



[Home](#) / [Council Documents](#)

191310

Emergency Ordinance

*Amend the Planning and Zoning Code to adopt vehicle parking reforms to comply with state rules (amend Code Title 33)

Passed

Amended by Council

The City of Portland ordains:

Section 1. The Council finds:

1. On July 21, 2022, the Land Conservation and Development Commission adopted the rules to implement the Climate-Friendly and Equitable Communities (CFEC) program. The rules are intended to support the state's goal for a 75% reduction of GHG emissions by 2050. The focus of the rules is on land use and transportation policy reforms since 38% of GHG emissions in Oregon are transportation related.
2. The CFEC rules mandate that certain Oregon communities update land use and transportation regulations so Oregonians have more safe and comfortable ways to get around and don't have to drive long distances to meet their daily needs.
3. One element of the CFEC rules requires the City to adopt certain parking regulation reforms by June 30, 2023. The changes must:
 - Reduce or remove minimum parking requirements;
 - Include maximum parking requirements; and
 - Adopt new development standards for larger parking lots.
4. The CFEC rules also included a provision removing minimum parking requirements in all areas that are within one half mile from a frequent transit line and three-quarters mile from a light rail station effective 1/1/23.
5. In December of 2022, Bureau of Planning and Sustainability staff began work on the Parking Compliance Amendments Project to bring Title 33 into alignment with the CFEC parking reforms.
6. Previous ordinances have removed minimum parking requirements in the City, including the 2002 Parking Code Rewrite (Ordinance 177028),

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

[Planning and Sustainability \(BPS\)](#)

Contact

JP McNeil

✉ jason.mcneil@portlandoregon.gov

📞 [503-823-6046](tel:503-823-6046)

Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date

June 7, 2023

Requested Start Time

3:30 pm

Time Requested

90 minutes

Changes City Code

which removed minimum parking requirements from areas within 500 feet of a frequent transit line and one quarter acre of a light rail station, and the Residential Infill Project (Ordinance 190093) that was adopted in 2020 and removed parking minimums in the single dwelling zones.

7. Through these previous ordinances and the CFEC rule eliminating parking minimums near transit effective 1/1/23, there are only a few areas remaining in the city with minimum parking requirements. Of the remaining lands, most is zoned either for open space or industrial.
8. Several Comprehensive Plan policies address the provision of off-street parking, including:

Policy 9.55 Parking management. Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.

Policy 9.58 Off-street parking. Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices.

9. The Parking Compliance Amendments Project Proposed Draft was released for public review on March 17, 2023.
10. On March 7, 2023, notice of the Proposed Draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-0020. Notice of the Proposed Draft was also sent to the legislative mailing list as required by Zoning Code Section 33.740.020.B2.
11. On April 11, 2023, the Portland Planning Commission held a public hearing on the Parking Compliance Amendments Project Proposed Draft. The Planning Commission voted to forward the Parking Compliance Amendments Project to City Council on April 25, 2023.
12. The Parking Compliance Amendments Project Recommended Draft was released for public review on May 22, 2023. An As-Amended Draft incorporating proposed amendments was published on June 6, 2023.
13. The Parking Compliance Amendments Project As-Amended Draft includes a staff report and the Planning Commission recommended amendment to Title 33, Planning and Zoning.
14. On May 22, 2023, notice of the June 7, 2023, City Council public hearing on the Parking Compliance Amendments Project Recommended Draft was mailed to those who presented oral and

written testimony at the Planning Commission public hearings and those who requested such notice. An As-Amended Draft incorporating proposed amendments was published on June 6, 2023.

15. The Parking Compliance Amendments Project brings city Zoning Code regulations into compliance with the State's administrative rule changes approved in 2022 through the CFEC rulemaking process. These rules are required to be implemented in the Portland Zoning Code by June 30, 2023.
16. The Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.

NOW, THEREFORE, the Council directs:

- A. Adopt Exhibit A: Parking Compliance Amendments Findings of Fact Report, date June 2023, as additional findings.
- B. Adopt Exhibit B: Parking Compliance Amendments Project As-Amended Draft, dated June 6, 2023, as legislative intent and further findings.
- C. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland as shown in Exhibit B, Parking Compliance Amendments Project As-Amended Draft, dated June 6, 2023.

Section 2. The Council declares that an emergency exists because of a state requirement that these zoning code amendments go into effect by June 30, 2023; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Section 3. If any section, subsection, sentence, clause, phrase, diagram, or drawing contained in this ordinance, or the map, report, inventory, analysis, or document 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 map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams, or drawings contained in this Ordinance, may be found to be deficient, invalid, or unconstitutional.

