

ORDINANCE No. 185974 As Amended

Amend Title 33, Planning and Zoning, to require parking for multi-dwelling buildings in some situations where parking currently is not required (Ordinance; Amend Title 33, Planning and Zoning)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. The Portland Comprehensive Plan includes a policy to “regulate off-street parking to promote good urban form and the vitality of commercial and employment areas”. Objectives related to this policy refer to “eliminating requirements for off-street parking” in areas of the city with good pedestrian, bicycle, and transit access, encouraging redevelopment of surface parking lots and limiting development of new parking spaces.
2. Oregon’s Transportation Planning Rule (TPR) limits the amount of parking allowed, and calls for a 10 percent reduction per capita in parking spaces citywide. Local jurisdictions must comply with the TPR.
3. Portland has implemented this Comprehensive Plan policy and the TPR through several actions. In one action, the Council adopted two new commercial zones that do not require off-street parking. These zones, the CS (Storefront Commercial) and CM (Mixed Use Commercial) zones, were applied to properties along a number of commercial streets in close-in areas in 1991. The CS and CM zones were created and applied because of concerns that the main street/storefront character of these commercial streets was being affected by surface parking lots that served multi-dwelling development.
4. In a second action, the Council amended the Portland Transportation System Plan and Zoning Code to not require parking on sites within 500 feet of streets with 20-minute transit service during morning and evening commute hours.
5. Over the last three years, a number of apartment buildings have been built with little or no off-street parking, as allowed by these provisions. Some of these projects are of significant size, with more than 40 units. Neighbors have expressed concern about the parking impacts on neighborhood residential and commercial streets.
6. The vacancy rate for multi-dwelling rental units in Portland is extremely low. According to the Metro Multifamily Housing Association, it was less than 2 percent as of June 2012 in inner eastside Portland neighborhoods. The low vacancy rate makes it likely that multi-dwelling development will continue at a rapid pace, especially on close-in sites.
7. In response to community concerns, the Bureau of Planning and Sustainability (BPS) completed a series of parking studies. These studies and their results are described in detail in Exhibits B, C, D, and E of this ordinance, and the findings are summarized here:
 - a. Counts of available on-street parking in the vicinity of eight existing residential and mixed use buildings with little or no parking were taken. For seven of the sites, there was at least one block

face that was at capacity. The eighth site had no nearby block faces at capacity. For all eight sites, other block faces within two blocks were less than 45 percent occupied, indicating that parking was generally available.

- b. An examination of travel, parking behavior, and vehicle ownership found that 72 percent of households living in the eight buildings studied own a car, and 12 percent of those own two cars. Transit is a more common means to commute to work for these households. Many of the vehicle-owners have an option to pay for onsite parking but choose to park on the street to avoid the additional cost, and presumably because nearby on-street parking is available as was found in on-street parking portion of the study.
- c. Development data was modeled to evaluate the cost of providing onsite parking for infill apartments and the impact on affordability for residents of those dwelling units. Results showed that buildings with more than 40 units were better able to absorb the additional cost of a small amount of onsite parking without passing on significant costs to residents.
- d. To evaluate whether the sites of new multi-dwelling buildings both with and without parking are vulnerable to cuts in transit service, BPS looked at transit service near 45 multi-dwelling buildings with permits issued since 2010. The analysis examined the frequency of transit service in 2007 (prior to significant service cuts) and current service levels to evaluate whether locations where new apartments are proposed are vulnerable to service cuts. Results showed that transit service frequency either did not decrease or decreased by less than 3 minutes during morning and evening commute hours for 44 of the 45 buildings with permits issued since 2010.
- e. BPS examined trends in development and parking by reviewing building permits for multi-dwelling development issued between 2006 and 2012.
 - Between 2006 and 2008, permits were issued for 78 multi-dwelling or mixed-use buildings. Of those 78, about two-thirds (52), included parking. The parking was at a rate of almost one space per dwelling unit.
 - Almost no new development occurred in 2009.
 - In the past three years, permits were issued for 52 multi-dwelling or mixed-use buildings. Of those, about one-third (19), included parking. The parking was at a rate of approximately 0.6 spaces per unit.
8. The conclusion reached on the basis of these studies is that while there appears to be on-street parking capacity within two blocks of the buildings inventoried and that developers are providing parking as part of most of the new multi-dwelling buildings being constructed, introducing large buildings without parking can upset the balance of the on-street parking supply shared by existing residents, new residents, and the employees and customers of nearby commercial uses.
9. The studies also indicate that buildings with more than 40 units are more able to absorb the cost of including on-site parking without significantly increasing the cost per unit of development and as a result the cost of rent.
10. Considering the analysis of building permits, coupled with the low vacancy rate for apartments, it is reasonable to expect that the current trend of a "boom" in building apartment buildings will eventually abate. Creating a minimum parking requirement for large buildings creates a better likelihood that the on-street and off-street supply of parking will be able to meet needs in the long run at a level consistent with City policies supporting compact development, transit use, and neighborhood livability.

