

Order 205-17/18

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**CITY OF PORTLAND
IN THE CITY COUNCIL**

Effective 6/13/2018

KIMBERLY COOK (5)
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**AMENDMENT TO PORTLAND
CITY CODE CHAPTER 14
Re: Conditional Uses in the R-3 and
R-5 Zones**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS
FOLLOWS:**

*That Chapter 14, Section 14-88 and Section
14-118 are hereby amended as follows:*

Sec. 14-88. Conditional Uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

(a) Residential:

(1) . . .

(3) Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:

a. No open outside stairways or fire escapes above the ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;

b. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level;

c. Three thousand (3,000) square feet of land area per dwelling unit shall be required;

- d. On-site parking shall be required as specified in division 20 (off-street parking) of this article, for the combined uses of the site;
- e. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
 - 1. Any addition or exterior alterations such as façade materials, building form, and roof pitch shall be designed to be compatible with the architectural style of the structure and, subject to the dimensional requirements of this zone, shall be limited to a gross floor area equal to or less than 25% of the total existing floor area as of [insert date of adoption].
 - 2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.

. . .

Sec. 14-118. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

(a) Residential:

- 1. Reserved.
- . . .
- 3. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:
 - a. ~~No dwelling unit shall have less than six-hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;~~

. . .