Documents and Exhibits

[Approved Amendments Memorandum](#)

(https://www.portland.gov/sites/default/files/council-documents/2023/pcap_amendment_memo_simple_v2_060223.pdf) 379.68 KB

[Exhibit A - As Amended](#)

(https://www.portland.gov/sites/default/files/council-documents/2023/pcap_findings_as-amended-exhibit-a.pdf) 1 MB

 [Exhibit B - As Amended](#)

(<https://www.portland.gov/sites/default/files/council->

[documents/2023/pcap_as-amended_draft_final-exhibit-b.pdf](https://www.portland.gov/sites/default/files/council-documents/2023/pcap_as-amended_draft_final-exhibit-b.pdf)), 1.37 MB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed as amended by Council
June 7, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Parking Compliance Amendments Project brings Portland's Zoning Code regulations into compliance with the State's administrative rule changes approved in 2022 through the Climate Friendly and Equitable Communities (CFEC) rulemaking process. The new rules require cities to remove or severely restrict the amount of minimum parking requirements within the zoning codes. The Parking Compliance Amendments Project removes minimum parking requirements citywide and makes other adjustments to parking maximums and parking standards to align with the adopted rules. These rules are required to be implemented in the Portland Zoning Code by June 30, 2023.

Financial and Budgetary Impacts

This project does not amend the budget, change staffing levels, reclassify staff, or authorize new spending or other financial obligations (IGAs, contracts, etc.) and therefore there are no expected long term financial or budgetary impacts to the City.

In the short term, the project could have a direct impact on City revenue and expenses. As a whole, the package reduces the level of parking regulations. The proposal does not create new regulations that would require any new City programs. Further, the state provided two options for implementing the reforms to minimum parking requirements. The first option requires the City to simply remove minimum parking requirements citywide, as this project proposes, which, from an administrative level, requires removing references to existing parking requirements in city code. The second option would require additional staff resources for study and analysis in order to craft regulations for more targeted parking reforms. The second option would also lead to additional, more complex regulations that would require more staff resources to implement going forward. By choosing the first option to simply remove minimum parking requirements,

fewer staff resources will be needed to bring the City into compliance with the new state rules.

Longer term, the proposal is expected to have negligible impacts on City resources. The proposal includes two components that change how permits would be reviewed for compliance with parking regulations, potentially impacting the amount of time permit reviewers must spend reviewing a permit. First, the proposal removes minimum parking regulations, which equates to less time needed to review a permit. Secondly, the project also includes a proposal requiring additional tree canopy or solar panels for new, large parking lots. This could require additional staff time to determine tree canopy; however, given that this only applies to new, large parking lots, the regulations would only apply to a very limited number of permits. This fact, coupled with the fact that removing parking minimums will result in fewer staff resources for permit review means that the impact of the code amendments would essentially be a wash and would have a negligible effect on City resources.

Community Impacts and Community Involvement

The project scope is narrowly focused to bring the City into compliance with the state's mandate to implement parking reforms in the zoning code by June 30, 2023. The most significant proposed change is the removal of minimum parking requirements. The proposal applies citywide and would not target any specific community for benefits or impacts. As discussed in the PCAP Recommended Draft, minimum parking requirements have already been removed in most areas, either by previous zoning projects (e.g., the Residential Infill Project adopted in 2020) or by a state decree removing parking minimums from areas within one half mile of frequent bus service and three quarters mile of a light rail station. Of the remaining areas where parking minimums will be removed, 90% are zoned either as open space or industrial, meaning the impacts from this project on residents will be minimal. There is also a proposal implementing the state's mandate for additional green features (e.g., tree canopy and solar panels) for new larger parking lots over a certain size. This will largely impact commercial and industrial firms that build parking lots over one quarter acre in size.

Community engagement activities for this project are summarized in the Recommend Draft report. Considering the narrow scope of the project, the fact that it is a response to a state mandate with little opportunity for the community to shape, and the short timeframe to meet the state deadline, the expectation for minimal community impacts, and the broad community engagement, community engagement for this project was limited. Outreach was largely conducted to District Coalitions and Neighborhood Associations as well as other public commissions such as the Design Commission and Historic Landmarks Commission.

A total of 12 testifiers submitted written testimony to the Planning Commission on the matter. The Planning Commission held a public hearing

on the project on April 11, 2023, and voted on April 25, 2023, to recommend that Council adopt the proposal. The Planning Commission's

Title 33 recommendation was incorporated into a Recommended Draft published in May 2023. A notice of the Council's hearing was mailed to those who testified on the matter to the Planning Commission on May 22, 2023.

100% Renewable Goal

This project could be a small contributor towards the 100% renewable goal. New development standards for larger parking lots require to developers to include either tree canopy covering 50% of the parking lot or solar panels generating 0.5 kwh per parking space. The latter option is supportive of the 100% renewable goal by increasing the amount of solar power generated in the city.

Budget Office Financial Impact Analysis

There is no immediate financial impact. By removing minimum parking requirements, the City may realize savings in staff time spent reviewing permits and amending City Code.

Agenda Items

**472 Time Certain in [June 7-8, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/6/7)
(<https://www.portland.gov/council/agenda/2023/6/7>)**

Passed As Amended

Motion to move technical amendments to bring the City into compliance with updated State rules: Moved by Rubio and seconded by Ryan. (Y-4)

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Absent

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea