

PROPOSED DRAFT AMENDMENTS TO CITY OF PORTLAND CODE OF ORDINANCES,
14-47, AMENDING THE DEFINITION OF "CONGREGATE CARE FACILITY,"
14-127(a), AMENDING THE ALLOWED USES IN THE R-5A ZONE, AND
14-130, AMENDING DIMENSIONAL STANDARDS IN THE R-5A ZONE:

Sec. 14-47

Congregate care facility: A planned residential unit development or multiunit development, which provides individual living or dwelling units with support services that provide assistance to residents. Services to be provided shall include:

- (a) Transportation for essential support activities. This service shall be included in the base rent;
- (b) Provision of at least one (1) meal per day;
- (c) Programmed social activities which are facilitated by staff. This service shall be included in the base rent;
- (d) Provision of personal care services including, but not limited to, housekeeping, laundry, and minimal health monitoring; and
- (e) Installation of emergency call buttons or systems in each congregate care living unit.

A congregate care facility may be developed as a unified scheme of development, as evidenced by unified ownership, management, or supervision, and may be composed of multiple lots and/or a variety of housing types, which cumulatively meet the minimum lot size requirements for a congregate care facility. The population of a congregate care facility shall consist of persons fifty-five (55) years of age or older and their spouses and/or disabled persons and their spouses.

Sec. 14-127. Permitted uses.

The following uses are permitted in the R-5A residential zone:

- (a) *Residential:*

Add:

6. Congregate Care Facility

Sec. 14-130. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-5A zone shall meet or exceed the following requirements:

(a) *Minimum lot size:*

Residential: Six thousand (6,000) square feet except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article. A lot in an unsewered residential district shall meet the provisions of the state Minimum Lot Size Law, 12 M.R.S.A. Section 4807-A, or the applicable zoning lot size, whichever is the largest.

Planned residential unit development (PRUD): Three (3) acres gross area, as defined in section 14-47 (definitions) of this article, of contiguous land.

Intermediate, extended or long-term care facilities: One and one-half (1 1/2) acres.

Congregate Care: Three (3) acres gross area, as defined in section 14-47 (definitions) of this article, of contiguous land.

(b) *Minimum lot area per dwelling unit:* Sixteen hundred (1,600) square feet.

Planned residential unit development (PRUD): Sixteen hundred (1,600) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

Congregate Care: Sixteen hundred (1,600) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

(c) *Minimum street frontage:* Fifty (50) feet. PRUD development: Fifty (50) feet.

(d) *Minimum yard dimensions:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Twenty-five (25) feet.

2. *Rear yard:*

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.

b. Accessory detached structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. *Side yard:*

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story	10 feet
1 1/2 stories	10 feet
2 stories	14 feet
2 1/2 stories	16 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.

b. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

4. Side setback on side streets:

Principal or accessory structures: Twenty (20) feet.

e. Maximum structure height:

Principal or attached accessory structure: Thirty-five (35) feet.

Accessory detached structure: Eighteen (18) feet.

Principal and accessory attached structure (PRUD): Thirty-five (35) feet.

Principal or attached accessory structure for Congregate Care and Intermediate extended or long-term care facilities: Fifty (50) feet.

(f) Maximum lot coverage: Thirty (30) percent of lot area.

(g) Minimum lot width: Sixty (60) feet.

(h) Minimum building setback from external subdivision property lines for PRUD, Congregate Care, and Intermediate, extended or long-term facilities:

a. Building length of one hundred (100) feet or less: Twenty-five (25) feet.

b. Building length of greater than one hundred (100) feet: Thirty-five (35) feet.

(i) Minimum recreation open space area (PRUD): Two hundred (200) square feet per dwelling unit of common area designated on the site for recreation purposes. Such recreation areas shall be level graded, dry, accessible and properly drained. At a minimum, a contiguous area of six thousand (6,000) square feet, with a minimum dimension of fifty (50) feet, shall be provided and shall include one (1) or more of the uses set forth in section 14-526 (d) 9. and the planned residential unit development standards in the City of Portland Design Manual, but shall at least be usable as a multipurpose game field. Such recreation areas shall be located at least twenty-five (25) feet from dwelling units.