



ReCode
PORTLAND

Planning Board Workshop
January 21, 2020

Overview of Review

1. Introductory Provisions
2. Administration
3. Definitions
4. Nonconformities
5. Zones
6. Use Standards
7. Dimensional Standards
8. Overlay Zones
9. Form-Based Zones
10. Waterfront Zones
11. Shoreland Zone
12. Flood Plain Management
13. Site Plan Standards
14. Subdivision Standards
15. Impact Fees
16. Historic Preservation
17. Housing
18. Parking & Loading
19. Signs
20. Public Art
21. Regulation of Explosives



Revisions to Articles 1-4

1. Introductory Provisions	12. Flood Plain Management
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- **Typographical and Formatting Errors**
- **Definitions**
 - Comparison with IBC and State Definitions
 - Ongoing Internal Review
- **Non-Conforming Uses, Structures, and Lots**
 - Replaced language for reconstruction of non-conforming structures

NEW

Articles 5-7: Zones, Use, and Dimensional

Art. I.	In General, § 14-1--14-15
Art. II.	Planning Board, § 14-16--14-45
Art. III.	Zoning, § 14-46--14-490
Div. 1.	Generally, § 14-46--14-59
Div. 1.5	Conditional or Contract Zoning, §
14-60--14-65	
Div. 2.	R-1 Residential Zone, § 14-66--14-75
Div. 3.	R-2 Residential Zone, § 14-76--14-85
Div. 4.	R-3 Residential Zone, § 14-86--14-93
Div. 4.5.	FH Flexible Housing Zone, § 14-94--14-100
Div. 5.	R-4 Residential Zone, § 14-101--14-115
Div. 6.	R-5 Residential Zone., § 14-116--14-125
Div. 6.5.	R-5A Residential Zone, § 14-126--14-134
Div. 7.	R-6 and R-6A Residential Zone, § 14-135--14-140.5
Div. 7.01	R-7 Compact Urban Residential Overlay Zone, § 14-141--14-144
Div. 7.1.	IR-1 Island Residential Zone, § 14-145.1--14-145.6
Div. 7.2.	IR-2 Island Residential Zone, § 14-145.7--14-145.12
Div. 7.3.	IR-3 Island Residential Zone, § 14-145.13--14-145.19
Div. 7.5.	Island Transfer Station Overlay Zone, § 14-145.20--14-145.22
Div. 8.	R-P Residence-Professional Zone, § 14-146--14-152
Art. IV.	Subdivisions, § 14-491--14-520
Art. V.	Site Plan, § 14-521--14-540
Art. VI.	Board of Appeals, § 14-541--14-564
Art. VII.	Condominium Conversion, § 14-565--14-582
Art. VIII.	Regulations of Explosives, § 14-583--14-600
Art. IX.	Historic Preservation, § 14-601--14-750
Div. 1.	Generally, § 14-601, 14-602
Div. 2.	Historic Preservation Board, § 14-603--14-609
Div. 3.	Categories and Criteria for Designation, § 14-610--14-613
Div. 4.	Nomination, Consideration and Designation, § 14-614--14-629

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Article 19.	SIGNS	19-1
Article 20.	PUBLIC ART	20-1
Article 21.	REGULATION OF EXPLOSIVES	21-1

NEW

5. Zones

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Content

- Establishment of Zoning Map
- Rules of Interpretation
- Contract and Conditional Rezoning
- Base Zone Purpose Statements

Key considerations

- Streamlined some purpose statements
- Consolidation of B-1 and B-1b
- New purpose statement for RPZ