11. Results of these studies were released on November 8, 2012, and were presented to the Planning and Sustainability Commission (PSC) at their November 13, 2012 meeting. The PSC heard community testimony at this meeting. Some who testified were concerned about the impacts to on-street parking, particularly the cumulative impacts, and the effect that would have on neighborhood livability. Others were concerned about the effect that requiring parking would have on the affordability of rental units and the City's policies supportive of transit, walking and bicycling.
12. A report summarizing the studies were presented to the Portland City Council on January 10, 2013 and the Council heard additional community testimony at this meeting. Testimony was similar to that heard by the PSC at their November 13, 2013 meeting. Council accepted the studies and directed staff to develop a changes to parking regulations by early February 2013.
13. On February 6, 2013, notice of the proposed action was mailed to the Department of Land Conservation and Development.
14. *New Apartments and Parking Proposed Zoning Code Amendments* was published February 8, 2013. The proposal included six amendments to standards in Chapter 33.266, Parking and Loading, of the Portland Zoning Code.
15. On February 8, 2013, notice was sent to all neighborhood associations, coalitions, and business associations, as well as other interested people to notify them of the Planning and Sustainability Commission (PSC) hearing on the proposed amendments to the Zoning Code.
16. On March 12, 2013, PSC held a hearing on the proposal. Staff presented the proposal and the PSC heard public testimony. The PSC made several amendments, and recommended that City Council adopt the amended version of the *New Apartments and Parking Proposed Zoning Code Amendments*.

Much of the testimony focused on the impact—either current or future—of large multi-dwelling developments on the neighborhood on-street parking supply. Some of the neighborhoods surrounding these buildings have little or no off-street parking, and so are reliant on on-street parking. Many neighbors of these new buildings were concerned about being able to park near their houses, and about their visitors being able to park. They were concerned that the additional demand for on-street parking would reduce the livability of their neighborhoods. Some testifiers spoke generally of the need to require off-street parking with new development; others felt that the threshold proposed by staff of 40 units was too high, and that parking should be required either for more than 20 units, or for any number of units. Some of those who testified, including several who supported a lower threshold, felt that the proposed regulations didn't address potential cumulative effects of having several buildings without parking in an area, and the variety of users—residents, employees, and visitors. Testifiers also considered this an urgent problem, because of the current "boom" in development of multi-dwelling buildings without parking.

Other testimony was concerned that requiring parking at all would affect affordability of housing, an increasing problem in Portland, and would be contrary to policies supporting transit, walking, and biking. Some testifiers agreed that the more units in a building, the less parking costs would affect rent. Some also said that requiring parking was an inefficient use of close-in land with good transit or bicycle access. Some testifiers also felt that requiring on-site parking was not the best solution, and advocated for proposals to address on-street parking instead, such as permit programs.

Planning and Sustainability Director Susan Anderson noted that this proposal was an initial step, and that it was important to get something into effect soon that will help residents in areas where new

buildings are coming in for building permits now.

The conclusion reached after considering all testimony is that further work will need to be done on this issue, including consideration of parking permit programs. However, given the current building "boom," these amendments should proceed for the reasons given by Susan Anderson. While there was some testimony that requested more parking be required and some that requested less, the threshold of 40 dwelling units on a site, and 0.25 spaces per dwelling unit, balances the policies to support non-automobile transportation, affordability, and neighborhood livability.

17. On March 22, 2013 BPS sent notice sent to 638 individuals and organizations, including all who testified at the PSC in person or in writing; all neighborhood associations, coalitions, and business associations; and others who have requested notice. The notice was to inform them of the City Council hearing on the proposed amendments to the Zoning Code.
18. On March 25, 2013, *New Apartments and Parking Zoning Code Amendments: Recommended Draft* was published.
19. On April 4, 2013, City Council held a hearing on the *New Apartments and Parking Zoning Code Amendments: Recommended Draft*, including the recommendations and amendments from the PSC. Staff presented the proposal and public testimony was received. On April 11, 2013, City Council voted to adopt the recommendation and amend the Zoning Code.

