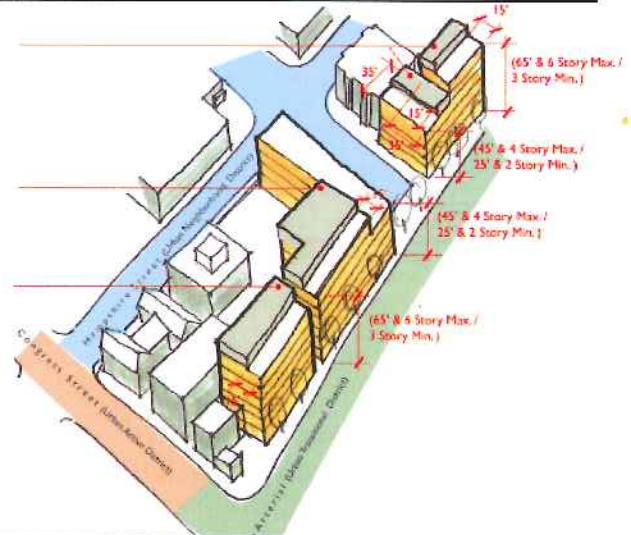
UA INTERSECTS UT (example only)

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



UT INTERSECTS UN (example only)

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



SETBACKS AND ORIENTATION

1. The FACADES and ELEVATIONS of Principal Structures shall be distanced from the lot lines as shown.
2. FACADES shall be built along the frontage lines to the minimum specified width according to the requirements of the subdistrict onto which the FACADE faces, the dominant subdistrict setbacks having effect 35' deep.
3. Building FACADES within 10' of a corner are exempt from setback requirements in order to allow special corner treatments.

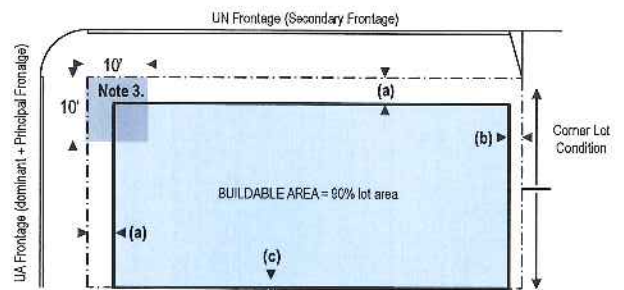
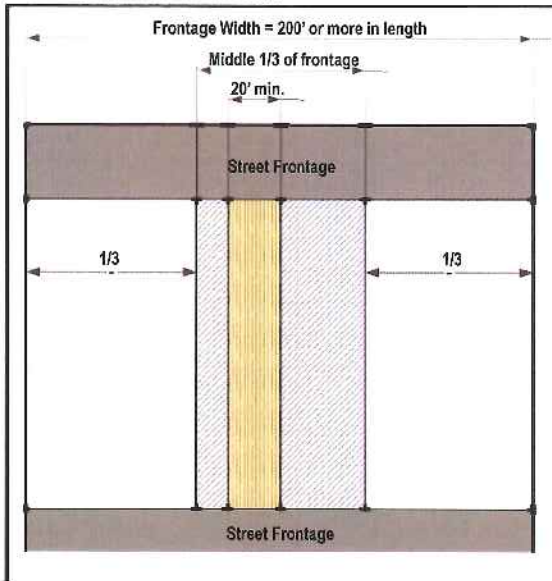
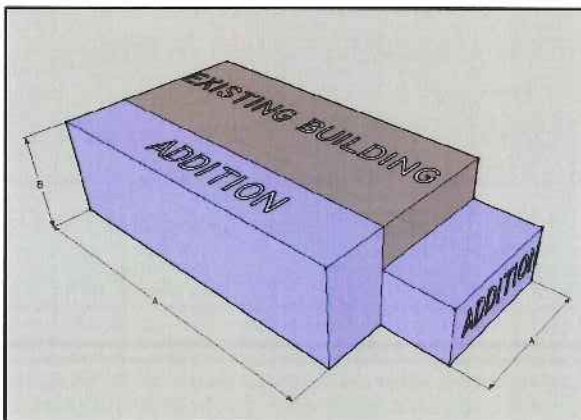


