

Proposed R-5 Zoning Amendments for Infill Housing
Portland Maine
March, 2008

I. Introduction

During 2006, the Housing Committee considered options to support the construction of single family homes on smaller lots in the R-5 zone, which are consistent with the neighborhood development patterns of the past. At that time, the Housing Committee recommended that R-5 provisions be drafted to allow single family homes to be built on small vacant lots ranging between 4,000 and 6,000 square feet, increase the density of multiplex housing (three or more units) for new construction on vacant lots, allow accessory units in existing single-family homes that are located on undersized lots (mother-in-law apartments), and include the provisions for dwelling units in carriage houses.

The Portland Planning Board has held two workshops on this proposal and is seeking neighborhood comments on the proposed text amendments. Neighborhood meetings are scheduled to gather community input on the proposal. After receiving community input, the Planning Board will hold a workshop and public hearing in order to make a recommendation to the City Council for their consideration. All meetings are open to the public.

Neighborhood Meetings

Deering High School: Monday, March 31, 7:00-9:00PM, High School Cafeteria, 370 Stevens Ave.

Presumpscot School : Wednesday April 2, 7:00-9:00PM , Presumpscot School Gym, 69 Presumpscot St.

Planning Board Workshop

Tuesday, April 22, 3:30 PM in Room 209, Second Floor, City Hall, 389 Congress St.

Public Hearing

Tuesday May 27, 7:00 PM in Room 209, Second Floor, City Hall, 389 Congress St.

II. Goals of the Proposed Amendments

Portland's R-5 zone is located entirely off the peninsula, encompassing significant portions of East Deering, Libbytown, Oakdale, Deering Center, and Rosemont. These established "inner-ring" neighborhoods are characterized by a traditional neighborhood development pattern with approximately 6-8 units per acre. Adopted in 2002, the City's Housing Plan called for increased housing production "*...to encourage new residential development that offers diverse and quality living options; provides traditional neighborhood elements; promotes a walkable city; and is compatible with Portland's existing neighborhoods.*"

The proposed zoning amendments reflect the following principles:

- A. **Maintain the compact development pattern of established neighborhoods.** The proposed amendments are intended to encourage single family home development on small vacant lots in the R-5, but to avoid creating incentives for the demolition of the existing housing stock for higher densities. Thus, the proposal is to allow single family homes to be constructed on lots with less than the minimum lot size and which are vacant, or used for parking, or only contain accessory buildings. In addition, the proposed provisions offer the opportunity to separate combined lots (often referred to as double lots) to create one conforming lot and one small lot for a single family home.
- B. **Promote the character of established neighborhoods by requiring quality residential design.** New homes that utilize the proposed small lot infill provisions will be subject to site plan review and design review. A set of design standards specific to the R-5 is included as part of this proposal. The design standards articulate principles affecting the size and scale of the home, its orientation to the street, construction materials, and architectural details, will encourage quality design compatible with existing residential buildings.
- C. **Encourage accessory units in existing homes on small lots and in carriage houses.** The R-5 zone allows a two family house by right on a lot with the minimum lot size. Accessory units (sometimes referred to as mother-in-law apartments) are permitted in Portland's other single family zones (R-1, R-2, R-3, IR-1, IR-2) as a conditional use. The proposed amendments for R-5 would permit accessory units as a conditional use for existing single family homes on non-conforming lots (existing homes on lots with less than 6,000 sq. ft.).

In addition, there are carriage houses in the R-5 zone that could easily accommodate another unit. Currently, the City has a zoning provision that permits a residential unit in carriage houses within the R-4 and R-6 zones, provided that the overall density for the site is maintained. It is proposed that the R-5 be included in this provision.

- D. **Encourage multiplex housing at higher densities.** The proposed amendments reduce the minimum land area required per unit for new construction of a multiplex (three units or more) from 6,000 square feet per unit to 3,000 square feet per unit. This provision would only apply to currently vacant lots. Thus, vacant lots with 9,000 square feet or more eligible would be a potential site for a three-unit multiplex. The proposed changes in the land area per unit is not proposed for the conversion of existing structures, in order to avoid inadvertently creating an incentive to demolish the existing R-5 housing stock, or to convert existing large homes into multi-family dwellings.

III. Proposed Amendments

The proposed amendments are found on www.portlandmaine.gov/planning/complan.asp or are attached to this cover sheet. Please also view the power point presentation, which outlines the changes along with photographs and background information.

The underlying research for these provisions was prepared by Portland's Planning Office. Portland's Department of Planning and Development has contracted with the Greater Portland Council of Governments to help draft text for the zoning amendments utilizing concepts reviewed by the Housing Committee last year.