Findings on Statewide Planning Goals

20. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
21. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement, including:
 - In March 2012, BPS staff released a Frequently Asked Questions memo about new apartments and parking. The memo provided information on the emerging topic of apartment buildings without parking in the planning or construction stage as well as information about the process for studying and addressing community concerns. The memo was updated in April 2012, July 2012, August 2012, September 2012, November 2012, January 2013, February 2013 and March 2013. It was distributed to interested community members via email and as paper copies at neighborhood meetings. It was also posted on the BPS website.
 - Staff compiled an email list of those interested in the topic of new apartments and parking and sent periodic updates to these individuals, including updates to the Frequently Asked Questions memo, BPS studies and research, announcements of public meetings, and the *New Apartments and Parking Proposed Zoning Code Amendments*. More than 210 people are currently on the list.
 - Staff attended numerous neighborhood association and district coalition meetings to discuss the topic of new apartments and parking and to provide information when developers attended these meetings to present plans for new apartments without parking.

- The October 2012 issue of the *Comprehensive Plan E-News* included a story about the studies and research related to new apartments and parking. BPS sends the E-News to more than 5,000 email addresses.
- The November 2012 issue of the *Comprehensive Plan E-News* included a story about the PSC Public Forum on new apartments and parking. The E-News is sent to more than 5,000 email addresses.
- In November 7, 2012, BPS created a page on the BPS website on the topic of new apartments and parking. The webpage has been updated periodically and has been viewed more than 9,000 times.
- On November 13, 2012, the PSC held a public forum on new apartments and parking. BPS staff presented the results of studies and research on this topic as well as a summary of public concerns and comments. Time was provided for public comment. More than 100 people attended the public forum.
- In December 2012, staff presented information on new apartments and parking as well as results of BPS studies and research at the Neighborhood Centers and Networks Comprehensive Plan Update policy expert group meetings. The policy expert groups (PEGs) are advising the City on the update of Portland's Comprehensive Plan. The PEGs include members of the public. Approximately 15 people also attended the Neighborhood Centers presentation.
- On January 10, 2013, City Council held a Council meeting to hear BPS's report on new apartments and parking. BPS staff presented the results of studies and research on this topic as well as a summary of public concerns and comments. Time was provided for public comment. More than 50 people attended the City Council session.
- An Apartments/Parking Task Force was formed through the Citywide Land Use Group (CLUG). CLUG, an organization that discusses local land use issues, is comprised of neighborhood land use chairs and community members. The task force provided another opportunity for public discussion. City staff provided information to the group to assist in discussion. The task force provided formal responses and recommendations related to the new apartments and parking topic as well as in response to the *New Apartments and Parking Proposed Zoning Code Amendments*. The task force also sent a survey about new apartments and parking to neighborhood association land use chairs and members of the public. The task force received more than 1,100 responses to the survey. These results and an analysis were provided to BPS.
- On September 10, 2012, BPS and Portland Bureau of Transportation staff attended a meeting of the Accessibility in the Built Environment Subcommittee of the Commission on Disabilities. Staff provided information and answered questions on the topic of new apartments and parking. The Subcommittee provided two letters to BPS. One letter was general and relayed concerns about the development trend and impacts on those with disabilities, while the other letter contained specific recommendations about design and implementation for disabled parking and loading zone requirements included in the *New Apartments and Parking Proposed Zoning Code Amendments*.

- On February 6, 2013, BPS sent notice to all neighborhood associations, coalitions, and business associations, and to other interested parties to notify them of the PSC hearing on the *New Apartments and Parking Proposed Zoning Code Amendments*.
 - On February 8, 2013 BPS published the *New Apartments and Parking Proposed Zoning Code Amendments*. The proposal was emailed to community members on the email list for this topic. Copies were also available at the BPS office, and it was posted on the BPS website.
 - In February and March 2013, BPS held six public workshops on the update to the Portland Comprehensive Plan. Project staff were at all workshops to provide information on new apartments and parking and to explain the proposed amendments in the *New Apartments and Parking Proposed Zoning Code Amendments*.
 - On March 12, 2013, the PSC held a public hearing to discuss and take testimony on the *New Apartments and Parking Proposed Zoning Code Amendments*. Following public testimony, the PSC made six amendments to the staff proposal and voted to forward their recommendation to City Council.
 - Local papers and television stations carried stories about new apartments and parking, including the Oregonian, the Portland Tribune, the Portland Mercury, Willamette Week, the Portland Business Journal, the Daily Journal of Commerce, the Hollywood Star, the Southeast Examiner, the Northeast Examiner, the Northwest Examiner, and all local news programs. The "Portland-a-foot" blog also carried stories on the topic. Many of the stories included dates of public meetings and hearings.
22. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal because development of the recommendations followed the established City procedures for legislative action in Zoning Code Chapter 33.740. They also improve the clarity and comprehensibility of the City's codes. The amendments do not require changes to the existing land use review processes that serve as the basis for land use decisions. See also findings for Portland Comprehensive Plan Goal 1, Metropolitan Coordination, and its related policies and objectives.
23. **Goal 6, Air, Water, and Land Resource Quality**, requires the maintenance and improvement of the quality of air, water, and land resources. The amendments support this goal because infill multi-dwelling housing development will continue to provide housing options in locations where residents have access to transportation options other than single-occupant vehicles. The proposal to allow carshare vehicles to substitute for some required onsite parking also encourages a more efficient use of vehicles which in turn can result in lower rates of driving by carshare participants. Reduced and more efficient use of vehicles reduces air and water pollution, in support of this goal, and requires less area devoted to parking, which results in more efficient use of land.
24. **Goal 9, Economic Development**, requires provision of adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. The amendments support this goal because no changes to allowed uses in any zone are made as part of the proposed amendments.
25. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. The amendments support this because multi-dwelling development is still allowed. Requiring parking where it is currently not required can increase the cost of development, thus reducing the affordability of rental units. To counter this, these amendments add the parking requirement only for larger developments, and only in certain locations. In addition, the number of parking spaces required is small. Continuing

to exempt many developments from parking will contribute to housing affordability. Requiring a small number of spaces limits costs and increases affordability. Requiring parking only for larger apartment buildings gives the developer more units to absorb the cost of parking, and so reduces the impact on affordability of providing parking. See also findings for Portland Comprehensive Plan Goal 4, Housing and Metro Title 1.

26. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The amendments support this goal because the small amount of parking required for most larger multi-dwelling buildings will limit the potential for on-street parking congestion. The amendments also allow carshare parking to substitute for some required vehicle parking which results in a more efficient use of vehicles and parking spaces. The amendments clarify size requirements for long-term (resident use) bike parking which helps promote feasible locations and placement of bike parking. See also findings for Portland Comprehensive Plan Goal 6, Transportation, and its related policies and objectives.

The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed regulation will significantly affect an existing or planned transportation facility.

This proposal will not have a significant effect on existing or planned transportation facilities because the amendments will result in only a small increase in onsite parking for most larger multi-dwelling development. The proposal to align locations where parking is allowed but not required with TriMet's Frequent Service Corridors represents better congruency between land use and transportation for several reasons. Areas where parking is not required are located where TriMet has the most certainty that existing regular frequent transit service will continue over the long-term. Frequent service is currently defined as every 20-minutes during morning and evening commute hours. Changing the allowance to align TriMet's frequent service goal better reflects frequent transit service than the current approach based on 20-minute service.

The TPR (OAR 660-012-0045) requires local governments to adopt land use regulations that designate "types and densities of land uses adequate to support transit" and those that "reduce reliance on the automobile and allow transit-oriented developments on land along transit routes." These amendments support these requirements. Parking is currently allowed but not required within 500 feet of a MAX line. A recommended PSC amendment states that parking is allowed but not required within 500 feet of a MAX station. This ensures that transit oriented development may continue around MAX stations, but recognizes that different considerations are necessary around MAX lines where there may be no convenient access to MAX stations. An additional recommended PSC amendment also allows carshare parking to substitute for a vehicle parking; this promotes a more efficient use of vehicles which helps reduce reliance on single-occupant vehicles.

27. **Goal 13, Energy Conservation**, requires development of a land use pattern that maximizes the conservation of energy based on sound economic principles. The amendments support this goal because the proposal continues to allow compact urban development in locations that are served by frequent transit service and that are in proximity to a variety of services such as restaurants or retail, or that have the potential for further development of these supportive neighborhood uses.

Findings on Metro Urban Growth Management Functional Plan

28. The following elements of the Metro Urban Growth Management Functional Plan are relevant and applicable to the proposed amendments to minimum parking regulations for larger multi-dwelling buildings.

29. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. The amendments are consistent with this title because they do not significantly alter the development capacity of the city. See also findings under Comprehensive Plan Goals 4 (Housing) and 5 (Economic Development).
30. **Title 2, Regional Parking Policy**, regulates the amount of parking permitted by use for jurisdictions in the region. The amendments are consistent with this title because they require a small amount of onsite parking for most larger multi-dwelling buildings. These requirements ensure that cumulative impacts of multiple larger multi-dwelling buildings in an area do not overtax the supply of on-street parking, while also allowing smaller multi-dwelling development to continue without required onsite parking.
31. **Title 7, Affordable Housing**, ensures opportunities for affordable housing at all income levels, and calls for a choice of housing types. The amendments are consistent with this title because minimum parking requirements were based on analyses of the cost of onsite parking. The threshold for when parking is required is, in part, based on the results of these analyses which found that buildings with more than 40 units are better able to absorb the additional cost of some onsite parking, without passing significant expenses on to residents. See also Statewide Goal 10, Housing.

Findings on Portland's Comprehensive Plan Goals

32. The following goals, policies and objectives of the Portland Comprehensive Plan are relevant and applicable to the proposed minimum parking regulations to larger multi-dwelling buildings and related zoning code amendments.
33. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. The amendments support this goal because they do not change the policy or intent of existing regulations relating to metropolitan coordination and regional goals.
34. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. Notified agencies included the Parkrose School District, Portland Sustainability Institute, Reynolds School District, the Oregon Department of Transportation, David Douglas School District, Centennial School District, TriMet, the Regional Arts and Culture Council, the Port of Portland, Portland State University, and Metro.
35. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers. The amendments support this goal because they update and improve the City's land use regulations to better facilitate the development of housing and to align areas where parking exceptions apply with TriMet's Frequent Service Corridors to encourage transit-oriented development where frequent transit service exists.
36. **Policy 2.1, Population Growth**, calls for accommodating the projected increase in city households. The amendments support this policy because they allow infill multi-dwelling development to continue along Portland's transit corridors, albeit with a small amount of required parking for some properties.

37. **Policy 2.2, Urban Diversity**, calls for promoting a range of living environments and employment opportunities for Portland residents. The amendments support this policy because a variety of residential development options are allowed to continue. Further housing options are promoted by requiring a small amount of parking for larger multi-dwelling buildings, while no parking is required for smaller multi-dwelling buildings. This provides greater options for those who own vehicles and for those who do not.
38. **Policy 2.9, Residential Neighborhoods**, calls for allowing a range of housing types to accommodate increased population growth while improving and protecting the city's residential neighborhoods. The amendments support this policy because a variety of residential development options along transit corridors and in commercial zones are allowed to continue. Further housing options are promoted by requiring a small amount of parking for larger multi-dwelling buildings, while no parking is required for smaller multi-dwelling buildings. This provides greater options for those who own vehicles and for those who do not. Furthermore, the amendment to require some onsite parking for larger multi-dwelling buildings helps avoid creating or exacerbating parking congestion on residential streets, especially in instances where multiple large multi-dwelling buildings are constructed in the same area.
39. **Policy 2.12, Transit Corridors**, calls for providing a mixture of activities along major transit routes and Main Streets to support the use of transit and is compatible with the surrounding area. The amendments support this policy because they allow transit-oriented development along transit corridors and main streets, albeit a small amount of on-site parking is required for some larger multi-dwelling buildings. This requirement supports the overall function of transit corridors and Main Streets by avoiding or reducing on-street parking congestion.
40. **Policy 2.15, Living Closer to Work**, calls for locating greater residential densities, including affordable housing, near major employment centers, such as Metro-designated regional and town centers to reduce vehicle miles traveled per capita. The amendments support this policy because the development of multi-dwelling buildings with a variety of unit types and levels of affordability may continue to be constructed along Portland's transit corridors, many of which are in regional and town centers.
41. **Policy 2.18, Transit Supportive Density**, calls for establishing average minimum residential densities of 15 units per acre within one-quarter mile of existing and planned transit streets, main streets, town centers, and transit centers, and 25 units per acre within one-quarter mile of light rail stations and regional centers. The amendments support this policy because the small amount of required parking for most larger multi-dwelling buildings will not significantly reduce potential residential density. Furthermore, the amendment that aligns the frequent transit service parking exception with TriMet's Frequent Service Corridors does not preclude densities defined in this policy.
42. **Policy 2.19, Infill and Redevelopment**, calls for encouraging infill and redevelopment as a way to implement the Livable Cities growth principles and accommodate expected increases in population and employment. The amendments support this policy because the regulations requiring some onsite parking would not apply to smaller buildings that are often located on smaller lots or in mid-block locations with no side-street access. Mid-block curb cuts disrupt the pedestrian environment on commercial streets and can pose safety concerns. Amendments also allow mixed use transit-oriented development to continue; these types of development help implement the Livable Cities growth principles.
43. **Policy 2.22, Mixed Use**, calls for a mechanism that will allow for the continuation and enhancement of areas of mixed use character where such areas act as buffers and where opportunities exist for creation of nodes or centers of mixed commercial, light industrial and apartment development. The amendments support this policy because they do not restrict the development of mixed use buildings

and apartment development. The small amount of required parking for larger multi-dwelling buildings will not significantly reduce development potential.

44. **Goal 3, Neighborhoods**, calls for preserving and reinforcing the stability and diversity of the city's neighborhoods while allowing for increased density. The amendments support this goal by allowing continued development of residential and mixed use buildings that provide neighborhood-serving uses and population densities necessary to support those services. The amendments also require a small amount of onsite parking for larger multi-dwelling buildings. This ensures that potential parking congestion resulting from a clustering of larger apartment buildings does not cause undue on-street parking congestion; such congestion can conflict with other users of on-street parking such as neighborhood businesses, visitors, and existing residents.
45. **Policy 3.3, Neighborhood Diversity**, calls for promoting neighborhood diversity and security by encouraging a diversity in age, income, race and ethnic background within the City's neighborhoods. The amendments are consistent with this title because minimum parking requirements were based on analyses of the cost of providing onsite parking. The threshold for when parking is required is in part based on the results of these analyses which found that buildings with more than 40 units are better able to absorb the additional cost of some onsite parking, without passing significant expenses on to residents.
46. **Policy 3.5, Neighborhood Involvement**, calls for providing for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood. Neighborhood associations, business associations, and the community-at-large have had opportunities to comment on the amendments and overall concept in several public forums.
47. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. The amendments are consistent with this goal because the minimum parking requirements were based on analyses of the cost of onsite parking. The threshold for when parking is required is in part based on the results of these analyses which found that buildings with more than 40 units are better able to absorb the additional cost of some onsite parking, without passing significant expenses on to residents. The amendments also promote a greater diversity of housing types as smaller multi-dwelling buildings do not require parking while larger multi-dwelling buildings require a small amount of parking to accommodate residents who own a vehicle and desire an onsite parking space. See also the findings for Statewide Planning Goal, Goal 10, Housing and for Metro Title 1.
48. **Policy 4.1, Housing Availability**, calls for ensuring that an adequate supply of housing is available to meet the needs, preferences and financial capabilities of Portland's households now and in the future. The amendments support this policy because the development of multi-dwelling buildings is allowed, albeit with a small parking requirement for some larger multi-dwelling buildings. The threshold for when parking is required is in part based on the results of these analyses which found that buildings with more than 40 units are better able to absorb the additional cost of some onsite parking, without passing significant expenses on to residents and thus maintaining affordability.
49. **Policy 4.1, Objective E** calls for encouraging efficient use of infrastructure by focusing well-designed new and redevelopment housing on vacant, infill and under-developed land. The amendments support this objective because multi-dwelling infill development may continue, albeit with a small parking requirement for some larger multi-dwelling buildings. The amendment that aligns the frequent transit service parking exception with TriMet's Frequent Service Corridors encourages development on vacant, infill, and under-developed lands close to frequent transit service.
50. **Policy 4.2, Maintain Housing Potential**, calls for retaining housing potential by requiring no net loss of land reserved for, or committed to, residential and mixed use development. The amendments

support this policy because residential and mixed use development are still allowed uses in commercial zones.

51. **Policy 4.3, Sustainable Housing**, calls for encouraging housing that supports sustainable development patterns by promoting efficient use of land; conservation of natural resources; easy access to public transit and other efficient modes of transportation; easy access to services and parks; resource efficient design and construction; and the use of renewable energy resources. The amendment that aligns the frequent transit service parking exception with TriMet's Frequent Service Corridors encourages development on sites with access to frequent public transit.
52. **Policy 4.3, Objective C** calls for encouraging the development of housing at transit-supportive densities near transit streets to ensure that the benefits of the public's investments in those facilities are available to as many households as possible. The amendments support this objective because multi-dwelling development at transit-supportive densities may continue, albeit with a small parking requirement for some larger multi-dwelling buildings.
53. **Policy 4.7, Balanced Communities**, calls for striving for livable mixed-income neighborhoods throughout Portland that collectively reflect the diversity of housing types, tenures (rental and ownership) and income levels in the region. The amendments support this policy because no changes to the zoning rules which allow mixed use development in commercial zones are proposed. The amendments also support different tenures in that both apartment and condominium development may continue along transit streets. Affordability was addressed through research which found that buildings with more than 40 dwelling units are better able to absorb the cost of some onsite parking without passing significant expenses on to residents and thus maintaining affordability.
54. **Policy 4.7, Objective G** calls for encouraging the development and preservation of housing that serves a range of household income levels at locations near public transit and employment opportunities. The amendment that aligns the frequent transit service parking exception with TriMet's Frequent Service Corridors encourages development on sites with access to frequent public transit. Affordability was addressed through research which found that buildings with more than 40 dwelling units are better able to absorb the cost of some onsite parking without passing significant expenses on to residents and thus maintaining affordability.
55. **Policy 4.9, Fair Housing** calls for ensuring freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national origin, source of income or disability. The amendments allow a continued diversity of housing types and tenures in all neighborhoods where zoning allows multi-dwelling development. City staff reviewed requirements and processes for installing disabled parking and found that amendments can increase the supply of disabled parking and adequate processes are in place to locate disabled parking for residents who request it.
56. **Policy 4.10, Housing Diversity**, calls for promoting a range of housing types, prices and rents to (1) create culturally and economically diverse neighborhoods; and (2) allow those whose housing needs change to find housing that meets their needs within their existing community. The amendments support this policy because it maintains opportunities for a broad array of housing that can serve a broad range of incomes.
57. **Policy 4.11, Housing Affordability**, calls for promoting the development and preservation of quality housing that is affordable across the full spectrum of household incomes. Affordability was addressed through research which found that buildings with more than 40 dwelling units are better able to absorb the cost of some onsite parking without passing significant expenses on to residents and thus maintaining affordability. The amendments are supported by this research.
58. **Goal 6, Transportation** calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods;

supports a strong and diverse economy; reduces air, noise and water pollution; and lessens reliance on the automobile while maintaining accessibility. The amendments support this goal by allowing a certain amount of bike share parking and carshare parking to substitute for private vehicle parking as well as by clarifying size requirements for long-term (resident use) bike parking; both carshare and bicycle use help reduce reliance on personal vehicles.

59. **Policy 6.19, Transit-Oriented Development** calls for reinforcing the link between transit and land use by encouraging transit-oriented development and supporting increased residential and employment densities along transit streets, at existing and planned light rail stations, and at other major activity centers. The amendments support the link with transit-oriented development by aligning frequent transit service parking exception with TriMet's Frequent Service Corridors which encourages development on sites with access to frequent public transit..
60. **Policy 6.23, Bicycle Transportation**, calls for making the bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. The amendment that clarifies size requirements for long-term (resident use) bicycle parking encourages more thoughtful placement of long-term bicycle parking in mixed use and other development projects and can thereby encourage bicycle use.
61. **Policy 6.25, Parking Management**, calls for managing the parking supply to achieve transportation policy objectives for neighborhood and business district vitality, auto trip reduction, and improved air quality. The amendments support this policy by requiring a small amount of onsite parking for most larger multi-dwelling buildings. This helps ensure that larger developments or the clustering of larger developments do not overburden available on-street parking and disrupt neighborhood and business district vitality.
62. **Policy 6.26, On-Street Parking Management**, calls for managing the supply, operations, and demand for parking and loading in the public right-of-way to encourage economic vitality, safety for all modes, and livability of residential neighborhoods. The amendments support this policy by requiring a small amount of onsite parking for some larger multi-dwelling buildings. This helps ensure that larger apartment developments or the clustering of larger apartment developments provide an adequate supply of onsite parking so as to not overburden the supply of on-street parking.
63. **Policy 6.27, Off-Street Parking**, calls for regulating off-street parking to promote good urban form and the vitality of commercial and employment areas. The amendments support this policy by applying minimum parking requirements for larger multi-unit buildings rather than smaller buildings. If applied to smaller buildings, parking would likely be provided on surface parking lots. If it were provided inside or under a small building, it is likely that the ground floor would be dominated by entrances to parking rather than active uses such as Retail Sales And Service uses. The amendments also support this policy by requiring a small amount of onsite parking for some larger multi-dwelling buildings. This helps ensure that larger apartments or the clustering of larger apartments provide an adequate supply of onsite parking so as to not overburden the on-street parking that is shared with nearby businesses, visitors, and other neighborhood residents.
64. **Policy 6.27, Objective A** calls for considering eliminating requirements for off-street parking in areas of the City where there is existing or planned high-quality transit service and good pedestrian and bicycle access. The amendment that aligns the frequent transit service parking exception with TriMet's Frequent Service Corridors encourages development on sites with access to frequent public transit. This also results in applying the parking exception in locations with good pedestrian and bicycle access (inner Portland) but reducing the parking exception in locations that are lacking in pedestrian and bicycle access (East Portland).