TABLE 5-C: ISLAND ZONE PURPOSE STATEMENTS

IR-1	To provide for low-intensity residential, recreational, and rural uses in the less developed areas of the islands in order to preserve the rustic character of the islands, to protect groundwater resources and natural and scenic areas, and to permit only appropriate low-intensity development in areas lacking adequate public facilities and services.
IR-2	To protect the character of existing developed residential neighborhoods on the islands and to allow infill where there are adequate public services. Expansion or extension of an existing IR-2 zone should be strictly limited, generally focused toward areas adjacent to existing village IR-2 areas, and restricted by such factors as adequacy of access, whether adequate water will be available for private use and for fire protection, and whether soils in the area are adequate for subsurface water disposal or whether public sewers are available. IR-2 rezoning on substantially sized parcels should not be considered for those sites that should be more appropriately zoned otherwise.
IR-3	To allow for a planned unit development in a manner compatible with both the natural and built environment, which provides for adequate circulation and waterfront access, adequate water supply for private use and fire protection, and safe and clean disposal of solid and septic wastes. The following guidelines shall be considered, among others, in establishing an IR-3 zone: <ul style="list-style-type: none">A. An IR-3 zone should have a minimum land area of 20 acres;B. A site for an IR-3 zone should be able to accommodate higher density development by providing buffers from surrounding areas on a substantially-sized parcel for which natural amenities are capable of being conserved in a development plan for the site;C. IR-3 zones should not be established unless issues of municipal services, including infrastructure, education, and police and fire services and other municipal services can be appropriately and adequately addressed;D. The differences in scale and intensity of uses between existing development and the IR-3 zone, and the cumulative impact on the overall density of the island, should be mitigated by appropriate open space and buffer areas; andE. The development should have the capability of meeting the development standards of the zone.

NEW

6. Use Standards

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- Applicability, Determination of Use and Change of Use
- Principal Uses
- Supplemental Use Standards
- Conditional Use Standards
- Accessory Uses
- Temporary Uses
- Performance Standards

TABLE 6-A: PERMITTED AND CONDITIONAL USES IN RESIDENTIAL ZONES

		R-1	R-2	R-3	R-4	R-5/R-5A	R-6/R-6A	Use Standards
Residential	Single-family dwellings	●	●	●	●	●	●	
	Two-family dwellings				●	●	●	
	Multi-family dwellings			○		○ ¹ ● ²	●	6.5.6.G
	Multiplex				○	● ¹		6.4.12
	Handicapped family units	●	●	●	●	●	●	
	Planned Residential Unit Developments			● ⁴		● ⁴		
	Special needs independent dwelling units				●	● ¹	●	
	Lodging houses					○ ^{1,3}	●	6.4.9
	Sheltered care group homes	○	○	○	○	○	○	6.5.6.K
	Congregate care facilities					● ²		6.5.6.F
Institutional	Elementary, middle, and secondary schools	○	○	○	○	○ ¹	○	
	Governmental uses	●	●	●	●	●	●	
	Hospitals			○		○ ¹	○	
	Intermediate care facilities	○	○	○		○ ¹ ● ²	○	
	Long-term and extended care facilities	○	○	○		○ ¹ ● ²	○	6.5.6.F
	Places of assembly (<10,000 SF)	○	○	○	○	○ ¹	○	
	Places of assembly (>10,001 SF)	○	○	○	○	○ ¹	○	
	Preschool facilities	○	○	○	○	○	○	6.5.6.J
	Post-secondary schools					○ ¹	○	6.5.6.F

6. Key Considerations

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Avenue for new uses

Based on B-2 and I-M language

Consolidation of uses

Ex. General office, general services, hotels, preschool facilities

Broader use of SF thresholds

Consolidation of supplemental, conditional, and accessory use standards

Accessory uses

ADUs

Tasting rooms

Drive-throughs

Consistency of performance standards

NEW

7. Dimensional Standards

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- Applicability
- Rules of Measurement
- Dimensional Tables
- Space and Bulk Exceptions

TABLE 7-A: RESIDENTIAL ZONE DIMENSIONAL STANDARDS

		R-1	R-2	R-3 ²	R-4	R-5 ²	R-5A ⁵	R-6 ⁷	R-6A ¹
	Governmental	15,000 SF	10,000 SF	6,500 SF	6,000 SF	6,000 SF			
	Hospital			10 ac.		5 ac.		2 ac.	
	Intermediate or long-term, extended care facility	3 ac.	3 ac.	2 ac.		2 ac.	1.5 ac.	1 ac. ⁸	
	Lodging house					9,000 SF			
	Multiplex				9,000 SF	9,000 SF			
Lot area (min.)	Place of assembly	<10,000 SF	1 ac.	1 ac.	1 ac.	15,000 SF	.5 ac.	10,000 SF	
		>10,000 SF	2 ac.	2 ac.	2 ac.	30,000 SF	1 ac.	15,000 SF	
	Post-secondary school		2 ac.			2 ac.			
	Elementary, Middle, and Secondary school	2 ac.	2 ac.	2 ac.	30,000 SF	30,000 SF		30,000 SF ^c	
	Raising of animals	3 ac.							
	Residential	15,000 SF	10,000 SF	6,500 SF ⁵	6,000 SF	6,000 SF ³	6,000 SF / 2 ac. max ⁶	2,000 SF	4 ac.
	All other uses	15,000 SF	10,000 SF	6,500 SF	6,000 SF	6,000 SF		2,000 SF	
	Lot Area per Dwelling Unit (min.)	15,000 SF	10,000 SF	6,500 SF	3,000 SF	3,000 SF	1,600 SF	725 SF	
	Lot Area per Rooming Unit (min.)					1,000 SF		250 SF	
	Lot Area per Multiplex Unit (min.)				3,000 SF for first 3, 6,000 SF thereafter	4,500 SF			

