

Order 192-15/16

Passage as an Emergency: 7-0 (Costa recused, Strimling absent) on 4/4/2016

Effective 4/4/2016

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**CITY OF PORTLAND
IN THE CITY COUNCIL**

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**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14. LAND USE, ARTICLE III. ZONING
Re: INDIA STREET FORM-BASED CODE ZONE AND CROSS REFERENCES**

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

*That Chapter 14, Article III, Sections 14-275.7, 14-332.1
and 14.369.5 of the Portland City Code are hereby amended to
read as follows:*

Sec. 14-275.7. Subdistrict dimensional requirements.

(a) 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 tend to be narrow.

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(d) Corner conditions.

For corner lots where two 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 feet 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 the subdistrict onto which the building FAÇADE faces.

CORNER

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*

SETBACKS

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

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) facade area
(measured as a percentage of the FAÇADE that is 2' above sidewalk grade)	

UA INTERSECTS UN

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

UT INTERSECTS UN

Dominant Subdistrict (35' deep)	UN
Orientation - Principal Frontage	determined by applicant
• Corner lots shall be treated as having street frontage on all streets regardless of building orientation	

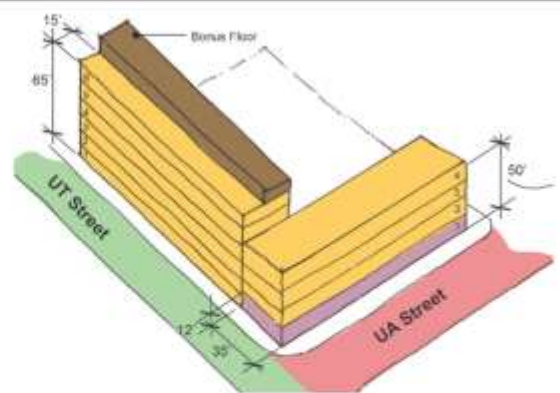
UN INTERSECTS UN

Building Length maximums:	
Principal Frontage	60' max.
Secondary Frontage	50' max.

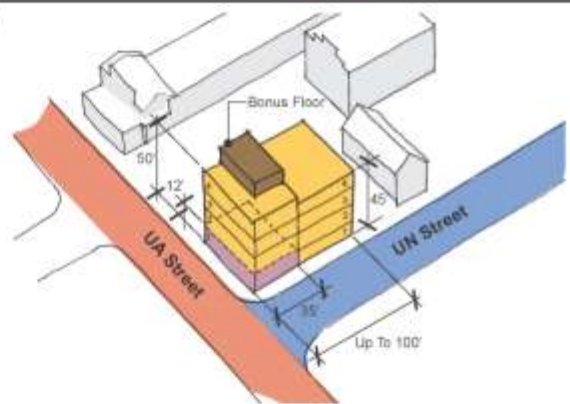
Notes and Exceptions

- * Does not have to correspond to legal building address

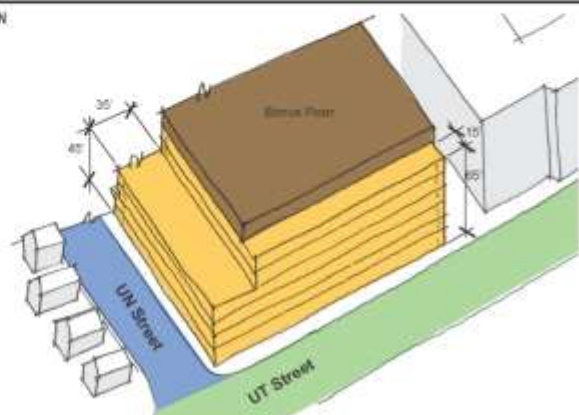
UA INTERSECTS UT
(example only)



UA INTERSECTS UN
(example only)



UT INTERSECTS UN
(example only)



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Sec. 14-332.1. Zone specific off-street parking exceptions and modifications.

The off-street parking requirements established for uses, established above in section 14-332 of this division, are hereby modified for the following zones according to the provisions described below.

- (a) *IR-3, Island Residential Zone, Off-street parking:* Off-street parking shall not be required irrespective of the requirements of division 20 (off-street parking) of this article.

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- (d) *Change of use in the B-2b or IS-FBC zone:*

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Sec. 14-369.5. Tables.

