

NEW APARTMENTS AND PARKING

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

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✓ Chris Smith	2343 NW Pelham Ave St.	
✓ Travis Phillips	2725 SW Shermund 97201	
✓ Richard Book ^{Book?}	3634 SE Oak St P44	
✓ TONY FISCHER	4030 SE IVON # 2	
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last Dan Steffey	710 NW 14th se cond Floor Portland OR 97209	dan.steffey@GRES.com
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Moore-Love, Karla

185974

From: Travis Phillips [phillips.travis@gmail.com]
Sent: Tuesday, April 09, 2013 4:13 PM
To: Commissioner Fritz; Commissioner Fish; Novick, Steve; Commissioner Saltzman; Hales, Mayor
Cc: Parsons, Susan; Moore-Love, Karla
Subject: Code Amendments and Parking Policy
Mayor Hales and Commissioners Fritz, Fish, Saltzman and Novick,

Thank you for hearing my testimony during last week's council hearing. I appreciate you listening to my concerns about how the proposed code amendments create barriers for affordable housing developers, and to a lesser extent, to housing affordability in general. While I said it in my testimony, it is worth repeating: I believe the code changes as proposed (or with the updates presented at the meeting) have too many flaws and need to be further refined before they are adopted.

Before I share my concerns about flaws in the code update, please know I do appreciate that it appears you are not taking emergency action and changing code rules mid-stream. For developers who depend on consistent rules, this is important and is good news. I also appreciate that you're not compromising Portland's existing code and zoning benchmarks to accelerate additional housing supply. While it is important to provide additional housing as a means to offset demand and improve housing affordability, there is a careful balance between quality and quantity, and you seem to be mindful of this.

Still, as a resident and developer, I believe the issues with the proposed code amendments outweigh the problems they solve. Most specifically, the amendments do nothing to resolve the the issue currently simmering in SE Portland and do nothing to discourage residents of new buildings from using the *free* on-street parking, creating similar frustrations all over town. In fact, the city's own research shows that when free street parking is available, residents will eschew their building's paid parking in favor of the less-convenient (but FREE) street parking.

A popular refrain that came up during the Council hearing is that if residents of new developments demand parking, the market will deliver it. Which is kind of true, but since off-street parking typically carries a price tag, it can't compete with free street parking. Competitive pricing for street parking (via permits, meters, or other means) is essential if we expect residents to utilize off-street parking they must pay for. If we are trying to solve the problem for this or future projects, we must address both parts of the issue.

Portland carefully crafted urban growth boundaries and developed "The Portland Plan" to keep the city from becoming sprawling suburbia. This same effort set a foundation for and encouraged the success of vibrant neighborhoods which are now especially desirable for residents and developers. This careful planning can ensure the city remains a desirable place to live, work, and play. But reactionary changes to the code risk dismantling the careful planning that has earned Portland accolades for its desirable neighborhoods and sensible urban planning.

4/9/2013

185974

I appreciate your concern for the issue and hope that if you do adopt the code changes this week, you will follow up sooner rather than later with more holistic updates that provide real and complete solutions to the neighborhoods' issues.

It's also worth adding that I appreciate your leadership and support, despite my disagreements on this issue. I realize this is just one of many issues on your desks and that you routinely only hear from citizens when there's an issue (myself included). Thanks for doing what is often a thankless job and keeping Portland running smoothly.

Sincerely,

Travis Phillips

2725 SW Sherwood Drive

4/9/2013

*Emailed to
Matt Wickstrom and
Kathryn Beaumont
4/08/13 pr*

**JORDAN
RAMIS_{PC}**
ATTORNEYS AT LAW

April 4, 2013

Charlie Hales
Mayor
City of Portland, Oregon
1221 SW 4th Avenue, Room 340
Portland, OR 97204

Amanda Fritz
Commissioner of Public Utilities
City of Portland, Oregon
1221 SW 4th Avenue, Room 220
Portland, OR 97204

Steve Novick
Commissioner of Public Safety
City of Portland, Oregon
1221 SW 4th Avenue, Room 210
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Dan Saltzman
Commissioner of Public Affairs
City of Portland, Oregon
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Auditor of the City of Portland
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Karla Moore-Love
Council Clerk
City of Portland, Oregon
1211 SW 4th Avenue, Room 140
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TIMOTHY V. RAMIS

Admitted in:
Oregon

Nick Fish
Commissioner of Public Works
City of Portland, Oregon
1221 SW 4th Avenue, Room 240
Portland, OR 97240

Direct Dial
(503) 598-5573

Re: **37th Street Apartments LLC**
Our File No. 40059-12345.TVR

E-mail
tim.ramis@jordanramis.com

Dear Mayor and City Council Members:

I am writing on behalf of 37th Street Apartments ("37th Street") to request that the City Council's consideration of new parking requirements be continued until the City complies with the notice requirements of ORS 215.503.

Our review of the record in this matter reveals that no notice meeting the requirements of the statute has been issued. The law requires written individual notice to be mailed to each owner of property whose options for permissible use of their property would be changed by the proposed legislation. This requirement was adopted by the voters in 1998 and its meaning has been made clear by LUBA and the Attorney General.

April 4, 2013

Page 2

37th Street is protected by the statutory notice requirement and has been prejudiced by the City's failure to comply with the law. The statutory notice timing requirements, had they been honored, would have allowed 37th Street to obtain the necessary permits to quickly proceed with construction. By conducting a hearing without complying with the requirements of the law, the City may take action which will preclude completion of the project as originally permitted and financed. This will create substantial costs due to delay, increased construction costs and expenses of redesign.

I therefore urge that the Council comply with ORS 215.503 and conduct a hearing on this matter only after the required notice is issued.

Sincerely,

JORDAN RAMIS PC



Timothy V. Ramis

cc: Donald Joe Willis
37th Street Apartments
Michael C. Robinson

My name is Jeff Vincent and I would like to thank the City Council for this opportunity to speak today.

I would like to submit this into the record for Ben Kaiser, Kaiser Group, Inc., and PATH Architecture, Inc.

We respectfully ask that the Portland City Council does not take steps to undo the work that was started by people, smarter than us, decades ago.

Many, many years ago city planners envisioned this moment with joy. For those forward thinkers the point at which parking became a "problem" (in quotation marks) in the City of Portland, was envisioned as a success, not a failure.

The very idea of *easy parking* contradicts everything that we are working towards as a City, such as 20-minute neighborhoods, a high-density city center and a sustainable environment.

The City Council does not need to override what the market itself is confirming as the right direction.

There are residential projects around the City that have built parking garages only to have them barely occupied.

The costs, however, of those parking garages are being paid for by all of us. Paid for in the form of higher rental rates, higher lease rates, more pollution, and more space consumed by the automobile. We want a city core that is occupied by all walks of life. City requirements that increase the costs of developments serve only to drive up the living costs and thereby drive out lower income occupants.

As parking becomes "tighter", people of all ages are deciding to either reduce their car use, or eliminate it all together. They are realizing the freedom that comes with that decision. Their decisions, then, are what drives the success of businesses such as the Car Sharing Network, ZipCar, CarsToGo and Portland Bike Share. Are we prepared to relax our standards, increase the ease of parking, and watch these companies falter much as our solar companies are going into bankruptcy after their support was removed?

The City of Portland has devoted hundreds of millions of dollars in infrastructure to give our citizens the opportunity to live "car-free". We are midway through the construction of a bridge that is dedicated to lightrail, bikes and pedestrians only. A first in the country. Why would we want to take steps to undermine the success of these investments? Don't we want that bridge to be packed with

commuters to prove itself? Don't we want the numbers of commuters using the eastside lightrail to increase, not decline? Do we want people driving in from Milwaukie, or using the new mutli-million dollar investment to make that commute?

The city of Portland is attracting people from around the world who are in search of an urban landscape that is not dominated by the car. They are not coming here and bringing their families, their innovations, their educations and their unbounded energy because we have ample parking.