65. **Policy 6.27, Objective C** calls for limiting the development of new parking spaces to achieve land use, transportation and environmental objectives. The amendments support this objective because only a small amount of parking is required for some buildings with more than 40 dwelling units. Parking exceptions still apply for sites with access to frequent transit service, which is based on TriMet's Frequent Service Corridors.
66. **Policy 6.28 Travel Management**, calls for reducing congestion, improving air quality, and mitigating the impact of development-generated traffic by supporting transportation choices through demand management programs and measures and through education and public information strategies. The amendments support this policy through the option to substitute carshare and bike share parking for required vehicle parking.
67. **Goal 8, Environment**, calls for maintaining and improving the quality of Portland's air, water, and land resources, as well as protecting neighborhoods and business centers from noise pollution. The amendments support this goal because they facilitate the efficient use of land resources by applying strategically defined parking requirements for some multi-dwelling buildings with more than 40 units.
68. **Policy 8.4, Ride Sharing, Bicycling, Walking and Transit**, calls for promoting the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area. The amendments support this policy by aligning the frequent transit service parking exceptions with TriMet's Frequent Service Corridors which encourages development on sites with access to frequent transit service. The amendment that clarifies size requirements for long-term (resident use) bicycle parking encourages more thoughtful placement of long-term bicycle parking in mixed use and other development projects which thereby encourage bicycle use.
69. **Goal 9, Citizen Involvement**, calls for improving methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review and amendment of the Comprehensive Plan. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.
70. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The amendments support this goal by crafting onsite parking requirements that consider the impacts that vehicles, curb cuts and driveways have on the pedestrian realm.
71. **Policy 12.4, Provide for Pedestrians**, states that Portland is experienced most intimately by pedestrians. The policy calls for providing a pleasant, rich and diverse experience for pedestrians. The amendments support this policy because the regulations requiring some onsite parking would not apply to smaller buildings which are often located on smaller lots or in mid-block locations with no side-street access. Mid-block curb cuts disrupt the pedestrian environment on commercial streets and can pose safety concerns. If parking is required for smaller buildings, parking would likely be provided on surface parking lots, which create a "dead" spot in the pedestrian environment. If it were provided inside or under a small building, it is likely that the ground floor would be dominated by entrances to parking rather than active uses such as Retail Sales And Service uses, , which would not contribute positively to the pedestrian environment.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, *New Apartments and Parking Zoning Code Amendments: Recommended Draft*, dated March 25, 2013.

- b. Amend Title 33, Planning and Zoning, as shown in Exhibit A, *New Apartments and Parking Zoning Code Amendments: Recommended Draft*, dated March 25, 2013.
- c. Adopt the commentary and discussion in Exhibit A, *New Apartments and Parking Zoning Code Amendments: Recommended Draft*, dated March 25, 2013, as further findings and legislative intent.
- d. Direct the Bureau of Transportation to continue exploring permit parking programs suitable for dynamic commercial streets with adjacent single and multi-dwelling residential uses, and promotes equity and inclusion of both renters, homeowners and neighborhood businesses.

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.

Passed by the Council: APR 10 2013

Mayor Charlie Hales

Prepared by: Matt Wickstrom

Date Prepared: March 22, 2013

LaVonne Griffin-Valade
Auditor of the City of Portland
by


Deputy

140

~~300~~ - **329** -

Agenda No.
ORDINANCE NO. 185974 As Amended
Title

Amend Title 33, Planning and Zoning, to require parking for multi-dwelling buildings in some situations where parking currently is not required (Ordinance; Amend Title 33, Planning and Zoning)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>CHA</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>[Signature]</i></p> <p>Prepared by: Matt Wickstrom Date Prepared: March 21, 2013</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date April 4, 2013</p> <p>City Attorney Approval: <i>K. Beaumont</i> required for contract, code, easement, franchise, comp plan, charter</p>	<p>CLERK USE: DATE FILED <u>MAR 29 2013</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Parsons</i> Deputy</p> <p>ACTION TAKEN: APR 04 2013 PASSED TO SECOND READING As Amended APR 10 2013 2 P.M.</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 PM</p> <p>Total amount of time needed: 3 hrs (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman		✓
4. Novick	_____	
Hales	✓	