

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Caron and Members of the Portland Planning Board

FROM: Kandice Talbot, Planner

DATE: February 12, 2002

SUBJECT: R-6 Map and Text Amendment

Introduction

Councilor O'Donnell has requested an amendment to the R-6 Zone to limit the height of buildings along the Eastern Prom to 35 feet. The current height limit is 45 feet. The area affected is depicted on the zoning map, and is designated as the *Eastern Prom Overlay Zone*. A related amendment will require all parking for additional residential dwellings east of Franklin Arterial to be located on the site of the dwelling, and not allow off-site parking as is presently permitted.

This amendment is intended to protect views from properties within the interior portions of Munjoy Hill, by limiting the height of development to 35 feet within the perimeter blocks. It will also limit development to dwellings that can accommodate required parking on-site on the peninsula, east of Franklin Arterial.

These amendments are a response to a recent development proposal on Munjoy Hill that could block views from surrounding properties. Several neighbors objected to the proposal, and Councilor O'Donnell has requested the amendment to prevent additional over-scaled development in this district.

Policy Considerations

The purpose of the R-6 zone is:

"To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses."

The proposed changes are in tension with the purpose of the R-6 and providing high-density housing on the peninsula. Changing the maximum height limitation from 45 ft. to 35 ft. and requiring that all necessary parking spaces be provided on-site could limit the development of small infill lots within the Eastern Promenade neighborhood. The Housing Comprehensive Plan Committee is working on a Housing Plan that calls for higher density housing to increase the Portland housing stock. The draft plan recognizes that good design and appropriate scale are critical aspects of compatible housing in existing neighborhoods.

Attachments:

1. Amendment to Section 14-139 and 14-140
2. Proposed Eastern Prom Overlay Zone

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14, (LAND USE), SECTION 139(g) and 140(a)
RE: Height Restrictions and Off-street Parking**

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

1. *That Section 14-139(g) of the Portland City Code is hereby amended to read as follows:*

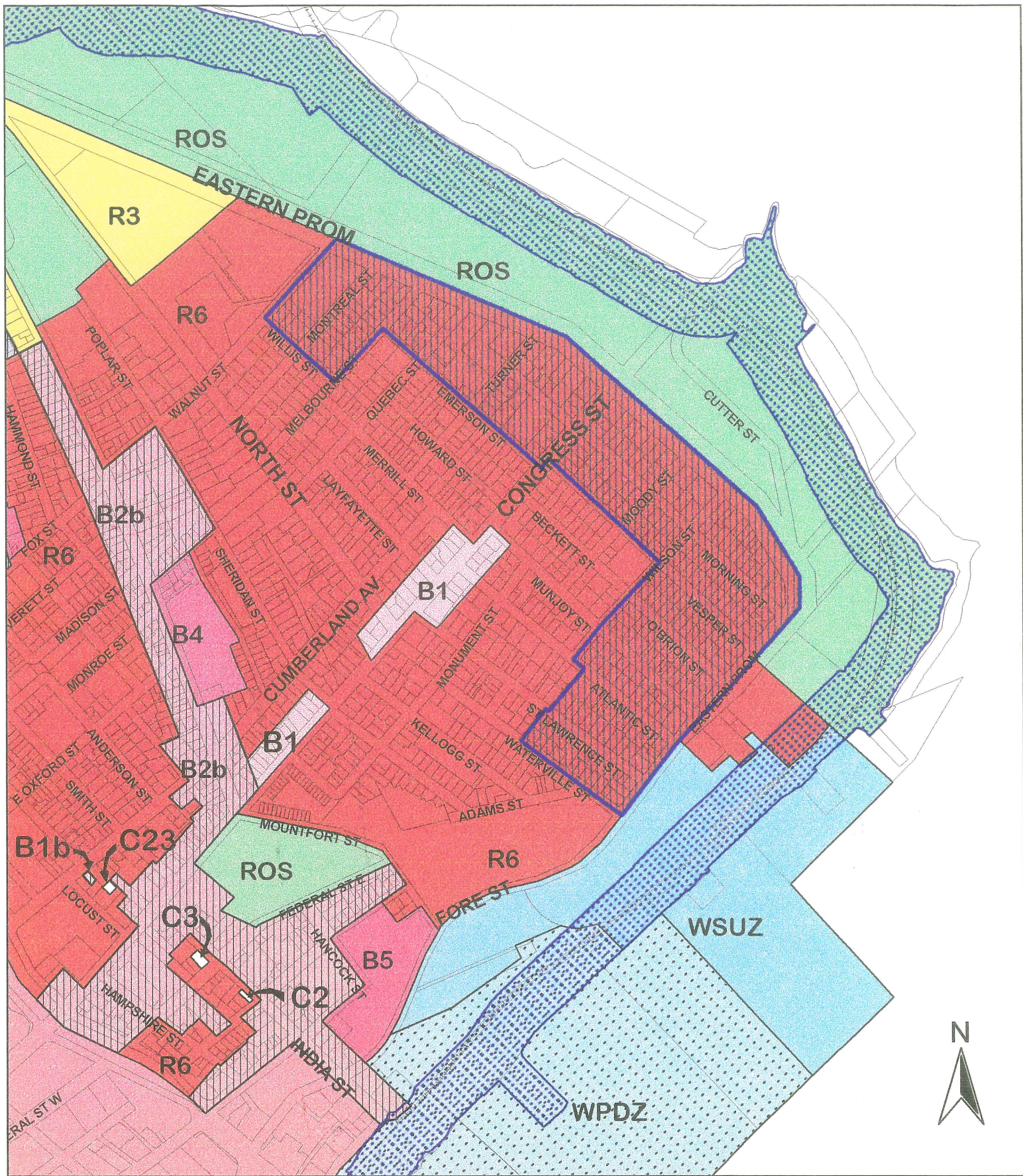
(g) *Maximum structure height:*

Principal and attached accessory structure: Forty-five (45) feet; except in the R-6 Eastern Promenade Overlay Zone, as depicted on the Zoning Map, where the maximum structure height for a principal or attached accessory structure shall be thirty-five (35) feet.

Accessory detached structure: Eighteen (18) feet.

2. *That Section 14-140(a) of the Portland City Code is hereby amended to read as follows:*

(a) *Offstreet parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article, except that required parking for any additional dwelling unit on the peninsula east of Franklin Arterial and for all residential building additions, wherever located, shall be located on the same lot.



PROPOSED EASTERN PROM OVERLAY ZONE

 Proposed Overlay Zone



R-G Zone

Will Gotham - parking - older bldgs converted, owners be responsible to put parking on-site
height - view corridors - existing bldgs if want to can put decks - no increase in footprint

Mary Casale - 45 ft meant 45 ft. - pro-active - look in other communities and how they deal with view corridors, nothing set in stone at this time

Ken Cole - Peaks Island view corridor
Cyus - take a look at Peaks Island - utilize everything under ridge/roof line

Orlando - might create nonconformity of a ~~at~~ large number of existing buildings can't provide infill housing, on-site parking and lower height at the same time

Mark Malone - wouldn't encourage this parking requirement - Freeport requires long-term lease and have it recorded?