TABLE 14.2 DIMENSIONAL REQUIREMENTS ILLUSTRATED

a. MID-BLOCK PERMEABILITY

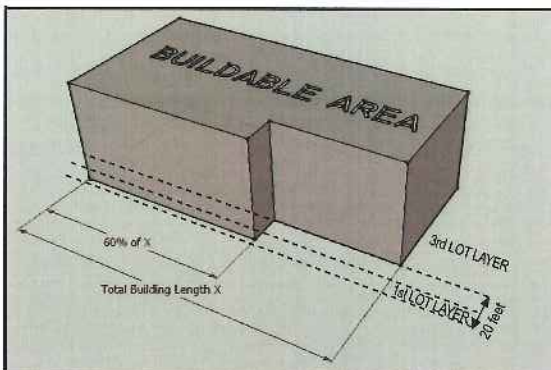


b. ADDITION



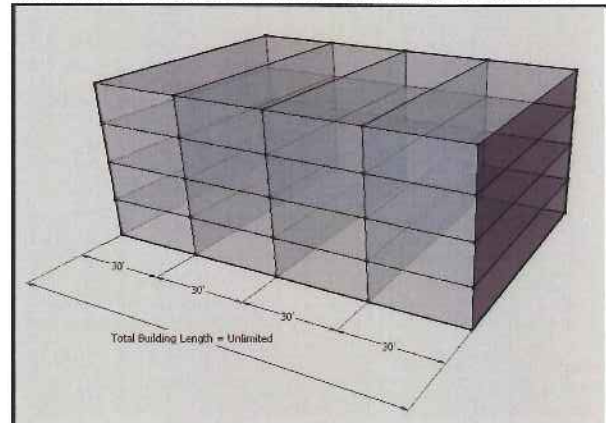
- A - Addition length may match but not exceed the length of existing building to which it is an addition
- B - Addition height may match existing building in number of stories

c. BUILDING LENGTH - 1st LOT LAYER



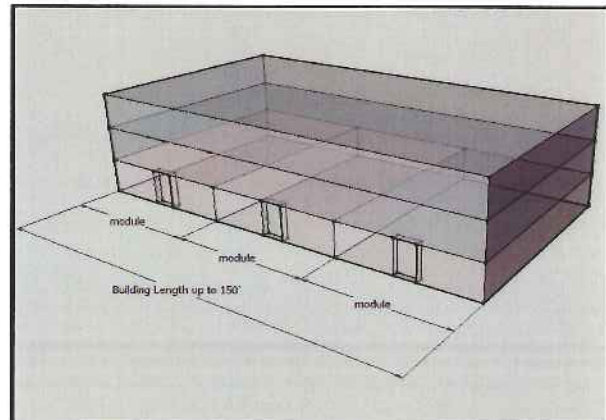
At least 60% of the total building length must be within the 1st LOT LAYER. Building elements exceeding maximum building length may occur in the 3rd LOT LAYER.

d. ADDITIONAL BUILDING LENGTH - ATTACHED BUILDINGS 30'



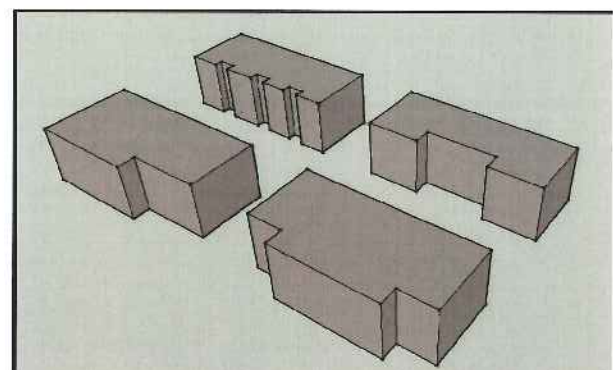
Unlimited ATTACHED BUILDINGS having up to 30' street-facing building length are allowed ZERO LOT LINES; A PARTY WALL condition is required at least every 30' and for the entire height of each building

e. ADDITIONAL BUILDING LENGTH - GROUND FLOOR PARTITIONS



Additional Building Length is permitted with Ground Floor Partitions. Partitions must extend at least 2/3rds building depth from FACADE, may have openings, and must be architecturally expressed on building exterior. Each module must have at least one street-facing entry.

f. ADDITIONAL BUILDING LENGTH - MASSING VARIATION



Massing Variation - Additional building length is permitted where at least 30% and up to 40% of the total building length is setback to the 3rd LOT LAYER (20').

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

Description of Terms

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

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

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

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

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

1. Neighborhood Context

Intent

- Promote **thoughtful** architectural relationships between buildings of various height and mass and between adjacent urban **neighborhoods**
- Spatially define the street space to concentrate pedestrian activity and create a clear urban character and street wall edge
- **Reinforce the distinctions between public and private spaces and uses**
- Promote active ground levels and streets **(especially in the UA Subdistrict)**

Guidelines

- New construction and ADDITIONS should respect the surrounding context demonstrating recognition of patterns and characteristics that exist in the context sharing the same streetscape. Such patterns and characteristics include:
 - Rhythm of spacing and structures on the streetscape
 - **Relationship of neighboring structures to the street**
 - Proportion, **directional expression, and composition** of principal FACADES
 - Rhythm of solids to voids in FACADES
 - **Rhythm and** proportion of openings
 - Rhythm of entries and projections
 - Relationship of materials, texture, and color
 - Roof shapes