There is no such thing as free parking. With every space that we dedicate to the automobile, such as garages, surface lots, or street parking, we are giving up 200 valuable square feet that could be used for more density, an open space, shorter commutes, lower rents, lower lease rates and less pollution.

Please, let this not be the time in Portland's history where we collectively took a large step backwards in achieving the goals that we have all been working on for so long.

From our development perspective, we need to be very clear with architects, land owners, and developers what the rules are when it comes to the development opportunities that are associated with a property.

We should never undermine the trust that is imperative between a city and property developers who, in large part, are responsible for the built environment.

If influences, that lie outside of the city code requirements and laws that regulate design and construction in Portland, become so powerful as to undermine this imperative trust then the entire system is in jeopardy.

185974

City Council Public Hearing
1221 SW 4th Ave.

AIA/APA/ASLA Urban Design Panel

Portland and Oregon Chapters of the American Institute of Architects, American Planning Association and American Society of Landscape Architects

Date: 2 January 2013

To: City Council of Portland

RE: **Multi-Family Densities and Parking Issues**

On November 6th, the AIA/APA/ASLA Urban Design Panel heard a presentation from the Bureau of Planning and Sustainability (BPS) detailing the concern surrounding new multi-family residential and off-street parking issues along existing transit corridors and in centers. We later expanded our understanding of the issue by attending a public forum on November 13th, listening to development and neighborhood concerns, and reviewing the background information the City has provided. Based on this information and our group discussions, the

AIA/APA/ASLA Urban Design Panel unanimously supports the City of Portland's current policy of less reliance on off-street parking and increased density along transit corridors and in centers.

Improving market conditions have recently produced an increase in the number of mid-rise multi-family apartment projects, some of which do not include off-street parking. Zoning regulations have been in place in Portland since the 1980s allowing for multi-family dwellings in commercial transit corridor zones to be built without off-street parking. While these standards have not previously raised public concerns, financial conditions have changed and development as envisioned through the Zoning Code is occurring along some transit corridors. The topic was brought to BPS's attention by concerned citizens in the last year, following an increase in design and construction of these building types. Areas of concern include increased on-street parking congestion and overall impact on low-density residential neighborhoods adjacent to the transit corridors.

Despite the fact that much attention and neighborhood concern has been recently focusing on parking, is parking capacity the real issue here? The Panel sees this as an opportunity to offer three alternative ways to frame the discussion:

1. Development Approval Process:

Are there opportunities to improve neighborhood notice, input and outreach during the design and approval process?

The Urban Design Panel's opinion is that neighborhood discussions with proposed development should occur at the very start of the project review process and should focus on the goals and character of each neighborhood and district, and how the proposed project would work within

that context. Issues of the quality and safety of the pedestrian street life and streetscape should be discussed at the beginning of the approval process, before design concepts are locked in.

However, to ensure an efficient approval process it is important that the issues of parking, density and height should not be part of the neighborhood discussion, but addressed at the appropriate level of the Comprehensive Plan and implementing codes. These design features should be dealt with only at the required Design Review level, or during project review, in determining to what extent a proposed project addresses the relevant Community Design Standards.

2. Parking:

Instead of parking capacity, should we look at parking management (under-performing asphalt)? Are there opportunities to regulate parking in denser corridor areas?

We do not believe new and existing residents should be required to have off-street parking. Residential multi-family housing along transit corridors without off-street parking requirements delivers affordable and proven building design examples that provide needed pedestrian amenities and street life to the neighborhood. There are several examples of apartments built during the streetcar era (1920s-1940s) that do not provide off-street parking because the assumption was made that residents would use transit or walk to their destinations.

BPS recently conducted several studies (*Parking Study: Parking Impacts for New TOD Along Portland Inner Corridors by DEA; November 2012*) that analyzed the parking situation in the vicinity of eight recent project locations, stating that, generally, there is adequate parking within a two block walking distance of each project location.

The panel is supportive of the overall intent of the current city policies and zoning, as set in the provisions of Chapter 33.266 Parking and Loading, Chapter 33.218 Community Design Standards of the Portland Zoning Code, as well as Metro Title 6 - Central City, Regional Center, Town Centers and Station Communities (*Metro Code Sections 3.07.610 – 3.07.650*) and Title 7 – Affordable Housing (*Metro Code Section 3.07.710-3.07.760*). However to improve the fit with existing neighborhoods, we recognize there may be a need to adjust a couple of the implementation standards including those governing the relationship between new development and “high frequency” transit, and the need for spaces dedicated to disabled/elderly and temporary loading/unloading for larger multi-family buildings.

3. Community Design Standards:

Are the 1998 guidelines (revised in 2008), an appropriate and up-to-date tool to regulate new development, especially for projects that are not required to undergo the design review process?

The Urban Design Panel’s opinion is that the recent multi-family development patterns in commercial corridors generally reflect the original intent of the current City policies and zoning, which were designed to reduce reliance on cars, increase densities along transit corridors and in centers, and support active and compact affordable development and economically viable

neighborhood centers. Some of the urban design benefits of the current policy, to cite a few, are:

- Active and continuous street frontages – minimizing gaps in the pedestrian environment;
- Affordability – keeping development costs down and allowing more affordable rents;
- Desirability – increasing the availability of amenities, and adding to the variety of businesses available to the community;
- Walkability – improving pedestrian access to retail/commercial and transit from housing;
- Sustainability – denser corridors served by good transit reduce reliance on the car, resulting in fewer miles traveled per vehicle.

We understand that BPS – as part of the Comprehensive Plan update process – will review the current policies and identify areas where adjustments and improvements to the current policies can be made. The UDP supports having, as part of the Comprehensive Plan update process, a discussion about how best to manage the transition from higher building heights allowed along transit corridors to existing detached single-family residences in adjacent neighborhoods, and provide more opportunities for active ground floor uses, especially at block intersections.

The Urban Design Panel is eager to collaborate with BPS and the community in helping to understand the necessary improvements to the City's Comprehensive Plan and codes by offering the collective knowledge, experience and different background of its Panel members. One area in particular in which the Urban Design Panel can help is in providing assistance in reviewing possible amendments to the Community Design Guidelines.

In conclusion, we would like to thank you again for giving us the opportunity to provide input on this very important topic. **We reiterate our overall support for the current development policies**, acknowledge that there is room for improvement and trust that you will accept our offer to assist you in the interest of the community.

Best Regards,

Executive Committee of the AIA/APA/ASLA Urban Design Panel

Paddy Tillett, FAIA, FAICP
Robert Boileau, AIA, AICP

Brian Campbell, FAICP
John Spencer, AICP

Mauricio Villarreal, ASLA
James Hencke, ASLA

Written report by Transit Oriented Development Subcommittee Members

*David Berniker
Robert Boileau
Ben Bortolazzo
Brian Campbell
Paddy Tillett*

cc: *American Institute of Architects/Portland Chapter
American Planning Association/Oregon Chapter
American Society of Landscape Architects/Oregon Chapter*

**DRAFT LETTER TO COUNCIL – FOR VOTE BY DESIGN COMMISSION @ 1:30 PM
4/4/13**

Mayor Charlie Hales
City Councilor Nick Fish
City Councilor Amanda Fritz
City Councilor Steve Novick
City Councilor Dan Saltzman
Portland City Hall
1221 SW 4th Avenue
Portland, Oregon 97204

**Re: Amend Title 33, Planning and Zoning, to require parking for multi-dwelling
buildings in some situations**

Dear Mayor Hales and Members of Council:

As you are aware, Portland real estate has arrived at a place where it is now economically feasible to build apartment buildings that have fewer than one parking spot per unit, and in some cases, no parking included in the development whatsoever. Apparently, we can now expect apartment dwellers in Portland's many attractive neighborhoods outside the Central City to either be willing to live without a car or at least live knowing that they'll have to hunt for a nearby street parking space in their neighborhood every time they drive. Essentially, we are seeing what has been the long-time norm in the Northwest District spill into revitalized and rejuvenating neighborhoods across Portland.