Cyrus - look at off-street parking -
have them own the off-street
parking with deed restriction

Mark - John Peverada's comments
on parking situation ~~in~~ ~~R~~
on Eastern Promenade

Susan Link - 44 - Standards
can be lowered - parking is
a problem - maybe give out
parking permits

Brian Burwell - ~~a~~ parking permit
could idea - utilization of existing
parking - Waterville St project -
peak 54 ft higher than sidewalk
grade

David Babbin - 143 Cumberland Avenue -
parking is problem - driveways
get blocked all the time -

Rob Harris - North Street - NIMBYISM
R-6 should be uniform in entire
peninsula - sf in mf - will be
no streetscape

Will Gorham -

- current bldg heights and stock

Peaks Island - lower height to 35 ft than existing bldgs grandfathered Sec. 14-436
craft exception for existing bldgs to allow dormer or addition, ~~as~~ as long as no portion exceeds ridge line or the highest point in roof if height of addition exceeds 35 ft as measured/determined under zoning ordinance

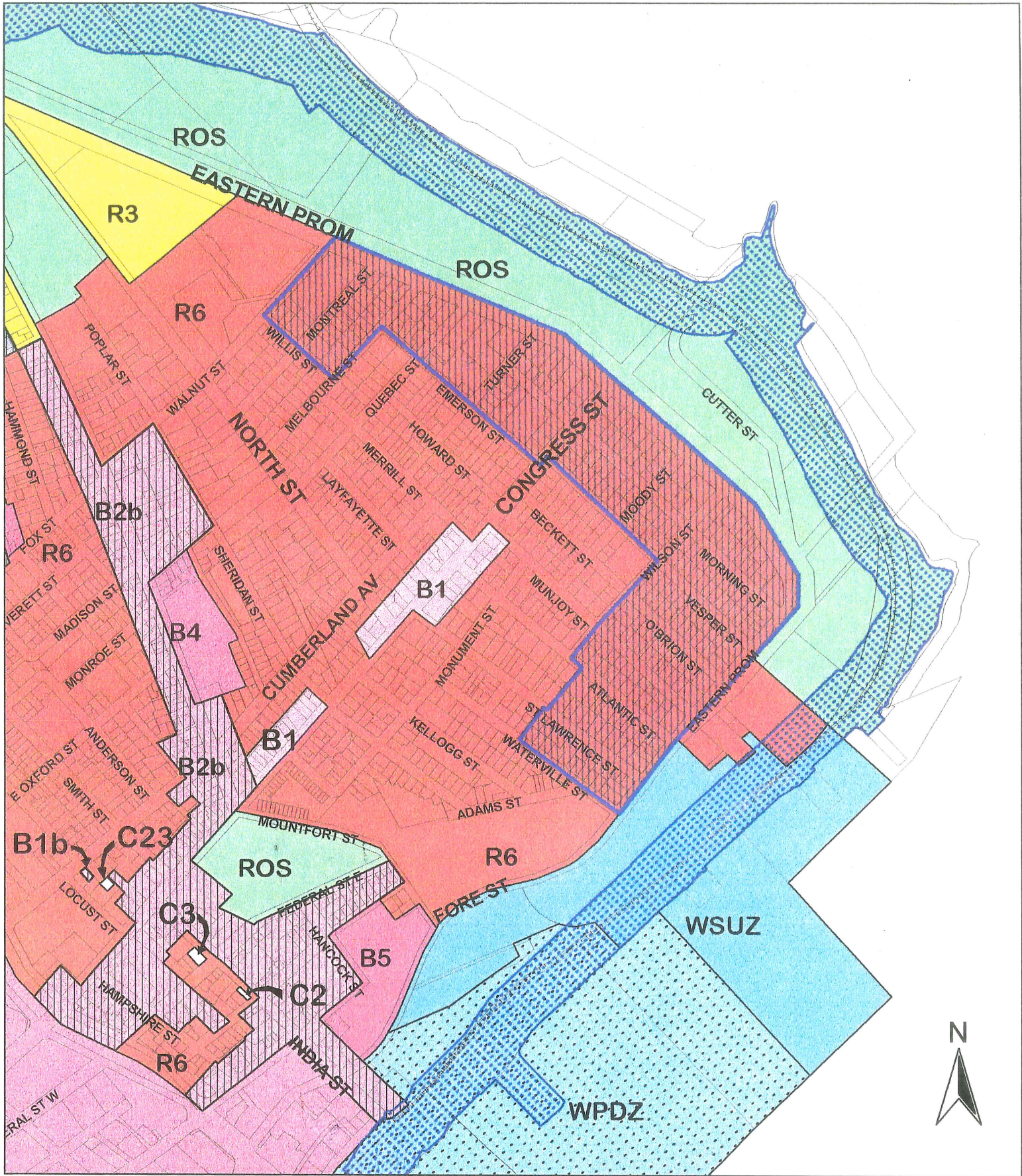
→ 35 ft maximum of existing bldgs
~~to~~ determine height by pictures or photographs

→ Paula Craighead - book

10ft pole → take pictures of existing bldgs
→ call Westbrook

memo to Peter → long-term lease and record registry
call Freeport offsite parking

John Giles Eastern Prom - bldg footprints
blow-up



PROPOSED EASTERN PROM OVERLAY ZONE

 Proposed Overlay Zone

200 0 200 400 600 800 1000 Feet

TO: Mark Adelson, Housing and Neighborhood Services Director
FROM: Kandice Talbot, Planner *Kandi*
DATE: January 24, 2002
RE: Proposed Changes in R-6 Zone

As you are aware, the R-6 zone changes proposed by Councilor O'Donnell regarding height limits and eliminating off-site parking was referred back to the Planning Board by the City Council. A workshop is scheduled for February 12, 2002.

Attached is a memo that you sent to the Councilors regarding these changes. Are you interested in submitting anything to the Planning Board about the proposed amendments? If so, I would need comments by February 7th to include it in the memo going to the Planning Board.

If you have any questions, please let me know. Thanks.

From: Mark Adelson
To: "council2@maine.rr.com"@Portland.gwgwia; "nsmith@...
Subject: Proposed Zone Changes

I've mentioned my concerns about the zoning changes Councilor O'Donnell is bringing forward on Oct. 15. Here are a few issues and concerns. I hope it is helpful, at least getting to the Planning Board.

Height:

1. The previous height on Munjoy Hill was 65' about 10 years ago, then it was dropped to the current height to 45'.
2. At 45' you can build a 4 story residential building, 10' per floor.
3. Cuts down the potential for new housing, less space to work means less units, means less economic feasibility.
4. True, most existing building in the area are 35' or less.
5. Would make this area of the city in the proposed overlay zone different from other R-6 areas which allow 45'.
6. This proposed change has not been thru a Planning Board Review.

No Off-Site Parking:

1. Off-site parking is allowed in all residential zones in the City, within 300' of the principle structure. This proposal would make the East End different from every other part of the city.
2. Portland needs more housing. This proposal will limit new housing development, particularly new infill housing projects on smaller lots. Parking is bulky and difficult to place on site for infill projects.
3. Portland has many small underutilized lots. This proposal will make it harder to use existing vacant lots for housing.
4. If we are going to encourage new housing we have to be creative about using all available land, and build in flexibility where appropriate.
5. The City is currently working on a new housing plan that encourages new housing development. This proposal runs counter to the current draft. We should let this planning process continue and finish before we pass new rules on housing development.
6. This proposal has not been reviewed by the Planning Board or the Housing Committee.

City of Portland Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: February 7, 2002

To: Barbara Vestal

Company: _____

Fax #: 761-5822

From: Kendi Talbot

RE: R-6 - the parking is for
dwelling units and residential
building additions

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

From: Alex Jaegerman
To: Jennifer Dorr; Kandi Talbot; Sarah Hopkins
Date: Mon, Jan 7, 2002 4:13 PM
Subject: Eastern Prom Overlay Zone P.Bd. Workshop

The Eastern Prom Overlay Zone was referred by the City Council for Planning Board consideration. I would like to schedule it for workshop on Feb. 12. Kandi, can you prepare a staff memo on this? I can brief you. I think you were involved in the map creation.

Peter, sorry I didn't get this scheduled sooner. Are you available that date? Do you want me to call anyone from the neighborhood for this? I'm not sure how we'll advertise this. Since it is a map amendment, we should probably send out notices to everyone within 500 feet of the overlay zone boundary, which will be a big mailing. Do you want to get together beforehand to refresh on the issues?

CC: Joe Gray ; Peter O'Donnell

**CITY OF PORTLAND, MAINE
CITY COUNCIL AGENDA REQUEST FORM**

TO: Linda Cohen, City Clerk
FROM: Alexander Jaegerman, Chief Planner
DATE: September 19, 2001
SUBJECT: Agenda Request

1) Council Meeting at which action is requested (Date): October 1, 2001 (First Reading) Oct. 15, 2001 (Public Hearing)

2) Can action be taken at a later date? YES NO

I. SUMMARY OF ISSUE

Councilor O'Donnell has requested an amendment to the R-6 Zone to limit the height of buildings along the Eastern Prom to 35 feet. The current height limit is 45 feet. The area affected is depicted on the zoning map, and is designated as the *Eastern Prom Overlay Zone*. A related amendment will require all parking for additional residential dwellings east of Franklin Arterial to be located on the site of the dwelling, and not allow off-site parking as is presently permitted.

II. REASON FOR SUBMISSION (What issue/problem will this address?)

This amendment is intended to protect views from properties within the interior portions of Munjoy Hill, by limiting the height of development to 35 feet within the perimeter blocks. It will also limit development to dwellings that can accommodate required parking on-site on the peninsula east of Franklin Arterial.

III. INTENDED RESULT (How does it resolve the issue/problem?)

The amendments will limit the scale of residential construction in certain areas of the eastern portion of the peninsula.

IV. FINANCIAL IMPACT

None.

V. STAFF ANALYSIS & RECOMMENDATION

These amendments are a response to a recent development proposal on Munjoy Hill that could block views from surrounding properties. Several neighbors objected to the proposal, and Councilor O'Donnell has requested the amendment to prevent additional over-scaled development in this district.

Attachments: Amendment to Section 14-139, and 14-140;
Proposed Eastern Prom Overlay Zone



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Councilor Peter O'Donnell
FROM: Alexander Jaegerman, Chief Planner
DATE: May 10, 2001
SUBJECT: R-6 Text Amendments

As you requested, Planning has developed ordinance language regarding the following two items:

- 1) Off-street parking. This would require an amendment to Section 14-140, which would consist of a requirement that parking for new residential buildings on the peninsula east of Franklin Arterial, shall be located on the same lot.
- 2) Maximum structure height: This would consist of an R-6 Eastern Promenade Overlay Zone, as shown on the zoning map, where the maximum structure height for a principal or attached accessory structure shall be thirty-five (35) feet.

The maximum height of 35 feet is a response to the concern of new construction blocking views, however it may not address all views that could potentially be blocked. The current height limit in the R-6 zone is 45 feet.

Site Plan Standard 14-526(19) states "*view corridors: the placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development.*" Also, in 1983, *Portland Waterfront. Public Access Design Project*, which is a technical report completed by Terrien Architects and Mitchell-Dewan Associates includes mapping of views on the Eastern Promenade. The B-3 downtown view corridor map and a portion of the Portland Waterfront Public Access Design Project Report are included for your review.

To protect all views, it is possible to create a view corridor map, such as the B-3 downtown view corridor map; however, it would be considerably more complicated and more difficult to administer. Note also that such ordinances generally protect public views, as stated in the language cited above. An ordinance protecting private views is considerably broader in scope, and could impose substantial limitations on use of property, raising potential issues of an uncompensated taking of property rights.

Attachments:

1. R-6 Text Amendment Language
2. Proposed Eastern Promenade Overlay Zone Map
3. B-3 Downtown View Corridor Protection Map
4. Portion of Portland Waterfront Public Access Design Project Technical Report

cc: Joseph E. Gray, Jr., Acting City Manager
Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Gary Wood, Corporation Counsel
Penny Littell, Associate Corporation Counsel

Section 14-139

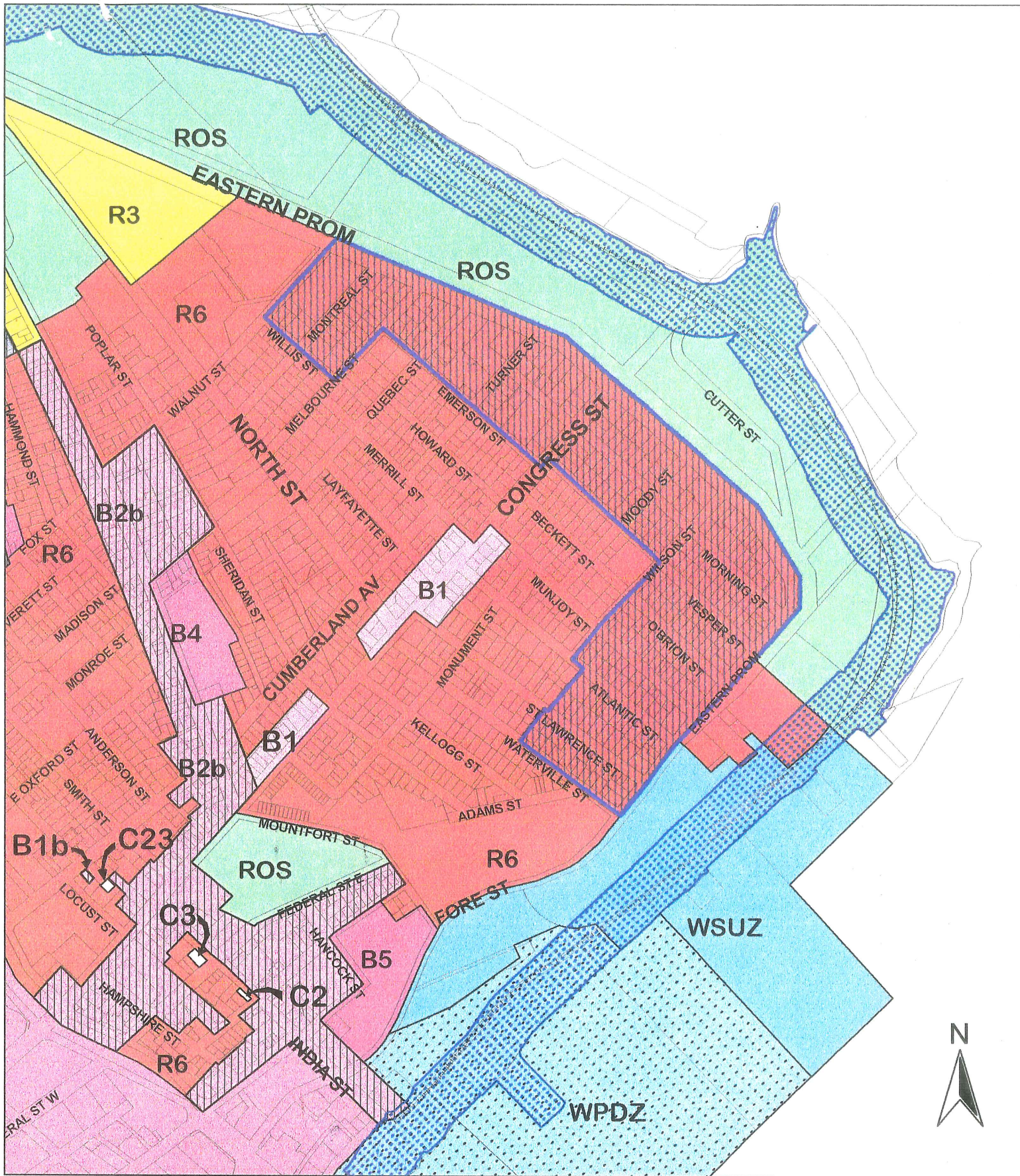
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Section 14-140

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PROPOSED EASTERN PROM OVERLAY ZONE

 Proposed Overlay Zone

200 0 200 400 600 800 1000 Feet

Adopted by Portland City Council, 3-11-91, Effective 4-10-91.



DOWNTOWN VIEW

VIEW CORRIDOR PROTECTION PLAN

- Viewing Position Within View
- View Corridor Extended
- * Visual Landmark

Thurman

PORTLAND WATERFRONT

PUBLIC ACCESS DESIGN PROJECT



TECHNICAL REPORT

TERRIEN ARCHITECTS MITCHELL-DEWAN ASSOCS.

Contents

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Barbara J. Reidman
Llewellyn C. Smith

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Barbara Vestal

City Manager
Stephen T. Honey

December 29, 1983

This report financed through a State
Coastal Planning Grant.

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Mitchell-DeWan Associates

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Introduction

Public access to the Portland waterfront provides an opportunity to carry richness from the City's past to the well-being of its future. Few places on the peninsula are beyond an awareness of the sea, and many places throughout the City depend on the harbor for their character, value, and even their livelihood. Over the years and in the recent past, much effort has been directed to maintain and increase the utilization of the waterfront, Portland's greatest natural asset. As the success of that commitment grows, the City must nurture its connection to the sea to bring full advantage to the many public and private users, present and future, that take their livelihood and enjoyment from the waterfront.

This study of public access to the waterfront recommends means of protecting existing marine uses in coordination with the enhancement of the economic vitality and development potential of the waterfront, all as are affected by public utilization and enjoyment. Reinforcing the planning goals that have been developed over the years, this study focuses on public access as a complementary component of future uses, public access that has often been taken for granted, but which will provide an increasingly important economic resource for the vitality of the port and for the well-being of the entire City.

Public access is a reality of increasing importance. To avoid conflict with existing waterfront activities and with private and public development of marine uses, public consideration of the needs, opportunities, and suitable accommodations for public use and enjoyment is necessary. Provision for private needs in coordination with the satisfaction of public opportunity is necessary to the full success of each, and essential to their enhancement to the potential the waterfront provides.

Many means are available to achieve the necessary coordination. Public investment provides an important measure of commitment and direction, but is usually limited in scope and extent. Probably far more important will be the gradual and evolutionary fulfillment of the many small opportunities which natural change affords through private initiative as well as public improvement. Few of these individual opportunities are likely to be essential, but together, over a number of years, their coordination will aggregate a public and private resource of major importance. Land use regulations and municipal review of development provide the means to focus attention on the fulfillment of public goals as a component of private gain, and where the two may be incompatible, to recognize the need for appropriate separation and protection. This study presents principles and guidelines that will

What Is Public Access?

"AS IT RELATES TO THE COMMERCIAL ST. WATERFRONT CORE, PUBLIC ACCESS IS VIEWS LINKING THE DOWNTOWN AREAS SOUTH OF CONGRESS ST. TO PORTLAND HARBOR, FRAMED BY STREET WALLS MADE UP OF BUILDINGS LINING STREETS WHICH RUN PERPENDICULAR TO THE WATERFRONT FROM CONGRESS ST. TO COMMERCIAL ST. IT IS VIEWS LINKING COMMERCIAL ST. TO THE WATER, EITHER DOWN THE CENTER OF PIERS OR BETWEEN PIERS. IT IS DIRECT PHYSICAL ACCESS SUCH AS THE PRESENT PUBLIC LANDING BETWEEN MAINE STATE PIER AND MAINE PIER."

illuminate the issues, suggest multiple ways of applying them to every typical situation, and thus guide the coherent accomplishment of public access overall through satisfaction of each individual opportunity.

In this study, these guidelines are illustrated by specific applications. Though they are of course relevant to the locations selected to demonstrate them, their application to the many similar situations occurring elsewhere on the waterfront will likely prove to be of greater ultimate importance to the achievement of the goals this study was commissioned to address. The conditions and circumstances of private interest and concern will continue to change, as will the scope and application of public policy. It will be up to those private interests and public agents who use these guidelines to find the congruence between situation, need, and opportunity to achieve the desired re-

sults, locally for the present as well as generally for the long-term connection and reinforcement of many individual decisions. Though these guidelines were prepared with an awareness of particular private interests and have generally tried to satisfy those needs, they also look beyond the immediate limitations those interests may present to illuminate long-term opportunity. What fits now should be accomplished; what does not, may someday.

A side benefit to this study is a description of the present conditions of public access: a baseline of what exists today. Hopefully, those who may review it many years from now will be able to find many improvements that will have been accomplished. The principles described by this study should help to shape those improvements and, in the continuing evolution of those principles, meet needs and opportunities not yet foreseen.



Part I

Master Plan Recommendations

Portland's waterfront is characterized by a remarkable diversity of views, viewing opportunities, and land uses. Within the area from Back Cove to the Fore River Estuary one will find all elements of the urban to rural continuum, an experience not found in most American cities. The waterfront is a study in contrasts: grand panoramas of island colonies to views of a 20th century port; fire scarred derelict wharves to the foundations of a modern fish pier; battered (yet picturesque) fish processing plants to newly renovated brick and granite edifices.