- (a) *Table 1. Permitted sign types by zone.*

Note: The following legend applies for Table 1 below:

- A. Allowed, no permit required;
- B. Allowed, permit required;
- C. Allowed, subject to licensing and permit required;
- D. Prohibited;
- E. Not Applicable

Parenthetical letters, i.e. (a), refer to the notes provided at the end of Table 1.

	<u>IS-FBC UN</u> R-1/R-6 IR-1/IR-3 Residential	Institutional Uses in Residential Zones (a)	RP Residence Zones	ROS/RPZ Open Space	B-1 Neighborhood Business	<u>B-2/IS-FBC UA/UT</u> Regional Business
Freestanding	D	B	B	B	B	B
In general(b)						
Residential	A	A	A	E	A	A
Residential(d)	D	A	A	A	A	A
Temporary/ Portable (b)	D	D	D	D	D	B
Building	D	D	D	B	B	B
Commercial						

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Miscellaneous	A	A	A	A
Community, Cultural Banner				
Directory(j)	A	A	A	A
Flag(k)	A	A	A	A
Pennant	D	D	D	D
Portable-in City right-of-way (A-frame)	D	D	C	D

Notes for Table 1 (Permitted Sign Types by Zone).

- (a) This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools and hospitals.
- (b) The following limiting provision shall apply to freestanding signs in the B-1, B-2, ~~and B-3,~~ and IS-FBC zones on the Portland Peninsula (except for the B-2 zone in the vicinity of St. John Street): Such signs shall be allowed only if the front facade of the building (or individual tenant's/tenants' frontage in the case of a multi-tenant building) is set back a distance of at least twenty (20) feet from either of the front facades of the abutting buildings (or other tenants' frontage in the same multi-tenant building). Notwithstanding the limitations of this section, freestanding signs shall be permitted for gas stations provided that all signage for such gas stations conform to the requirements of this division.

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Contents of Table 2:

- 2.1 Sign Regulations for R-1-R-7, IR-1-IR-3, IS-FBC UN Residential Zones
- 2.2 Sign Regulations for Institutional Uses in Residential Zones
- 2.3 Sign Regulations for RP Residence-Professional Zone
- 2.4 Sign Regulations for ROS/RPZ Open Space Zones & Signs in all Municipal Parks

2.5 Sign Regulations for B-1 Neighborhood Business Zone – Single Tenant Lots

2.6 Sign Regulations for B-2 Regional Business Zone, IS-FBC UT or UA zone – Single Tenant Lots

2.7 Sign Regulations for AB Airport Business Zone – Single Tenant Lots

2.8 Sign Regulations for B-3 Downtown Business, B-5 Urban Commercial, B-6 and B-7 Mixed Use Urban, WC Waterfront Central, and EWP, Eastern Waterfront Port Zones

2.9 Sign Regulations for IB Island Business Zone – Single Tenant Lots

2.10 Sign Regulations for B-4 Commercial Corridor Zone – Single Tenant Lots

2.11 Sign Regulations for OP Office Park Zones

2.12 Sign Regulations for I-L, I-Lb, I-M, I-Ma, I-Mb, I-H, I-Hb Industrial and WPD Waterfront Port Development Zones

2.13 Sign Regulations for B-1, B-2, AB, IB, and B-4 Business Zones, and IS-FBC zone UT or UA – Multi-Tenant Lots

2.14 Sign Regulations for Gas Stations – All Zones Where Permitted

TABLE 2.1 R1 – R6, IR1 – IR3, IS-FBC UN: RESIDENTIAL AND ISLAND RESIDENTIAL ZONES

Freestanding Signs

	<i>Single-Family Lots</i>	PRUDs, Single-Family Subdivisions & Multifamily Developments – Development Identification Signs
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Area	2 sq. ft.	15 sq. ft.
Height	5 feet	5 feet
Setback	5 feet	5 feet
Number freestanding signs per lot	1 (a)	1 per major entrance

(a) A maximum of one (1) sign is allowed per lot. Such sign may be either a freestanding or a building sign.