On one hand, this trend represents Portland's grand planning dream come to fruition. We finally live in a city where it is not necessarily a given that one must have a car. By dedicating space entirely to living spaces for people instead of storage places for cars, these apartment projects are making it possible for more people, including people of

limited means, to live close to the kinds of amenities and services that Portlanders hold dear.

One does not have to look far in America to see how *requiring* parking in multi-family developments has a deadening effect on street life. Towers surrounded by moats of parking and buildings whose ground floors are consumed entirely by parking garages are the fruit born by requiring a 1 to 1 or 2 to 1 ratio of parking spaces to units. In Portland, when we began to take back our city from freeway development; when we started working for walking neighborhoods and good transit that was safe, convenient, and affordable; when we started striving for a city that people *sought* to live in rather than hoped one day to flee, wasn't being able to build a multi-family building without worrying about where the cars would go a logical extension of that dream becoming reality?

Of course, as you know, the reaction to these un- and under-parked multi-family buildings landing in established Portland neighborhoods has been mixed at best. We've seen a spike in testimony from neighbors and neighborhood associations about the issue, and they are frustrated that we can't talk about parking, because the Design Guidelines that inform our decisions do not address the inclusion of parking – only it's design if it is included. Often, the parking issue looms so large for those who testify that issues with the architecture – the stuff we can talk about – gets secondary consideration.

We understand, some of us on a very personal level, how hard it can be to adjust to new density in an established neighborhood. All of a sudden, that parking space you could always find right in front of your cute, driveway-less bungalow evaporates. The next thing you know, you're walking one and two and three blocks with your kids and your groceries, it's true.

However, today's Design Commission strongly supports Portland's efforts to grow denser, more urban, and more livable for a wide variety of people, including those who choose to live without a car. Because the proposed changes could have a profound effect on Portland's urban fabric, we believe City Council should take an incremental approach to this issue. Instituting neighborhood parking permits is a logical first step. Doing so will give you and the citizens you represent time to address all of the issues surrounding the parking challenges in these great neighborhoods. Our fear is that once this code language goes into effect it will be nearly impossible to repeal, and we will be

living with the consequences for a very long time to come. We believe this topic should be addressed in a more thorough way in the Portland Comprehensive Plan.

We don't want to leave you with the impression that we don't have deep concerns about the ability of the city's transportation infrastructure to keep pace with development and support these newly dense neighborhoods. If we tell people that it's possible to live in Portland without a car, there ought to be a stellar transit system there to back up the promise. If we ask people to walk three blocks with toddlers and groceries in tow, the sidewalk should be well-maintained, barrier-free and well lit.

When neighborhoods come to us with concerns about parking, they're not always focused on the pain of losing their parking spaces. They've also brought concerns that the "transit-oriented" developments in their neighborhood are decreasingly served by our transit agency, especially when it comes to bus lines. We agree with these neighbors that this issue is of deep concern. It is unfortunate that at the very moment Portland real estate and renters' sensibilities seem to have arrived at our dreamed of car-free urbanism, our transit agency is raising fares, dropping service, and is still unable to get a handle on its budget. We also note Portland's issues with maintaining our significant investments in sidewalks and roads.

We think that the policy makers in this city that care about planning, sustainability, and the vibrancy of our city should pay close attention to this issue, and should be pushing for sensible, sustainable transportation planning by both Trimet and PBOT.

Thank you very much for considering our testimony today.

Very truly yours,

Guenevere Millius, Chair
Portland Design Commission

April 4, 2013

Re: Agenda Item #300: Amend Title 33, Planning and Zoning, to require parking for multi-dwelling building in some situations where parking currently is not required.

Members of the Council:

I am writing today to urge you to not impose additional requirements for parking on new apartment construction along transit streets, particularly in neighborhoods with vibrant business districts and high walkscores. These neighborhoods are exactly the kinds of places where we want new, infill housing of all types, and where we want entrepreneurs to respond to local markets with needed and desired businesses and services.

As is explained in the attached, for many years we have forestalled change in parts of the city characterized by single-family detached housing. As a consequence, Portland today is known as a city of neighborhoods, offering a high degree of livability. However, this protection for some has come at a cost to others. Rental housing is at a premium in Portland, particularly the inner neighborhoods of Portland. The activity of late to develop new rental housing in those neighborhoods, in zones set aside for that purpose, and consistent with the code requirements, offers an important avenue for meeting the demand for rental housing and enabling a broader public to enjoy the livability of those areas.

New efforts to erect hurdles to the provision of rental housing will result in both more expensive and less innovative housing types. Though we may have a parking problem in our successful neighborhoods, solving it by subjecting rental housing alone to new tests is not useful or fair. In point of fact, getting people to make different transportation choices is not just an issue for renters, but for all residents, renters and owners alike. Let's solve the parking problem and not create further housing issues in the process.

Finally, I am aware of new efforts to apply new restrictions to previously permitted projects. This violates a fundamental promise of planning in Oregon going back some 40 years, namely the provision of certainty and predictability as emblematic of the value of planning and zoning. To interject uncertainty into already permitted projects undermines that principle, and, in the process, undermines support for planning generally. Though some may aspire to that outcome, Portland has benefitted tremendously from the last 40 years of planning, and stands to lose more than it gains if we begin to manipulate the code on a case by case basis.

Rather than corrupting the basic agreement that we've made with owners, builders, and neighbors, please make sure that any new provisions that might emerge from this process get applied to future not present projects.

Thank you for the opportunity to provide you with this testimony.

Ethan Seltzer
Northeast Portland
seltzere@gmail.com

Everyone Just Settle Down

By Ethan Seltzer and Lisa Bates

To outsiders, it must seem like Portland has lost its marbles. Here, in this city of all things green and sustainable, the kerfuffle over apartments without parking seems to be a grassroots call for a return to the car crazy days of yore, those legendary times when cars were king and bikes were mostly in garages.

To some, renters parking their cars in and among the cars already parked in neighborhoods, has been portrayed as a sign of the apocalypse. Portland's close-in neighborhoods, with their bungalows, parks, and sidewalks, with neighborhood-serving retail and restaurants, are, in fact, wonderful places to live. These are places in demand, and that demand makes the sustainable, livable, walkable Portland lifestyle increasingly unaffordable to buy, and just plain unavailable to rent.

Neighborhood livability in Portland didn't happen by accident. The policies of the City of Portland, dating back for generations and particularly since the adoption of its most current comprehensive plan in 1980 and zoning code in 1991, have gone out of their way to protect areas characterized by single-family houses. Take a look at the comprehensive plan map for Portland: the vast majority of the entire land area in the city, for all uses, is dedicated to the bungalows and ranch houses most of us inhabit or covet.

However, the demand for rental housing is real and unmet. Portland is in dire need of more housing. Demand forecasts being prepared for the comprehensive plan update paint a convincing picture of an even greater gap between the housing we have and the housing we'll need. The gap between demand and affordability in close-in neighborhoods around transit streets is perhaps most daunting of all.

Making rental housing more affordable, simply put, means making new housing less expensive. Though this may seem like a simple idea, it has needlessly gotten lost in the current debate. Requiring every resident to pay for parking, car owner or not, needed or not, just makes housing more expensive and less affordable, particularly when other transportation alternatives exist. New research shows that without on-site parking requirements, developers provide more housing, more different kinds of housing, and lower cost housing.

The City already bends over backwards to respond to the demands of current residents of single-family homes to keep change out of neighborhoods. Compelling renters to pay more to satisfy nearby owners is a mechanism for keeping renters out of neighborhoods, intended or not.

Managing the City as a place for cars is simply out of touch, wrong-headed, and in this case, unjust. Do solutions to real problems connected with an overabundance of automobiles in neighborhoods need to be solved? Of course. But not on the backs of those most in need of an affordable apartment. Responsible planners and citizens certainly can do better. Surely, at this

time in our history, we can figure out first, how to house all of us, and second, what to do with our cars, rather than the other way around. This is Portland, after all.

Ethan Seltzer lives in northeast Portland and is on the faculty of the Toulan School of Urban Studies and Planning at Portland State University. Lisa Bates lives in northeast Portland and is on the faculty of the Toulan School of Urban Studies and Planning at Portland State University.

