

Ordinance No. 189784 As Amended

Update bicycle parking regulations and amend fee schedule for Land Use Services (Ordinance; amend Title 33, Planning and Zoning)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. The *Bicycle Parking Code Update Project – Recommended Draft* (Exhibit A) amends Title 33 to update the existing requirements for bicycle parking (33.266.200) to ensure new construction provides adequate, secure and convenient short- and long-term bicycle parking.
2. Community involvement conducted for the Bicycle Parking Code Update Project is outlined in the *Bicycle Parking Code Update Project – Recommended Draft Appendices* (Exhibit C).
3. On December 12, 2018, the Bureau of Planning and Sustainability published the *Bicycle Parking Code Update – Proposed Draft* for review by the public and the Portland Planning and Sustainability Commission.
4. On December 17, 2018, notice of the proposed action was submitted to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-018-0020 and ORS 197.610.
5. On December 17, 2018, notice of the proposal and the public hearings before the Planning and Sustainability Commission was mailed to all neighborhood associations, neighborhood coalitions, and business associations in the city of Portland, as well as other interested persons, as required by PCC 33.740.
6. On January 22, 2019 the Planning and Sustainability Commission held a public hearing on the *Bicycle Parking Code Update Project - Proposed Draft*, and testimony was received. The Planning and Sustainability Commission held work sessions on February 11 and 26, 2019 to address issues raised in testimony. The Commission voted to make several amendments to the proposal, and then voted to recommend approval of the amendments to Title 33 of the *Bicycle Parking Code Update – Proposed Draft*, as amended by the Commission, to City Council for adoption.

7. On October 2, 2019, the Bureau of Planning and Sustainability published the Planning and Sustainability Commission's *Bicycle Parking Code Update – Recommended Draft* (Exhibit A).
8. On October 14, 2019 notice of the November 13, 2019 City Council hearing on the *Bicycle Parking Code Update– Recommended Draft* was mailed to those who presented testimony orally or in writing to the Planning and Sustainability Commission and provided a name and address, and those who asked for notice.
9. The Finding of Facts Report, attached as Exhibit B, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.
10. BDS has determined that the Bicycle Parking Code Update results in more complex code, thereby increasing plan review workload and associated expenses.
11. BDS has further determined that an increase to the Land Use Services Plan Check fee of \$0.11 per \$1,000 valuation will cover the costs of administering the additional workload requirements outlined in this ordinance. The fee change will be incorporated into the "Land Use Services Fee Schedule," as outlined in Exhibit D.

NOW, THEREFORE, the Council directs:

- a. Amend Title 33, Planning and Zoning, as shown in Exhibit A, *Bicycle Parking Code Update Project, Recommended Draft*, dated May 2019.
- b. Adopt the commentary and discussion in Exhibit A, *Bicycle Parking Code Update - Recommended Draft*, dated May 2019, as findings and legislative intent.
- c. Adopt Exhibit B as findings and legislative intent.
- d. Amend the Land Use Services Fee Schedule to increase the Plan Check fee for Commercial and Residential to \$2.23 per \$1,000 valuation as shown in Exhibit D. This directive is binding city policy.


Section 2. If any section, subsection, sentence, clause, phrase, diagram, designation, or drawing contained in this Ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram, designation, and drawing thereof, regardless of the fact that any one or more sections, subsections,

sentences, clauses, phrases, diagrams, designations, or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. The directives of this ordinance will take effect on March 1, 2020

Passed by the Council: DEC 04 2019

Mayor Ted Wheeler
Prepared by: Liz Hormann
Date Prepared: October 16, 2019

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

1048 - 1061
1104
Agenda No.
ORDINANCE NO.

Title

189734 As Amended

Amend Title 33 to update the bicycle parking regulations and amend fee schedule for Land Use Services (Ordinance; Amend Title 33), Planning and Zoning)

INTRODUCED BY Commissioner/Auditor: Wheeler
COMMISSIONER APPROVAL
Mayor—Finance & Administration - Wheeler
Position 1/Utilities - Fritz
Position 2/Works - Fish
Position 3/Affairs - Hardesty
Position 4/Safety - Eudaly
BUREAU APPROVAL
Bureau: Planning and Sustainability Bureau Head: Andrea Durbin
Prepared by: Liz Hormann Date Prepared: October 17, 2019
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>
City Auditor Office Approval: required for Code Ordinances
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter
Council Meeting Date November 13, 2019

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AS Amended

IV 05 2019

ull Caballero
e City of Portland

By:

Deputy

ACTION TAKEN:

**Continued to November 20, 2019
at 11:20 AM Time Certain**

NOV 13 2019

NOV 20 2019

**Passed to Second Reading December 4, 2019
at 11:05 a.m. Time Certain As Amended**

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 pm Total amount of time needed: 2 hours (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Hardesty	3. Hardesty	<input type="checkbox"/>	<input type="checkbox"/>
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	