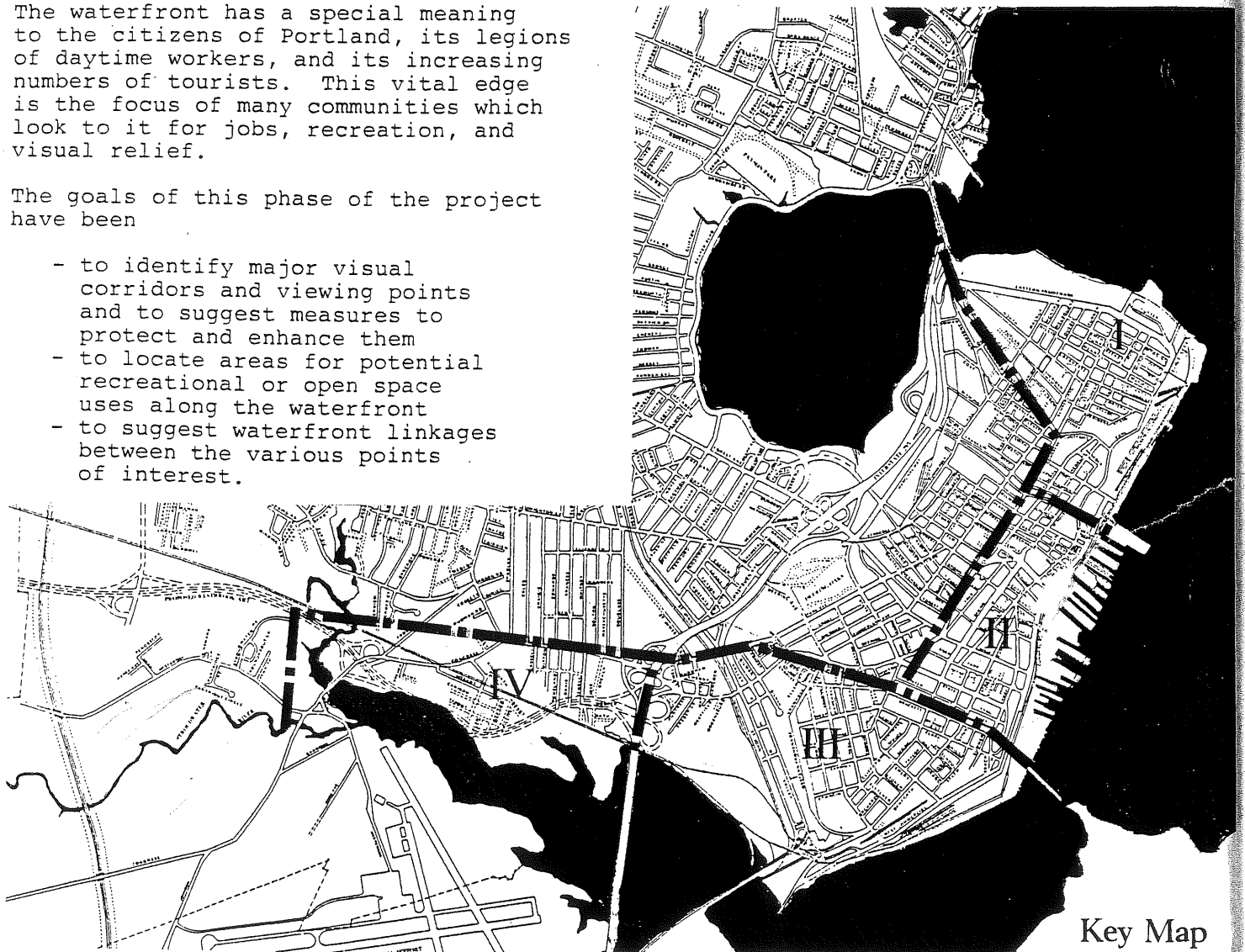
The waterfront has a special meaning to the citizens of Portland, its legions of daytime workers, and its increasing numbers of tourists. This vital edge is the focus of many communities which look to it for jobs, recreation, and visual relief.

The goals of this phase of the project have been

- to identify major visual corridors and viewing points and to suggest measures to protect and enhance them
- to locate areas for potential recreational or open space uses along the waterfront
- to suggest waterfront linkages between the various points of interest.

For purposes of this study the City's Waterfront has been subdivided into four sections (see map):

- I Eastern Prom
- II Commercial St. Waterfront Core
- III Western Prom
- IV Fore River



Key Map

Within each of the four subsections the view corridors have been classified as follows, based upon field observations at street level:

■■■■■ 'A' VIEWS. Foreground or midground views of Portland's waterfront or the water's edge, plus background views of Casco Bay or South Portland.

■■■■■■■■■■ 'B' VIEWS. Midground or background views of Casco Bay or the Fore River and the opposite shore, with the Portland Waterfront obstructed by grade changes or buildings.

□□□□□ 'C' VIEWS. Water is not visible, but the observer has a sense of being near the water.

The map(s) of each section graphically show the extent of each type of view corridor. In addition the location of panorama viewpoints are noted: the larger the arrow the greater the significance of the panorama in terms of angle of view, position of observer, and degree of obstructions. A panorama is generally assumed to be a point or area offering the street level observer the opportunity to view water and waterfront activities in a cone of vision greater than 45°. The visual corridors map also indicates major open spaces that exist along the waterfront.

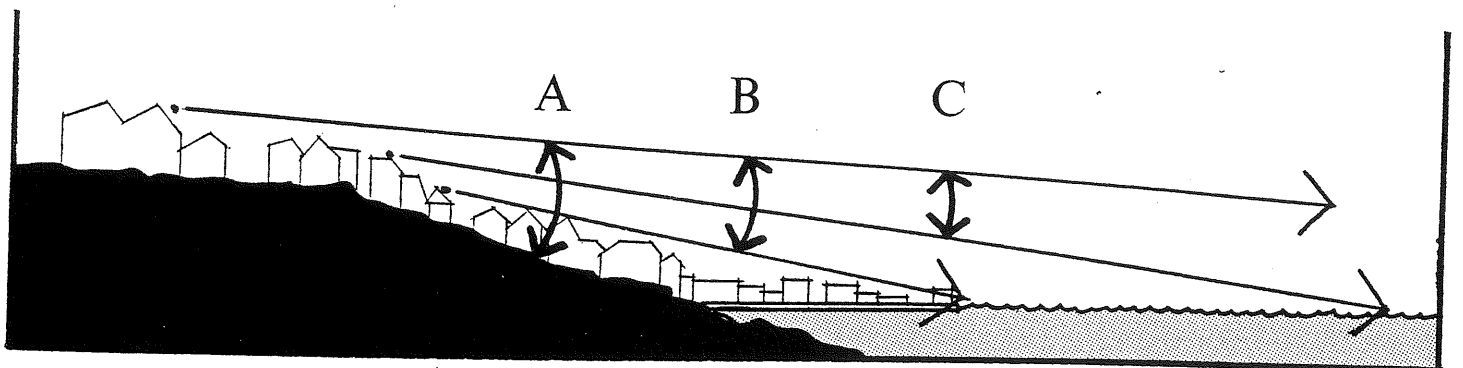
Opposite the visual corridors map is a chart describing characteristics of the visual corridors and viewpoints. In some instances the number on the chart refers to a single point, in others, a street - usually running perpendicular to the waterfront, and in others it represents an entire area Location.