Testimony to City Council – March 4, 2013

RE: Amending Title 33 to require parking in some situations where it is not now required.

Dear Mayor Hales and Members of the Council,

I am here speaking as an individual in favor of the ⁶proposed amendment to Title 33 ~~that would require parking in a 1:4 ratio in developments with more than 40 units.~~ *presented today.* For the record I live two blocks off SE Division, but am not being impacted by the new apartments being built further east along the street.

While I, like many others, don't see this as a long-term strategy for ensuring that future growth along our commercial corridors leads to more livable, walkable neighborhoods, it is a reasonable temporary solution,

A few caveats – first I share the concerns of others regarding the need to continue as quickly as possible to reduce our **collective carbon footprint** and laud what the City is already doing. However, I think neighbors and corridor business owners need to be more involved when it comes to the role of land use planning in local responses to climate change

I'd urge that wherever possible, off street parking is built in such a way that it can be **converted** to other retail or commercial uses in the future if it is no longer needed for parking or can be readily used by customers or tenants of near by buildings to address future parking needs along the street.

Others have spoken about the need to provide ready **opportunities and incentives** for tenants and neighbors who want to reduce their dependence on the automobile. We are hoping that bus passes, car share memberships and accessible, secure bike parking will be readily available to new tenants as a matter of course.

Merely holding the line on transit service is not going to allow us to achieve the climate change and compact growth goals we've set for ourselves. As a region we need to ensure TriMet is able to increase, not cut back on, the transit options available.

In the case of corridors or Neighborhood Centers where growth is planned, we need to create **Transportation/Parking Management Committees**. There has to be support to bring neighbors, business people, schools and other agencies together (we have 6 schools near Division if you go all the way to 82nd Ave) to get creative about how to encourage alternative transportation, share and manage parking resources, engage with transit planners on our ever fluctuating bus service, etc., etc., to keep people, goods and services moving about in optimal ways.

As for **affordability** -- many of us in HAND continue to be concerned about housing costs and the lack of strategies for keeping our neighborhood a place where people of a range of incomes can and will want to live. As the Planning Bureau's own study shows, simply eliminating off street parking from a developer's balance sheet doesn't guarantee that rents will be lower. We would like the Planning Bureau to explore how more affordable units could be strongly encouraged or required in the new growth in our centers and corridors.

I think I can assert that most of us want to see well designed buildings, constructed from quality materials meant to last, located close to a range of goods and services -- ideally something in addition to bars and restaurants -- that will provide quality living spaces for our new neighbors. However, I also think it is important that neighbors throughout the city play a role in accommodating increased density so each neighborhood can see that others are **doing their share**.

The key to this is recognizing and managing cumulative impacts

Thank you for taking our concerns about the future of our neighborhoods so seriously.

Sincerely,

Linda Nettekoven

To Mayor and City Council Members

My name is Hiroki Tsurumi. I have recently moved to Portland ^{from} ~~from~~ New Jersey and live in a condo in Portland's West End neighborhood downtown. In the past I have lived in New Jersey, Philadelphia, Ontario Canada, Tokyo, and Kyoto among other places.

I thank the Bureau of Planning and Sustainability for the proposed amendment to put a minimum requirement for parking space for new multi-dwelling buildings.

My concerns are

- (1) The proposed minimum 25% on-site parking for future multi-dwelling buildings over 40 units is too low. The minimum should be much higher, say, 40% to 50% regardless of the number of units. **But the exact minimum % should be determined with the participation of the local residents in such a way that the property values of the existing neighborhood will not be disrupted.**
- (2) If the City of Portland is encouraging the construction of multi-dwelling buildings with no or little on-site parking requirement to push Portland towards a car-free city, it is a one-sided policy that may easily disrupt the livability of the city. To attain a car-free city, many systems and services to be addressed.

Tokyo might be seen as a prime example of a car-free city. These are some of the ways that Tokyo differs from present day Portland:

- (i) The public transportation network is extensive and reliable. Bus, train, and subway lines are never reduced or out of service. Six million people live within a 10 to 20 minutes walk to public transportation. Every child can get to school and every worker can get to work on public transportation.
- (ii) Same day delivery service is available for almost anything, from furniture to airport luggage to groceries.
- (iii) Taxis are plentiful and always visible.
- (iv) Every neighborhood has a small shopping center with fresh food and other essentials ~~for essentials~~ within walking distance.

In a successful car-free city like Tokyo, car ownership is a luxury not a necessity. For Portland to become a car-free city, a more comprehensive approach is needed. The parking policy should change gradually and at the same rate as other necessary changes occur. Otherwise the city will become unlivable.

I urge the council members to change the parking requirements much more gradually than now proposed.



360 SW Bond Street, Suite 400, Bend, OR 97702 | Phone 541.749.4044 | Fax 541.330.1153 | www.schwabe.com

DONALD JOE WILLIS

Direct Line: Portland 503-796-2929; Bend 541-749-4012

E-Mail: jwillis@schwabe.com

April 4, 2013

BY HAND DELIVERY

Charlie Hales
Mayor
City of Portland, Oregon
1221 SW 4th Avenue, Room 340
Portland, OR 97204

Steve Novick
Commissioner of Public Safety
City of Portland, Oregon
1221 SW 4th Avenue, Room 210
Portland, OR 97204

La Vonne Griffin-Valade
Auditor of the City of Portland
City of Portland, Oregon
1221 SW 4th Avenue, Room 140
Portland, OR 97204

Nick Fish
Commissioner of Public Works
City of Portland, Oregon
1221 SW 4th Avenue, Room 240
Portland, OR 97240

Amanda Fritz
Commissioner of Public Utilities
City of Portland, Oregon
1221 SW 4th Avenue, Room 220
Portland, OR 97204

Dan Saltzman
Commissioner of Public Affairs
City of Portland, Oregon
1221 SW 4th Avenue, Room 230
Portland, OR 97204

Karla Moore-Love
Council Clerk
City of Portland, Oregon
1211 SW 4th Avenue, Room 140
Portland, OR 97204

Re: 37th Street Apartments LLC

Dear City, Council Members and Mayor:

This firm represents 37th Street Apartments LLC ("37th Street") with respect to possible litigation, if a contemplated ordinance which contains an emergency clause that could halt my client's project at Southeast 37th Street and Division is passed.

April 4, 2013
Page 2

Please understand this letter is, in my opinion, required under law to preserve my client's rights and hopefully will be accepted as only that and not as any effort to impede any continuing progress toward resolution.

This letter is also a sincere effort to be transparent in dealing with the City in this regard with the hope there will not be any need for downstream litigation.

Michael Robinson of Perkins Coie and Timothy Ramis of Jordan Ramis are assisting 37th Street on the various land use aspects in this matter and I leave that to them. I have asked Mr. Ramis to deliver this letter to you at the April 4, 2013 hearing and request that it be made part of the record.

I am sure you are well aware of the facts so I will not recite them. I have reviewed those facts and am quite familiar with the law that would apply, both State and Federal. It is my opinion that if the City, under these background facts requires a new application, adopts new requirements and imposes those new requirements through an emergency clause, the City will incur liability to 37th Street under at least three bases:

- 1) Such action would violate procedural Due Process contained in the 14th Amendment to the U S Constitution;
- 2) Such action would violate what is called Substantive Due Process under the same Constitutional Provision; and
- 3) Such action would frustrate my client's reasonable investment-backed expectations and constitute a taking without Just Compensation under the 5th Amendment to the United States Constitution.

I am not certain of the total amount of damage but it would likely be in the millions. All the Federal law protections provide for relief under 42 USCA 1983, including attorney fees, under 42 USCA 1988.

In addition to the Federal protection stated above, the Due Course of Law and the Takings without Just Compensation protections under our State Constitution could also provide relief to my client. Under the State takings clause protection, attorney fees would be provided under ORS 20.085.

I underscore that this letter is provided because I believe it is required to protect my client's rights in the event litigation downstream is required. Litigation is the last thing 37th Street wants but if required, I stand ready, willing and able to vigorously pursue my client's rights in court. Hopefully the City will take no further action that would require litigation.