2. Massing & Proportion

Intent

- Ensure the provision of human-scaled architecture, **especially at the pedestrian level**
- Provide building massing that relates to the scale and proportions that exist in the context sharing the same streetscape

Guidelines

- Large scale variations in the building form, mass, and **proportion** should reflect surround lot and block patterns and relate to the scale of surrounding buildings and the context in which it is seen.
- The impact of large-scale **forms** should be mitigated by large-scale variations in the building form, mass, and **proportion** such as stepping back an upper floor, or a change in the direction of a wall or roof line.
- Variation in building massing may include changes in wall plane or height and may relate to primary building entries, important corners, or other significant architectural features.
- **Building facades should be designed using simple proportions such as the rational (1:1, 2:1, 3:2, 4:3, etc.) or the irrational (the square root of 2 and the golden ratio).**

Standards

- In cases where a building uses ground floor partitions to achieve additional building length, the following applies:
 - Partitions must extend from the FACADE at least 2/3rds of the building depth; pass-through openings are allowed
 - Partitions must be architecturally expressed on the exterior FACADE
 - Each module created by partition must have at least one functional, street-facing entry
 - Modules created by partition shall be sized to have reasonable function and proportion in relation to overall building length

3. Articulation & Composition

Intent

- Create a well-detailed urban environment through the establishment of an organized variety of FACADE composition, architectural form, and detail
- Provide for comfort and interest in the pedestrian environment through human-scaled architectural character
- Avoid large areas of BLANK FACADES
- Establish architectural scale patterns or features that relate to adjacent buildings

Guidelines

- Architectural scaling elements should be used to break down the appearance of large building FACADES into authentic architectural patterns and component building forms.
- **Building FACADES should provide variation corresponding to architectural or structural bays.**
- Find common reference lines to surrounding built context, examples of which include EXPRESSION LINES, change of material, delineation of floors, window alignment, **and roof line alignment.**
- Required articulation elements should be integral with the building form and construction, not a thinly applied **veneer.**
- Variation in building massing and detail should relate to the scale and function of pedestrian-oriented uses along the street.
- Architectural detail may relate to but not necessarily mimic traditional building details to establish a human-scale vocabulary. Detail patterns may also relate to the inherent formal qualities of architectural structural systems.
- Where the architecture meets the street, the **ground floor** of all buildings should be clearly expressed by the articulation of forms and details. Special ground level features such as canopies, awnings, storefront, and emphasized entrances lend richness to the street.
- **A sense of enclosure for the pedestrian environment should be provided using building articulation either at the ground level, upper floors, or roof line.**
- BLANK FACADES should be avoided.
- **Projections such as balconies and terraces** should be incorporated into vertical and horizontal shifts in building massing to avoid building FACADES that **cantilever into the streetscape and public space.**

BUILDING DESIGN STANDARDS (CONTINUED)

IS-FBC

Standards

3.1 Each building facade shall use articulation strategies that incorporate **at least** three of the following elements (listed in descending order of impact):

- Expressions of building structural elements such as floors (banding, belt courses, etc.), columns (pilasters, piers, quoins, etc.), **and/or** foundations (watertables, rustication, etc.)
- **Projections such as** stoops, porches, bay windows, overhangs
- Recessed entrances **and/or** windows into the FACADE to create depth and shadow lines
- Projections or unique design features at building entrances or corners **such as** trellises, canopies, awnings
- **EXPRESSION LINES** such as at roof lines (cornices, moldings, trims, fascia boards, overhangs, parapets, etc.), **and/or** floor delineation (belt courses, railings, material changes, etc.)
- Patterns of window **and/or** door openings that are emphasized through change of plane (not less than 4" deep) **and/or** the use of sills, lintels, mullions, muntins, and other scale-providing elements
- Changes in material **type, texture, pattern, module, and/or color**
- Patterns of architectural ornament integral to the building material

3.2 Each change of material shall involve at least 1" variation in wall plane. Reveals shall not be less than 1" deep and 1" wide

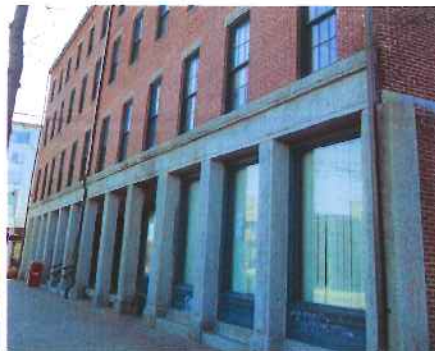
3.3 BLANK FACADES shall be limited as follows:

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

Articulation Elements: Examples



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



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



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



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

Blank Facades: Examples



In-active wall with articulation - Preferred



BLANK FACADE - Not preferred

4. Fenestration

Intent

- Provide visibility that reinforces the safety and activity of the street
- Reinforce the distinctions between uses and functions within the building To provide a high degree of transparency and visibility at the lower levels of building facades (**especially in the UA Subdistrict**)
- Design windows at upper floors to provide variety and scale through fenestration patterns, material variation, detail, and surface relief

Guidelines

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

Standards

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

5. Building Materials

Intent

- Encourage human-scaled buildings through the use of smaller material modules
- Ensure the consistent use of high-quality materials appropriate to the urban environment and climate

Guidelines

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

6. Building Entries

Intent

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

Guidelines

- Each building should have one or more clearly identifiable PRINCIPAL ENTRANCES that address the street.
- PRINCIPAL BUILDING ENTRIES should be emphasized through changes in wall plane or building massing, differentiation in material and/or color, greater level of detail, enhanced lighting, and/or permanent signage.
- Entries to ground floor uses should be direct and as numerous as possible to encourage active pedestrian use.
- Where possible, garage entrances should be oriented away from the street.

Standards

- 6.1 All buildings shall provide at least one principal entry oriented directly to a public street.
- 6.2 If the lot has UA frontage, at least one (1) PRINCIPAL ENTRANCE must directly face the UA street. (UA subdistrict)
- 6.3 All street-oriented building entries shall be directly connected to the public sidewalk via paved walk, stair, or ramp.
- 6.4 Each active use with street-level, exterior exposure shall provide at least one direct pedestrian entry from the street.
- 6.5 Recessed entries shall be excluded from the setback requirements.
- 6.6 Garage doors shall not be placed within the 1st Lot Layer.
- 6.7 Frequency of entries shall be as follows:

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

7. Roof Lines

Intent

- Integrate all building systems within a complete architectural form
- Respect the character of and views from the surrounding context
- Make a positive contribution to the Portland skyline

Guidelines

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

Standards

- 7.1 All rooftop building systems shall be incorporated into the building form in a manner integral to the building architecture in terms of form and material. All mechanical, electrical, and telecommunications systems shall be screened from view of surrounding streets and structures.
- 7.2 All roof forms are allowed in all Subdistricts.

8. Structured Parking

Intent

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

Guidelines

- Structured parking should not dominate (exceed 50% in length) any FACADE along a UA street. (UA subdistrict)
- Parking structures should use materials and architectural detailing found in the primary development being served.

Standards

- 8.1 Parking structures shall conform to the BDS for Articulation & Composition and Building Materials.
- 8.2 Parking structures shall be designed to conceal the view of all parked cars and internal light sources from adjacent public rights-of-way or open space for the full height of the structure.
- 8.3 FACADE openings which face any public right-of-way or open space shall be vertically and horizontally aligned and the floors on such façades shall be level.
- 8.4 Parking structures shall provide adequate ground floor dimensions to allow use by or conversion to active uses. Adequate dimensions shall include floor-to-floor heights, structural, driving aisle, and utility layouts within 35' of the public right-of-way designed to accommodate occupancy by active uses.

Deb Andrews - historic district near india street

From: "Nicole Insanally" <n.insanally@twc.com>
To: <dga@portlandmaine.gov>
Date: 7/28/2015 6:48 PM
Subject: historic district near india street

Hello,

My name is Nicole Insanally. I am the owner of 277 Congress Street and am strongly opposed to having my building zoned into any historic district that might be considered for the area. I own another building in town in another historic district and have found no benefit in this situation, though there was talk of credits for work done and funds to improve facades. In fact, the zoning at the other building has only added another layer of work and delay to any improvements I would consider making. I would not want the same to happen again. As an owner of an older building, I appreciate the character and appeal of such structures. It would not be beneficial to me or anyone else to spoil the character of my property. Please trust me to preserve the historic character of my property without burdening me with more work when improvements are needed.

Thank you,

Nicole Insanally
Manager, 277 Congress. LLC

From: Kelly <kellyamaine@gmail.com>
To: "dga@portlandmaine.gov" <dga@portlandmaine.gov>
Date: 7/24/2015 4:14 PM
Subject: Request for exclusion

To the Historic Preservation Board, Attention Chair Scott Benson

My name is Kelly Williams and my husband, Walter, and I own the properties located at 316 and 316a Congress Street. We are requesting that our property is excluded in the historic designation in that area. We feel that it will limit the future plans we have for the property. Sincerely, Kelly Williams

Sent from my iPad