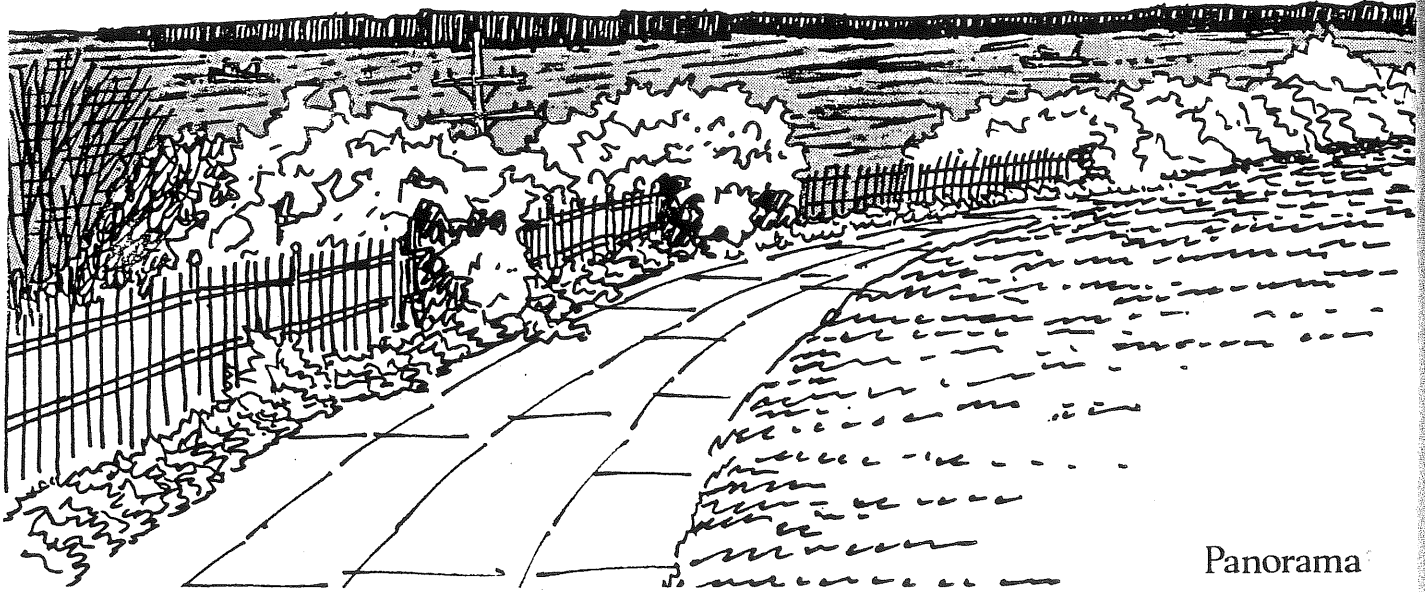
The Position column refers to the observer's position relative to the waterfront (WF): well above it, at the waterfront roofline, or at the water's edge.

Neighborhood land use and Condition observations are the result of site visits by consultant team members and are included for use as a benchmark for continuing assessments.

The View Types indicate whether the view at the designated position is a major panorama (solid block), minor panorama (cross-hatched block), a corridor terminus, or a minor interest point (occupying a relatively small percentage of the cone of vision at ground level).

Where 'A' VIEWS are found, the 'A' View Foreground (waterfront activity) is noted. Similarly, the 'B' View Background records waterfront activities or land uses on the opposite shore.



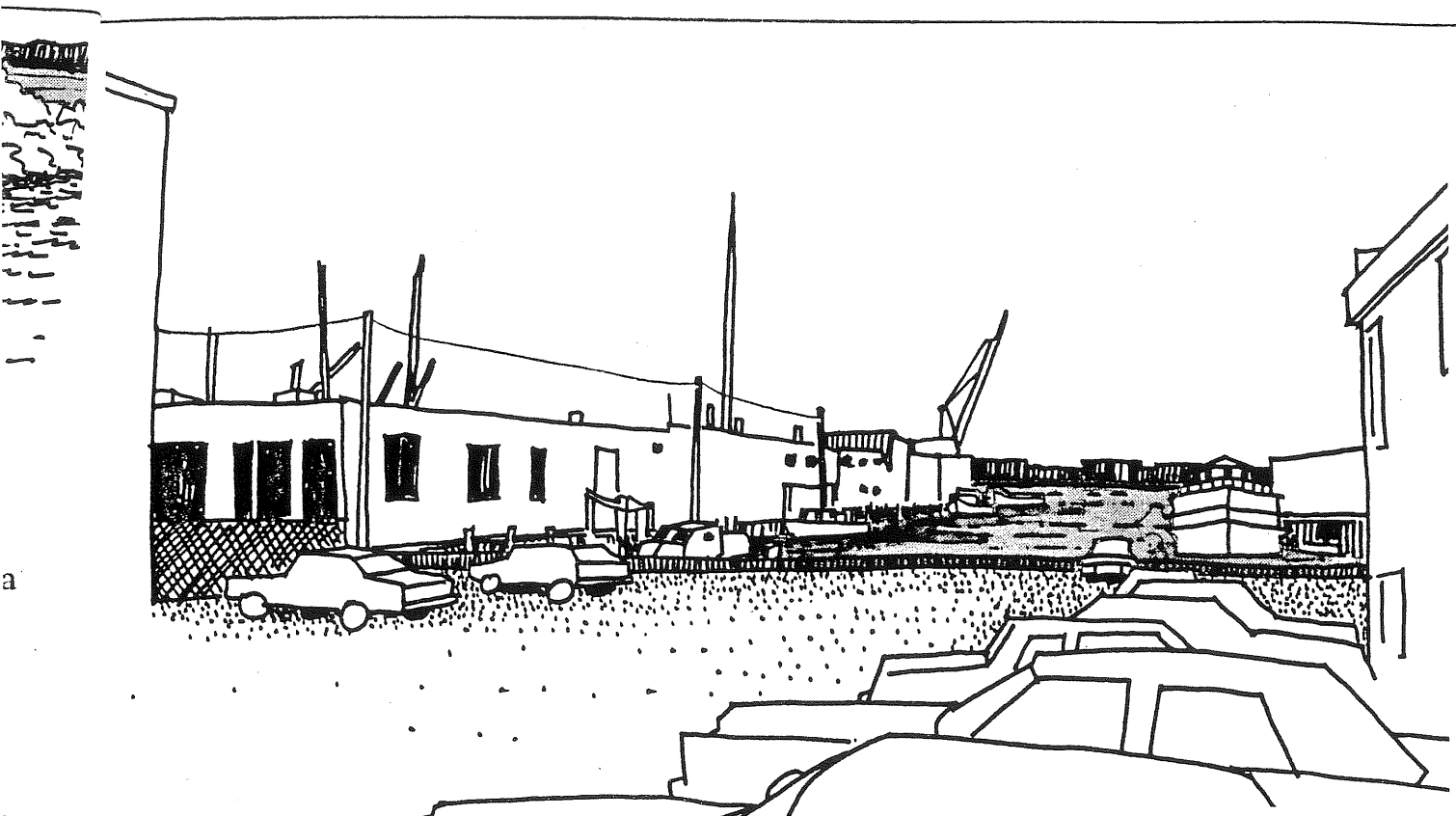


Panorama

In most instances Obstructions block a portion of the view and detract to varying degrees from its full potential. Some of these obstructions are manmade: fences, buildings, overhead powerlines, or recently planted trees; some are natural: groves of older trees or grade changes.