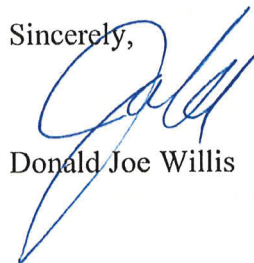
The logo consists of the letters 'S' and 'W' in a stylized, serif font, with an ampersand (&) between them.

185974

April 4, 2013
Page 3

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Willis", is written over the word "Sincerely,".

Donald Joe Willis

JW:ls

cc: Timothy V. Ramis
37th Street Apartments LLC
Michael C. Robinson

S&W

**JORDAN
RAMIS_{PC}**
ATTORNEYS AT LAW

April 4, 2013

Charlie Hales
Mayor
City of Portland, Oregon
1221 SW 4th Avenue, Room 340
Portland, OR 97204

Amanda Fritz
Commissioner of Public Utilities
City of Portland, Oregon
1221 SW 4th Avenue, Room 220
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Karla Moore-Love
Council Clerk
City of Portland, Oregon
1211 SW 4th Avenue, Room 140
Portland, OR 97204

TIMOTHY V. RAMIS

Admitted in:
Oregon

Nick Fish
Commissioner of Public Works
City of Portland, Oregon
1221 SW 4th Avenue, Room 240
Portland, OR 97240

Direct Dial
(503) 598-5573

Re: **37th Street Apartments LLC**
Our File No. 40059-12345.TVR

E-mail
tim.ramis@jordanramis.com

Dear Mayor and City Council Members:

I am writing on behalf of 37th Street Apartments ("37th Street") to request that the City Council's consideration of new parking requirements be continued until the City complies with the notice requirements of ORS 215.503.

Our review of the record in this matter reveals that no notice meeting the requirements of the statute has been issued. The law requires written individual notice to be mailed to each owner of property whose options for permissible use of their property would be changed by the proposed legislation. This requirement was adopted by the voters in 1998 and its meaning has been made clear by LUBA and the Attorney General.

April 4, 2013

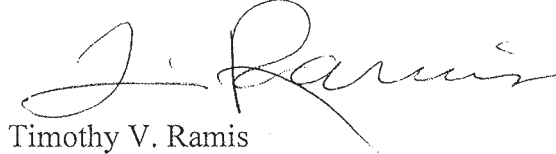
Page 2

37th Street is protected by the statutory notice requirement and has been prejudiced by the City's failure to comply with the law. The statutory notice timing requirements, had they been honored, would have allowed 37th Street to obtain the necessary permits to quickly proceed with construction. By conducting a hearing without complying with the requirements of the law, the City may take action which will preclude completion of the project as originally permitted and financed. This will create substantial costs due to delay, increased construction costs and expenses of redesign.

I therefore urge that the Council comply with ORS 215.503 and conduct a hearing on this matter only after the required notice is issued.

Sincerely,

JORDAN RAMIS PC



Timothy V. Ramis

cc: Donald Joe Willis
37th Street Apartments
Michael C. Robinson

Portland City Council Agenda (300), April 4, 2013: Amend Title 33, Planning and Zoning, to require parking for multi-dwelling buildings in some situations where parking currently is not required.

My name is Robert Wright. I have been a resident of Portland's West End neighborhood since 2006. I appreciate the opportunity to address the Portland City Council on the important issue of minimum off-street, on-site parking for future multi-dwelling buildings. A fundamental if not critical consideration for city planning is the diversity of its neighborhoods. Portland is well known across the country for its planning and policies that foster diversity and livability. Investment in public and bicycle transportation and the establishment of minimum requirements for long-term bicycle parking are prime examples.

Lessening the need for day-to-day travel by private vehicle in the city is the correct objective. However, this definitely does not mean that everyone will give up car ownership altogether. Individuals and families that can afford to do so will elect to own a car when other means of transportation cannot meet their needs.

Minimum required parking for private motor vehicle ownership for multi-dwelling building residents will be a determining factor in the future economic diversity of a neighborhood. The extremes, as a percentage of the total number of dwelling units, are not good planning factors: 100% will result in expensive urban dwellings financially out of reach for many; 0% will result in low availability of urban dwellings for car owners that can afford the cost of on-site parking, meaning they will stay in the suburbs. A balance is certainly needed for healthy, economically diverse urban neighborhoods.

The proposed 25% on-site parking minimum is too low and is inconsistent with the recent survey of residents of apartment buildings with no on-site parking.

Thank you for your consideration.

185974

Reuben Deumling
3309 SE Main St
Portland, OR 97214
9watts@gmail.com

4/4/13

City Council
1221 SW 4th Avenue
Portland, OR 97201

Comment on Zoning Code Amendments regarding Apartment Parking

Mayor Hales and Commissioners:

I am here to oppose any further erosion of the City's existing policy on off-street parking for housing along transit corridors. I live in the Sunnyside Neighborhood in inner SE Portland. I am a member of Portland Neighbors for Sustainable Development.

8. This is wrong
It isn't as if we had to convince people in Portland not to have cars. According to the 2010 census, roughly one quarter of Eastside renter households in Multnomah Co. who live west of SE 82nd don't own cars. The most elegant solution to this whole circus would be to figure out ways to help or encourage those without cars to move into these apartments. We could even put the onus on the developer to figure out how to rent to this demographic.

The next most elegant solution would be to implement a parking benefit district whereby currently free on-street parking is managed in such a way that those who live on the block can always find parking. These systems already exist and work in other cities and neighborhoods. They generate funds that can be used by the neighborhoods themselves to further improve livability.

I haven't heard any reasonable objections to either of these elegant solutions. But if you find yourselves unwilling or unable to pursue either then I ask you not to weaken the current proposal to require a modest amount of off street parking for buildings larger than 40 units.

Thank you for your consideration and your commitment to our City.

Sincerely,



Reuben Deumling

**PEOPLE OWN CARS.
THEY MUST PARK
THEM WHILE THEY:**

- TAKE THE BUS**
- BIKE**
- WALK**
- STAY HOME**

**VOTE FOR
RESPONSIBLE
DEVELOPMENT!**

*Sally Troughin & Bernard Koser
2715 SE 34th Ave*

4/4/13

Mayors Hales, Commissioners, etc...

I urge you in the strongest possible terms to take action today to both pass and implement the amendments before you into law. I further urge you to include Commissioner Fish's thoughtful amendment which makes modest adjustments to the parking space ratios based upon the number of units in each building.

Today, you'll hear (have heard) from critics who oppose passage and immediate implementation of these amendments. To them, I say:

- Passage and implementation today will not impede the progress of responsible urban growth
- The quality of new high density developments will be enhanced, not compromised
- This will not raise rental rates. Rental rates will continue to be determined by the market

However, passage and implementation today sends a few strong messages:

- It puts in place a more reasonable and moderate approach to infill apartments
- It holds developers to a higher standard
- It protects neighborhoods from a 30-day fire-sale rush by developers to permit and erect no parking behemoths throughout the City
- Most importantly, it sends a message to developers, the City Planner, and the bureaus that this City Council takes a stand for a more inclusive and responsive form of City government. A City Council that believes that existing neighborhoods should also have a voice in forming our future.

I'd like to leave you with the following thought:

Today I remind everyone that we are still only at the beginning of Portland's urban renewal process. During this no parking struggle, groups on all sides, including those in City government, the neighborhoods, the development community, bicycle advocates, the aging and disabled communities, and other concerned citizens have all worked hard to become increasingly more informed and aware of zoning issues, the internal workings of our City and State government, and issues pertaining to urban planning and urban development. Moving forward, it shouldn't take an act of City Council to get something done in a timely manner. I am hopeful that BPS and City Council will explore ways to leverage the collective wisdom of each of these groups has to offer so each can have a stronger voice in getting problems addressed in a sensible and timely fashion.

4-4-13

Julie Garver
4-4-13

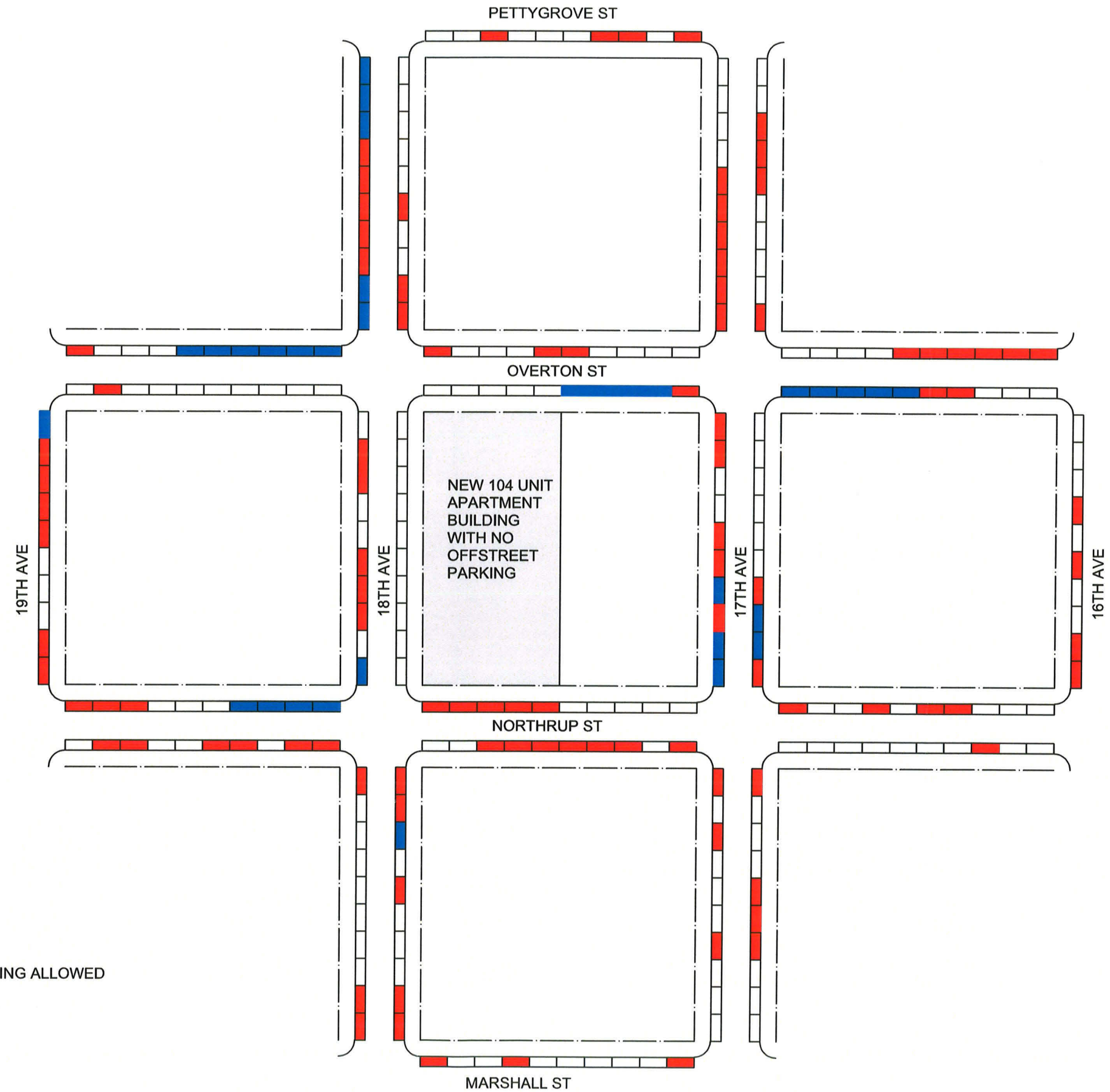
PRESENT SITUATION

280 SPACES ON 28 BLOCK FACES

102 UNAVAILABLE

32 TIMED SPACES

146 LONG TERM ALLOWED
(MANY REQUIRE PERMIITS)



AVAILABLE LONG TERM SPACES

OCCUPIED LONG TERM SPACES

SHORT TERM TIME LIMITED SPACES

DRIVEWAYS, HYDRANTS AND OTHER NO PARKING ALLOWED

Julie Garver
4-4-13

UNDER PRESENT CODE





104 UNITS

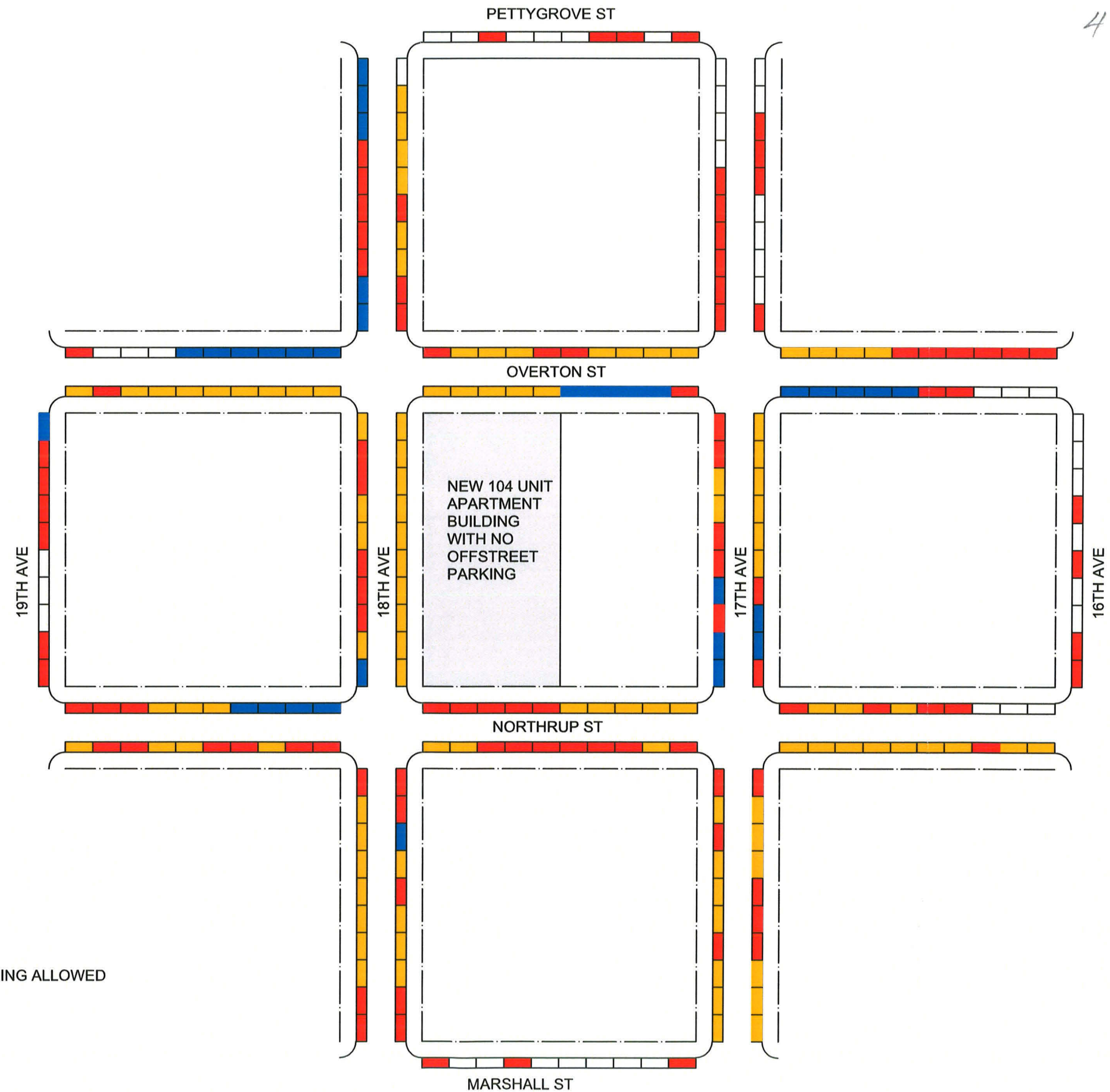
104 CARS AT 100% OWNERSHIP

0 SPACES ON SITE

104 CARS ON STREET

24 of 28 BLOCK FACES ARE FILLED

-  AVAILABLE LONG TERM SPACES
-  OCCUPIED LONG TERM SPACES
-  SHORT TERM TIME LIMITED SPACES
-  DRIVEWAYS, HYDRANTS AND OTHER NO PARKING ALLOWED



