



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

**SWIMMING POOLS**  
**(1- and 2-family only)**

- Pools may not be sited in the front yard.
- Pools must meet a 10-foot setback from side and rear lot lines.
- Pools must meet a 10-foot setback from the principal structure on the lot.
- Pool setbacks are measured to the edge of the water. Concrete pool aprons or patios do not need to meet setbacks.
- Decks constructed to access the pool must meet the setbacks outlined in the “Decks, Stairs, Porches and Detached Accessory Structures” table, see next page.
- State regulations require that a fence with securely fastened gates be constructed around the pool for safety.

**FENCES**  
**(Residential or Commercial)**

- Permits are required for any fence that will be over 7 feet in height, and also for fences of any height that are located in a historic district or on a historic-listed property.
- There is no minimum setback for fences, but they must be constructed such that the fence is entirely on your own property.
- Within 15 feet of a street line, a fence may not exceed 4 feet in height. This helps maintain visibility to allow property owners to safely back out of a driveway.
- Corner lots have special restrictions to help maintain visibility for traffic. Fences within 25 feet of street corners cannot be more than 3.5 feet in height.



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**DECKS, STAIRS, PORCHES, AND DETACHED ACCESSORY STRUCTURES  
 (1- and 2-family only)**

	R-1	R-2	R-3	R-4	R-5	R-6	IR-1	IR-2	IR-3	B-1 B-1b	B-2 B-2b
<b>1. Setbacks</b>											
a. Front	25' <sup>a</sup>	25' <sup>a</sup>	25' <sup>a</sup>	25' <sup>a</sup>	20' <sup>a</sup>	5' <sup>a</sup>	30'	25' <sup>a</sup>	25'	---	---
b. Rear	25'	25'	25'	25'	20'	10' <sup>c</sup>	30'	25' <sup>a</sup>	25'	--- <sup>e</sup>	10' <sup>g</sup>
c. Rear – for detached accessory structures with a footprint of 250 sq ft or less	5'	5'	5'	5'	5'	5'	10'	10'	10'	--- <sup>e</sup>	---
d. Side (1- and 1.5-story buildings)	12'	12'	8'	10'	8'	5'	20'	20'	20'	--- <sup>e</sup>	--- <sup>h</sup>
e. Side – for detached accessory structures with a footprint of 250 sq ft or less	5'	5'	5'	5'	5'	5'	15'	15'	15'	--- <sup>e</sup>	---
f. Side street	20' <sup>b</sup>	20' <sup>b</sup>	20' <sup>b</sup>	20' <sup>b</sup>	15' <sup>b</sup>	---	20'	20'	20'	---	---
<b>2. Lot coverage</b>	20%	20%	35%	30%	40%	60% <sup>d</sup>	20%	20%	20%	90% <sup>f</sup>	---
<b>3. Maximum Height (for detached structures only)</b>	18'	18'	18'	18'	18'	18'	18'	18'	18'	35'	45'

<sup>a</sup> Or average depth of the front yards of adjacent lots.

<sup>b</sup> Or depth of front yard directly abutting lot.

<sup>c</sup> In the Munjoy Hill Neighborhood Overlay Zone (MHNO), the rear setback for decks, porches, or similar unenclosed spaces is reduced to 7.5'.

<sup>d</sup> In the R-6 zone, a minimum of 20% of the lot must be maintained as “landscaped open space” – see definitions on next page.

<sup>e</sup> Rear yard setbacks in the B-1/B-1b zones are 10' if abutting a residential zone; side yard setbacks are 5' if abutting a residential zone.

<sup>f</sup> In the B-1/B-1b zones, this requirement is for impervious surface coverage – see definitions on next page.

<sup>g</sup> Rear yard setbacks in the B-2/B-2b zones may be reduced to 5' for detached accessory structures of any size.

<sup>h</sup> The B-2/B-2b zones do not require a side setback except for detached accessory structures must be set back 5'.

**Important Notes:**

- Projects in the R-P zone must use the setbacks for the abutting or nearest residential zone.
- Construction under this permit is limited to single-story decks, stairs, porches, and detached accessory structures.



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**Definitions:**

**Setback** - A space on a lot which is required to be maintained open, unoccupied, and unobstructed between lot lines and any structures. The front setback is usually considered to be the street-facing side of the building. Setbacks are measured from the actual property lines and not from fences, curbs, sidewalks, or the street pavement edge. A property survey may be necessary to verify the location of property lines prior to construction.

**Lot Coverage** – The proportion of lot area covered by building footprint and the footprint of accessory detached structures. “Structures” include, but are not limited to: buildings, decks, porches, sheds, decks, stairs, and bulkheads. Driveways and other at-grade impervious areas are not considered structures for the purposes of lot coverage. Determine your maximum lot coverage allowance by multiplying your total lot size by the applicable percentage listed in the table. Example: You own a 6,500 sq ft lot in the R-3 zone:  $(6,500 \text{ sq ft}) \times (35\%) = 2,275 \text{ sq ft}$  maximum lot coverage allowed.

**Impervious Surface Coverage** – In the B-1/B-1b zones only, the coverage requirement is similar to the “Lot Coverage” definition above, but includes impervious surfaces in addition to structures. Impervious areas are defined as any surface that does not absorb rain, including but not limited to: driveways, parking areas, walkways, and patios. Brick, compacted gravel, and stone surfaces are considered impervious areas, along with concrete and asphalt. Rooftop gardens or structured or engineered surfaces are also considered impervious surfaces.

**Landscaped Open Space** – In the R-6 zone only, a minimum of 20% of the lot must be maintained as landscaped open space. This excludes areas of the lot that are occupied by structures or by impervious surfaces such as paved or gravel driveways, parking areas, walkways, and patios. Landscaped open space shall not include rooftop gardens or structured or engineered surfaces.

**Building Height** – The vertical measurement from average land grade (pre-development grade on the islands) to the following points:

- Flat roofs – to the highest point of the roof beams
- Pitched or hip roofs – to the level midway between the eaves and the highest point of the roof. For dormered roofs, the highest (dormer) eaves shall be used for this measurement.
- Gambrel roofs – to the level two-thirds of the distance between the eaves and the highest point of the roof
- Mansard roofs – to the highest point of the roof beams or the highest point on the deck

In most zones, building height does not include structures such as chimneys, skylights, flagpoles, or structures used to house building operating equipment such as roof access stairs, elevators, tanks or fans. However, in the MHNO, only chimneys and certain HVAC equipment may extend above the maximum building height.