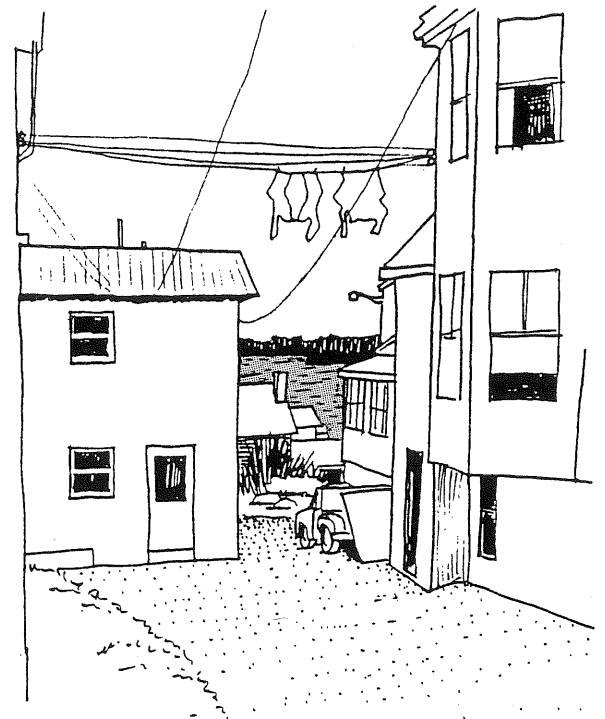
No attempt has been made to quantify the views and view corridors, although techniques have been developed to perform such a task. Additionally, there has been no attempt made to determine the attitudes of individuals and neighborhoods toward 'their' views. These tasks may well be accomplished by the City's staff at a later date to add depth to this first cut assessment of Portland's visual resources.

As a planning tool this inventory represents the status of one of the City's most valuable resources in 1983, and as such, can be used as the basis for a benchmark study.



Corridor Terminus

The second map for each subsection gives master planning level recommendations and guidelines for improvements to view corridors, open spaces, gateways, and linkages. The letters on the map refer to the written text on the opposite page while the map symbols highlight major recommendations.