Julie Garver

UNDER PRESENT CODE

104 UNITS

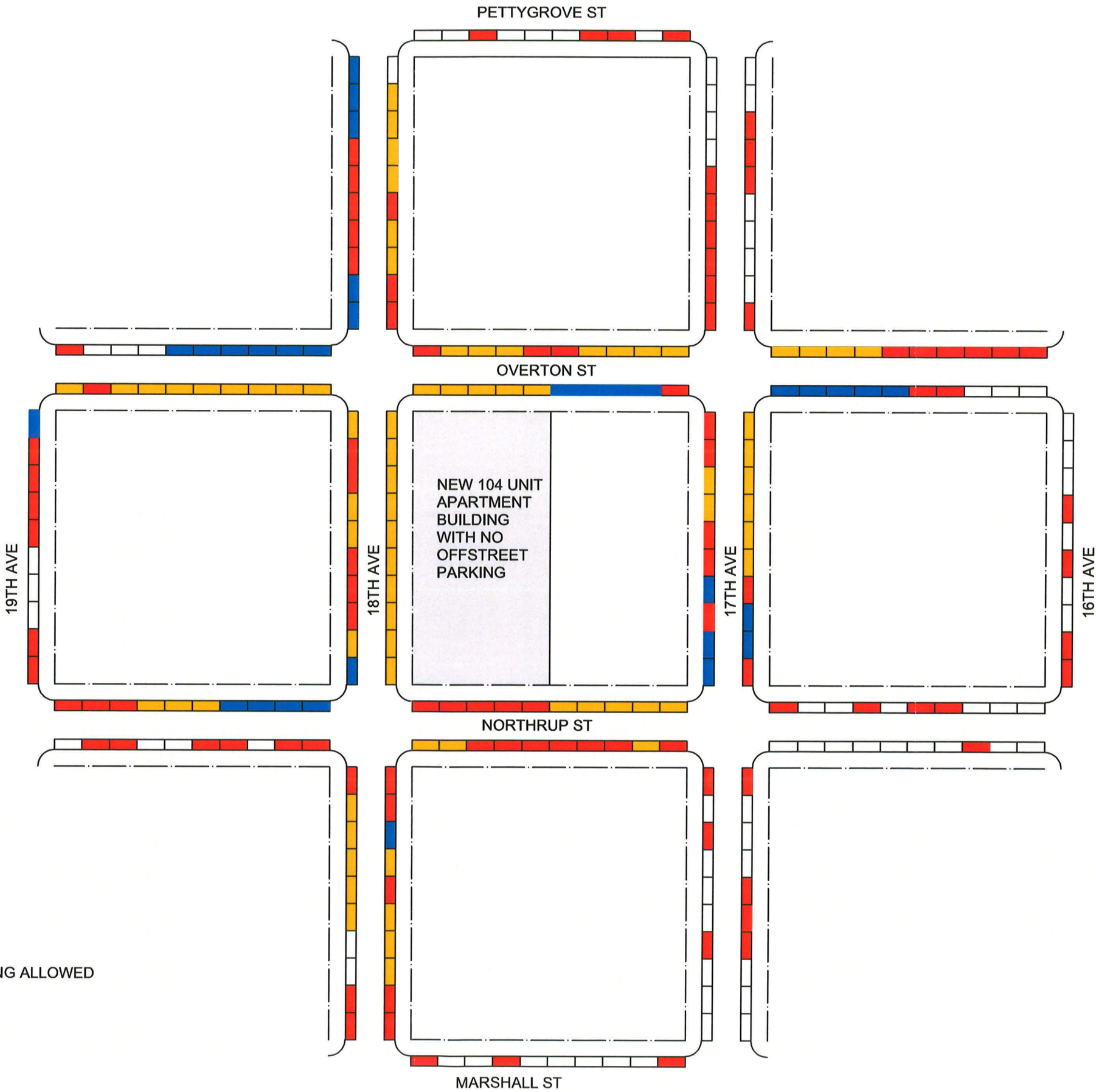
73 CARS AT 70% OWNERSHIP

0 SPACES ON SITE

73 CARS ON STREET

20 OF 28 BLOCK FACES ARE FILLED

- AVAILABLE LONG TERM SPACES
- OCCUPIED LONG TERM SPACES
 - SHORT TERM TIME LIMITED SPACES
 - DRIVEWAYS, HYDRANTS AND OTHER NO PARKING ALLOWED