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7. Key Considerations

Rules of measurement

- New: average grade, building footprint, lot coverage
- Clarification: impervious surface ratio, setbacks, stepbacks, street frontage, height

R-6 dimensional changes

- Max. building widths

Consistent treatment of B zones

- Consolidation of B-1 and B-1b
- Increase B-2 residential density
- Setbacks in B-4 zone

Space and bulk exceptions

- Bay windows within setbacks

Public Comment

Process

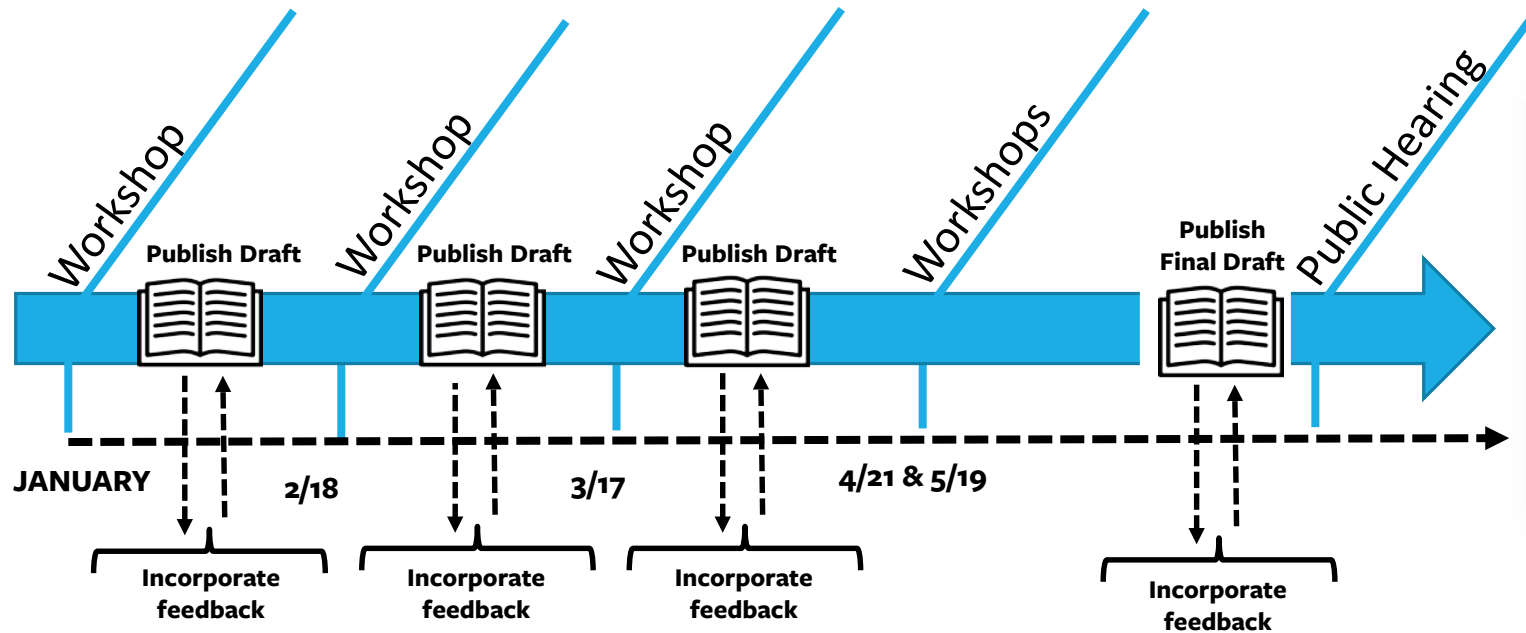
- Communication regarding changes
- Awareness of opportunities to comment

Specific changes

- Purpose statements (R-6, B-6)
- R-6 building width
- ADUs and short-term rentals
- Building height calculations

Existing policy

What's Next for Phase I?



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