Building Signs

	<i>Single-Family Lots</i>	<i>PRUDs, Single-Family Subdivisions & Multifamily Developments – Development Identification Signs</i>
Maximum permitted sign area	2 sq. ft.	10 sq. ft.
Number building signs permitted per lot	1 (a)	1 (b)

(a) A maximum of one (1) sign is allowed per lot. Such sign may be either a freestanding or a building sign.

(b) One (1) allowed per street frontage, provided there are no freestanding signs on the lot or development.

TABLE 2.6 REGIONAL BUSINESS (B-2) ZONE, IS-FBC UT or UA ZONE – SINGLE TENANT LOTS

Freestanding Signs

	<i>Facing Street Frontage < 200'</i>	<i>Facing Street Frontage > 200'</i>
Area	65 sq. ft.	100 sq. ft.
Height	18 feet	18 feet
Setback	5 feet	5 feet
Number permitted per lot	1 (a)	1 (a)

- (a) If lot fronts on more than one (1) street, one (1) freestanding sign is permitted for each additional frontage, but at one-half the maximum allowable area for the original, except in those instances where the freestanding signs are not concurrently visible. In such an instance, additional freestanding signs shall be permitted the full area allowance.

Building Signs

	<i>Building Face < 150 Linear Feet</i>	<i>Building Face > 150 Linear Feet</i>
Maximum cumulative area of all building signs (b)	150 square feet (a)	225 (a)
Square feet per linear foot of building facade on which sign will be placed	2 feet	Same
Number of building signs permitted per lot	1 per building facade facing an abutting street + 1 additional	Same




- (a) If any one (1) building face on which a sign is to be placed exceeds one hundred fifty (150) linear feet, then the maximum allowable sign area for the building

as a whole is increased to two hundred twenty-five (225) square feet. However, the limit of two (2) square feet per linear foot of building frontage still applies for purposes of calculating maximum sign area for each building face.

- (b) Where a building features two (2) principal entry facades facing parallel streets, each such entry facade shall be eligible for the full amount of signage relative to its frontage, notwithstanding the maximum cumulative sign area.

TABLE 2.13 MULTI-TENANT LOTS – B-1, B-2, AB, B-4, ~~AND-IB,~~ AND IS-FBC UT or UA ZONES

Freestanding Signs (a)

	<i>B-1, B-2, AB, B-4, IB, IS-FBC UT/UA Zones</i>		
	<i>Land Area</i>		
	< 1 acre	1–2.5 acres	   2.5 acres
Area	Same as single	100	140
Height	Tenant	Same as for single tenant lots in applicable zones	
Number permitted per lot (b)	lots	1	1

- (a) Freestanding signs shall be for purposes of joint identification. Individual tenants shall not be permitted their own freestanding sign. Such sign may identify name of center and may also include names of individual tenants.

- (b) Lots fronting on two (2) or more streets are allowed an additional freestanding sign of one-half the area of the first for each frontage which includes a vehicular entry point, provided signs are not readily concurrently visible. Such signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one (1) street

frontage.

Building Signs

a. *Joint identification sign (a):*

	B-1, IB	B-2, AB, B-4, I, <u>IS-FBC UT/UA</u>
Maximum area	na	250 sq. ft. I
Number permitted per lot (b)	not allowed	1 (b)

(a) Sign identifying name of building or shopping center only. Unused sign area cannot be applied to area allowances for other freestanding or individual tenant signs. Where name of shopping center is the same as or incorporates name of one (1) or more of the businesses located within the center, such business(es) shall elect between a joint identification sign and an individual business sign and shall not be allowed both.

(b) See (a) above.

(c) Allowed only on shopping centers featuring four (4) or more tenants and occupying a land area in excess of two and one-half (2.5) acres.

TABLE 2.13, CONTINUED

b. *Individual business signs:*

Alternative 1

	B-1, B-2, AB, B-4, IB, <u>IS-FBC UT/UA</u> Zones	
	<i>Tenant's Frontage < 150 linear ft.</i>	<i>Tenant's Frontage 150 linear ft.</i>
Maximum area	150 sq. ft.	Na

Square feet per linear feet of building front	1.5 sq. ft.	na
Maximum percent of wall area on which sign(s) is(are) to be placed	na	5%
Number permitted per business (a)	1	1

(a) If individual tenant fronts on more than one (1) street, one (1) additional building sign is permitted for each additional frontage, but at one-half the maximum allowable area of the first.

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