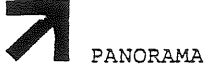
Minor Interest Point

VISUAL CORRIDORS

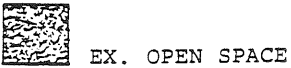
Eastern Prom

⑦ KEY TO CHART

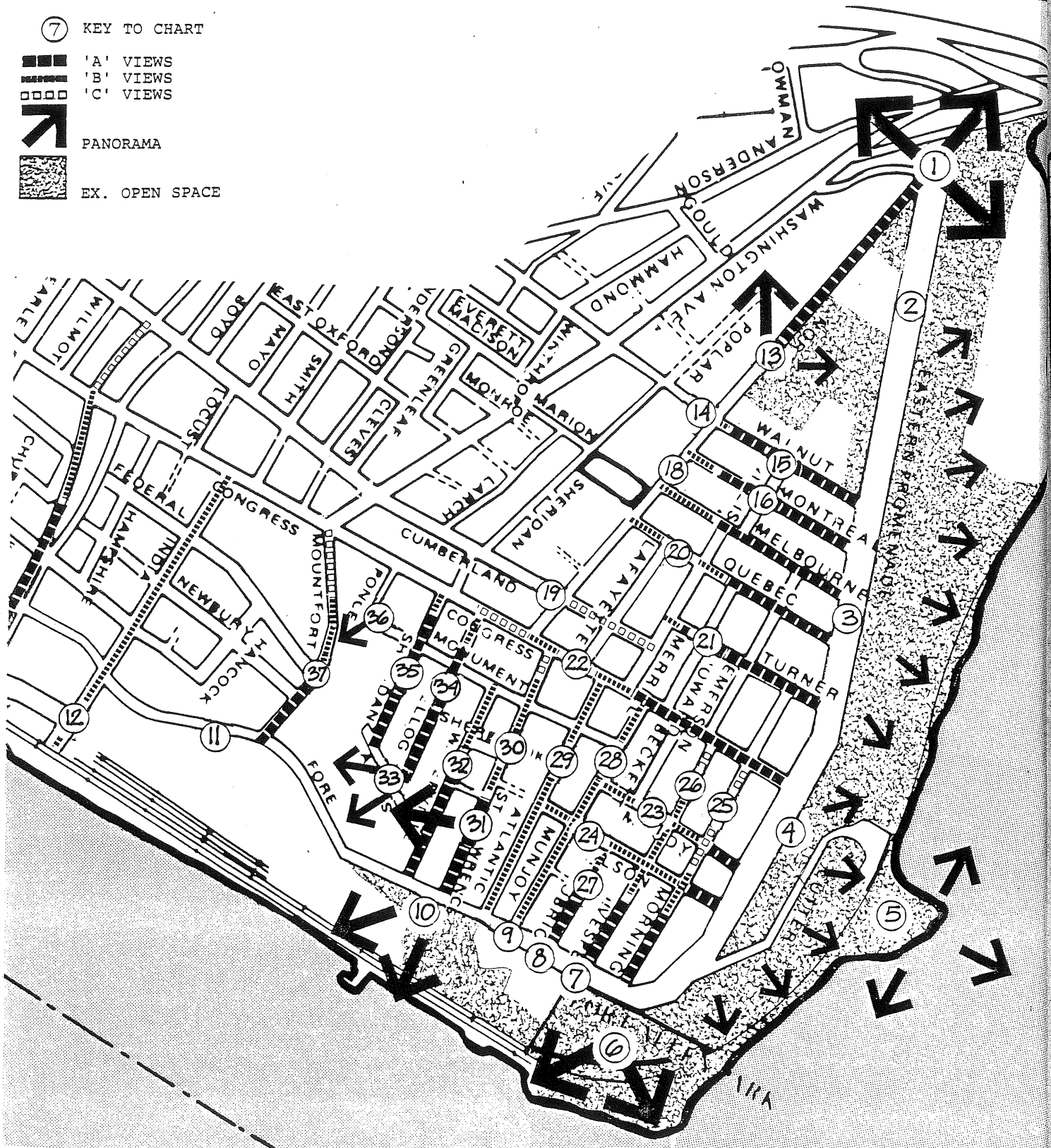
- 'A' VIEWS
- ▨ 'B' VIEWS
- 'C' VIEWS



PANORAMA



EX. OPEN SPACE



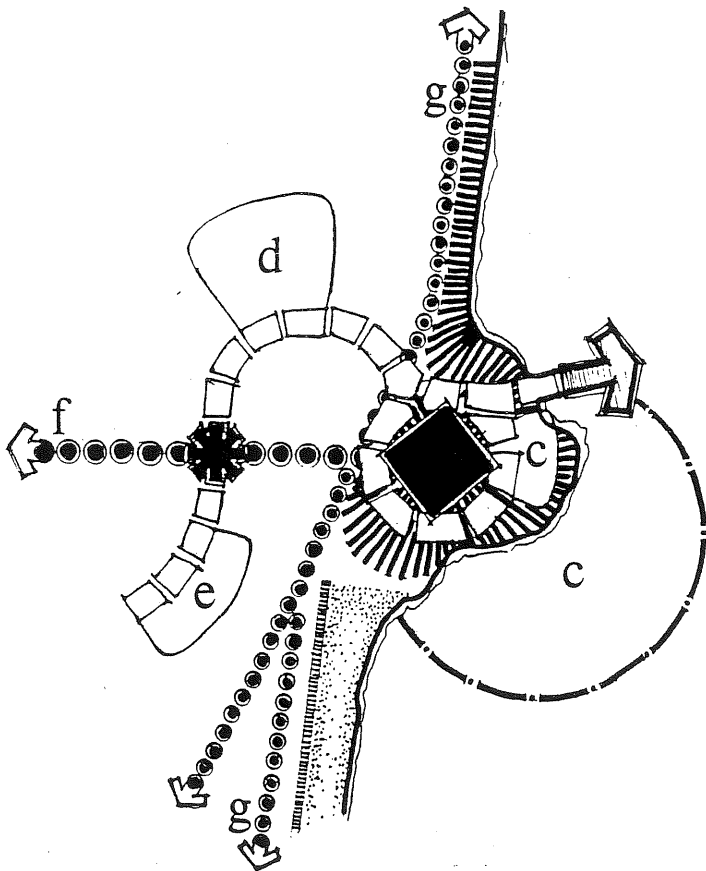
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KEY TO MAP	POINT STREET AREA	LOCATION POSITION	NEIGHBORHOOD LAND USE	NEIGHBRD CONDITION	VIEW TYPE	'A' VIEW FOREGROUND	'B' VIEW BACKGROUND	OBSTRUCTIONS	COMMENTS																							
										ABOVE	AT ROOFLINE	AT W/LINE	FAM RES	COMMERCIAL	INDUSTRIAL	OPEN SPACE	OTHER	GOOD	POOR	WINDY	PAVOK PANORAMA	MINOR INTEREST PT	UTILITY	UNDEVELOPED	PARKLAND	URBAN	MIDGROUND	CENTERS CITY	BTW DRYDOCK	OIL TANKS	RESIDENTIAL	OPEN SPACE
1									OVERLOOK																							
2									ABOVE TR. PLT.																							
3									E. FROM																							
4									ABOVE BEACH																							
5									BEACH																							
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- a. Develop a long-term comprehensive plan for the renewal of the Eastern Prom to assure a coordinated approach to detailing and new facility integration.
- b. Add pedestrian-scaled amenities, solidly constructed, at the Back Cove Overlook. City should consider installing a small interpretive exhibit explaining the history of this part of Portland. Photo images of view should be labeled with significant sights, similar to display atop Cadillac Mountain.

- c. Consider the East End Beach a major point of public access. Its redevelopment plan should continue boat launching, public beach, and parking. Opportunity for marina/restaurant overlooking water. Important nodal point in a potential waterfront walk incorporating present RR ROW. Some tree removal and earth moving may be required to open up a clearer view from the Eastern Prom to this point, and add a measure of defensible space. Provide for the needs of handicapped recreational users for parking, walkways, access, etc. Refer to recommended design details in "Barrier Free Site Design," HUD.

- d. Provide parking for boat trailers above the waterfront.
- e. Redefine and landscape parking area above the beach. Connect with an open, highly visible walkway.
- f. Provide a major linkage/walkway from the foot of Congress Street to East End Beach. A Strong landscape concept is dictated by the existing monument, the dramatic setting, and the scale of the spaces involved. Switchbacks or other devices may be required to facilitate handicapped/elderly access down the steep embankment.
- g. CNRR ROW represents a possible major linkage between Commercial Street and the East End Beach. City should explore long-term acquisition of this land and/or its potential for shared facilities.



East End Beach

- h. Move fencing on the east side of the treatment plant away from the waterfront to provide space for the East End Beach/Tukey's Bridge Connection. Interpretive displays explaining the plant could be an informative feature of the walk. Some shelterbelt plantings and benches should also be provided.
- i. Reconstruction Plans for Tukey's Bridge should also include means to connect Back Cove to the Eastern Prom. City and State should investigate funding for a bicycle path linking the Back Cove/Deering sections with the Eastern Prom/Commercial Street area.
- j. Rehabilitate Fort Allen Park to recapture a sense of its position as a 'grand overlook.' Relocate/bury wires, repave walkway to East End Beach, prune existing overgrown vegetation, remove 'bamboo' and roses obstructing waterfront views, restore wrought iron fencing, pay particular attention to detailing of bollards, steps, gutters, trash receptacles, benches, and lights. Evaluate entire area for accessibility for handicapped/elderly visitors. Install an interpretive display welcoming people to the waterfront, keying them into the area, giving them some background on the harbor (past, present, and future), Fort Allen Park and the Eastern Promenade.
- k. Evaluate tree planting programs in 'A' and 'B' View Corridor Areas to minimize long term deterioration of views. Use upright or fastigate forms of street trees. Transplant those recently planted trees at the terminus of streets perpendicular to the Eastern Prom.
- l. Encourage the preservation of small corner open spaces found throughout the Eastern Prom neighborhoods. These vacant parcels extend visual corridors into the center of the community.

(a) Offstreet parking: Off-street parking is required as provided in division 20 (offstreet parking) of this article, except that required parking for additional dwelling units or residential building additions shall be located on the same lot. The off-site parking provisions of 14-333 shall not be available to meet the off-street parking requirements for the addition of any dwelling units on the peninsula east of Franklin Arterial.

Garage, private. A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipment, hiring, selling or storing motor-driven vehicles.

Government buildings and uses:

Class I: Buildings occupied by and uses carried on by the city, county, state and federal governments in the performance of public functions such as municipal and government office buildings, public safety buildings, libraries, museums, and recreation facilities, or similar uses.

Class II: Public works facilities or uses involving the repair or storage of equipment and vehicles or which involve substantial outside storage of materials or equipment and facilities or uses involving sewage treatment, solid waste disposal and handling, transportation termini, or similar uses.

Height of building. The vertical measurement from grade to the highest point of the roof beams in flat roofs; to the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two-thirds (2/3) of the distance from the level of the eaves shall be taken to mean the highest level where the plane of the of the roof intersects the plane of the outside wall on a side containing the eaves.

Home occupation. An occupation or profession which is: customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit; carried on by a member of the family residing in the dwelling unit; clearly incidental and secondary to the use of the dwelling unit for residential purposes; conforms with the following conditions:

- (1) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
- (2) Not more than one person outside the family shall be employed in the home occupation.
- (3) There shall be no exterior display, no exterior sign (except as expressly permitted by the district regulations of this ordinance), no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
- (4) No offensive noise, vibration, smoke, dust, odors, heat, glare, traffic or parking shall be generated.

Hotel. A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

Household pets. Those pets normally considered as household companions, but not including horses, cows, steers, sheep, goats, mink, swine, chickens, turkeys, or any animals raised for sale or the sale of their products which shall be deemed farm animals.

Industrial. The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals.

Light industry. Industrial uses/activity involving the manufacturing, fabricating, packaging, processing or assembly of finished products from previously prepared material, such as bottling, printing and publishing, machine shops, precision tools and instruments, assembly of electrical or electronic components, tool and die shops. Light industry shall not include the processing of new materials or salvage operations.