Julie Garver
4-4-13

UNDER PROPOSED CODE

104 UNITS

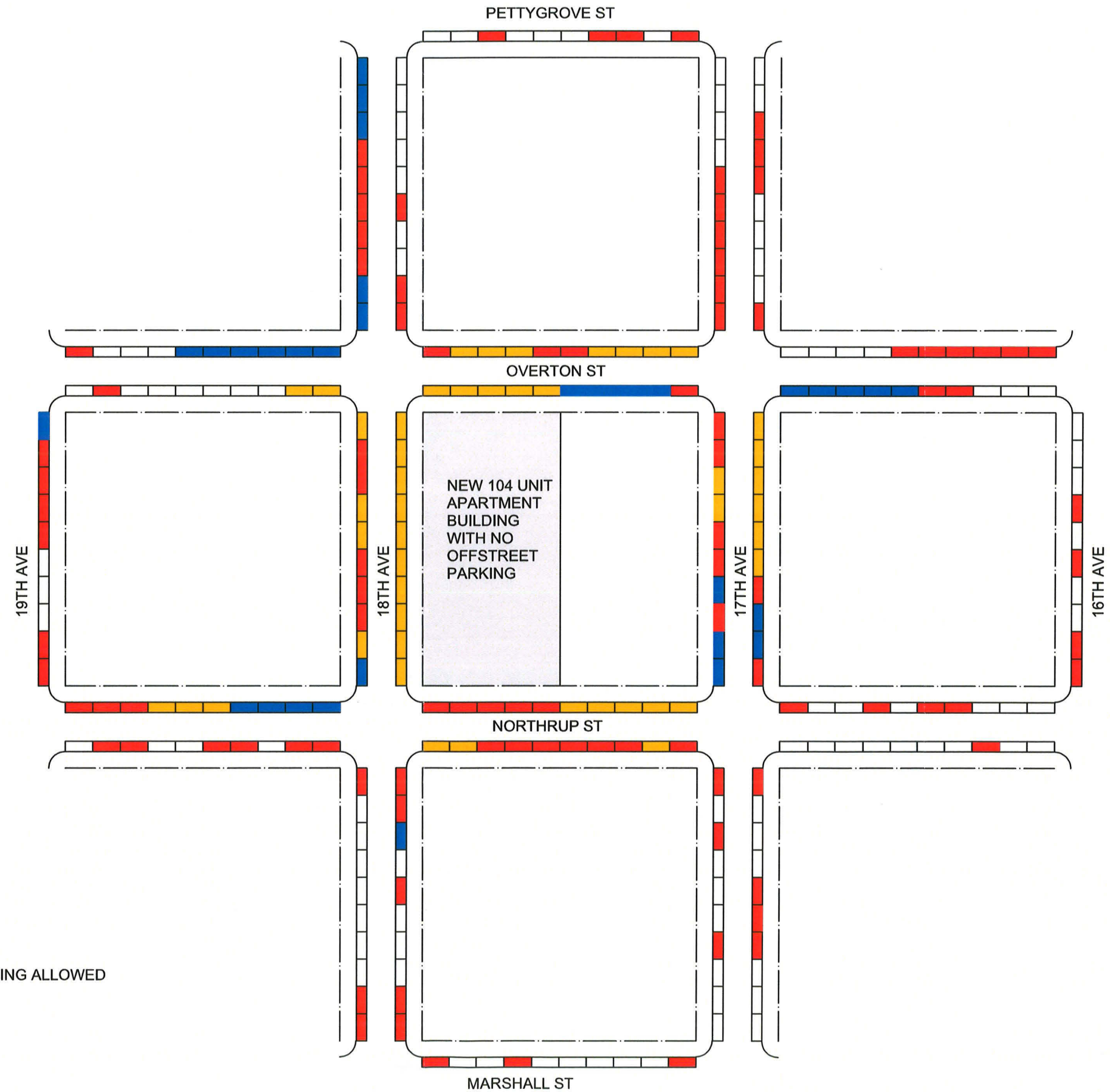
73 CARS AT 70% OWNERSHIP

26 SPACES ON SITE AT 1 PER 4 UNITS

47 CARS ON STREET

18 OF 28 BLOCK FACES ARE FILLED

- AVAILABLE LONG TERM SPACES
- OCCUPIED LONG TERM SPACES
 - SHORT TERM TIME LIMITED SPACES
 - DRIVEWAYS, HYDRANTS AND OTHER NO PARKING ALLOWED



Mr. Mayor, members of the Council, thank you for allowing me to speak to you today. This has been quite the roller coaster, and I hope you will successfully end this portion of the ride today. We all have our parts to play in these dramas, and I would like to thank the organizers of RNRG and our lawyer, all of who made our expected victory possible.

My small role, for better or worse, has been that of a rabble rouser, speaking truth to power even when those in power seemingly do not want to exercise it. Last time we met I know I made you uncomfortable with my challenge to stop the rape of my neighborhood. Your silent response was that you couldn't do anything about this project. Then we won our case before LUBA, which allowed you to do the right thing and bring this project under the newly expected rules to govern these buildings. The developer, and your own bureaucracy, then tried to silently reverse our victory, and you have finally responded. So I would like to extend my sincere thanks in anticipation of your immediate revisions to the zoning code TODAY, which will force the developer to modify this building and accept some responsibility for dealing with the growth and change his project will bring to our neighborhood. If you somehow shirk your responsibilities, I of course reserve my right to scream bloody murder.

The important thing to understand is that you decide immediately, today, and do not put this off for further study and amendments. You must bring this process to an end to ensure that 37th Street falls under the new rules; they can be modified later after further reflection.

Please do not listen to those who are arguing on principle, or hopes for a car-free future. Come and walk our streets, and you will not need an architect to show you how we will have to accommodate change. If we win today, we will still have to deal with an oversize monstrosity with only 60 or so units instead of 81. Most of those tenants will have cars, and they will clog our streets. So I will argue that the 40 unit threshold should be reduced to 20 or 25 or 30, because you know that we will likely see projects with one less unit so as to avoid parking. Also, raise the percentages so that 25% is a floor, rather than the starting percentage. The cumulative effect of all of these buildings, most with no parking, will still swamp the neighborhood.

Now of course this particular project is cumulative all by itself. If you have stopped the rape of my neighborhood, you must understand that it is still under assault. I ask that these regulations should be followed immediately by two conjoined efforts that can mitigate the simple auto storage problem. A neighborhood sticker program will allow existing residents to buy the right to park on our streets. A new Smart Park, planned and built soon, will allow the residents of the new space-less apartment buildings to park overnight. These steps must be taken to ensure that the unmitigated damage of projects like these are somewhat contained.

Throughout this process, I have been troubled by the deference paid to developers. Everyone deserves respect here, and developers are not by definition evil. But when we confront those whose greed, stupidity and arrogance know no bounds, we need and expect allies in City Hall. Thank you for your vote today.

Richard Lishner 2545 SE 37th Ave Portland, OR 97202

April 4, 2013

Thank you Mr. Mayor and City Commissioners for allowing me to speak to you today. My name is Kathy Lambert and I am the owner of Division Hardware located at 37th & S.E. Division, right across the street from the proposed 81 unit apartment complex.

I urge you to pass the amendment to change the requirements for developers to provide parking for projects with 41 or more units. It needs to be done immediately so the developer on the 37th street project will be required to provide some parking for the people moving into the building.

As it is developers are just buying up any and all available property to put up these monstrosities with no consideration at all to the livability of the neighborhood. It's only a money making proposition. This can't be allowed to continue if we want to preserve our family neighborhoods.

Once these projects are completed they are going to be around for many many years. They will not go away. Is this what we really want in our neighborhoods? There is a matter of building in conjunction with the existing neighborhood however Dennis Sackhoff has gone way overboard in the design of the complex going up at 37th and Division. This just does not fit the neighborhood. It does not belong here. This is not being very responsible. It needs to have some provision for parking.

This amendment will not solve all the issues involving the projects going on throughout Portland but it will be a step in the right direction to require the developers to include some parking for units above 41.

You were all elected by the people of Portland to carry out the work of making this a City we can be proud of and not be swayed by the special interests of developers who are here to fleece our neighborhoods and put money in their pockets. I urge you to pass the proposed amendment and put it into affect immediately.

If you are worried about Sackhoff bringing a lawsuit against the City of Portland and winning you must not have much confidence in the city attorneys ability to win this case, or is it the case of Sackhoff buying off people "in charge" of making the policies for the City of Portland.? Who do you work for, the people who make up our family neighborhoods or developers who insists on buying up all the land to put up these gigantic buildings in a residential neighborhoods?

This amendment must be voted on immediately and put into affect immediately in order to preserve the livability of our neighborhoods or what we have left of them.

Submitted to the Mayor and City Commissioners of Portland on April 4, 2013

By Kathy Lambert

Thursday April 5th, 2013

Written Testimony for Portland City Council Hearing

RE: Code Amendments for New Apartments and Parking Minimums

Dear City Council Members,

Thank you for providing opportunity to comment on the code amendments for new apartments and parking minimums.

Issue #1: Using minimum on-site parking requirements as a tool to achieve reduced on-street parking demand

I think the stated policy objective of reducing on-street parking demand will be very difficult to achieve unless there is some kind of district wide on-street parking management system (permits, meters, etc).

In my 10 unit condo building there are 4 tuck under parking garages. Interestingly only one unit uses their space for parking a car. Everyone else parks on the street and uses their garage for storage or for a workshop. Casual observation lends me to believe this is not an isolated occurrence. I think in an urban environment where on-street parking is basically free and living space comes at a premium cost many enclosed secure spaces that can be re-purposed for these other uses.

I have heard that on-street parking management is being floated as part of the long term discussion on this issue but I'm skeptical it will actually get implemented anytime soon since it tends to be unpopular with the general public. It took 15 plus years of discussion to finally get meters in NW.

Issue #2: Change of Frequent Transit Service Exception Definition (Amendment #2)

Amendment #2 includes a change to the definition of frequent transit service and, if passed, remove the transit exception on a number busy transit streets including E Burnside, NE Broadway/Weidler, NE Glisan, 52nd, 60th, SE Holgate, SW Capitol Highway, and 122nd. This change would result in the parking minimums reverting to the base zone, which is one parking space per dwelling unit, regardless of the number of units, and will apply to all lower and medium density multifamily zones (R3, R2, R1). City Council should reject this change for the following reasons:

- **Affordability and Equity**

New low and medium density multifamily buildings in zones R3, R2, R1 will be required to include one parking space for every unit. This will significantly increase the cost/rent of these units. These costs are not insignificant and will disproportionately affect low income individuals who often have to live in neighborhood with

This change will have a particularly significant affect on outer East Portland (see white areas on attached map around 122nd Ave, SE Stark, and SE Foster) where there is a significant amount of R1, R2, and R3 zones that are being removed from the exception.

- **1:1 parking requirement creates too much parking**

The city of Portland's own study of travel behavior indicates that 72% of respondents own cars. In particular the younger generation has lower rates of car ownership and trends indicating lower rates in the future. There is no need to have a parking space for every unit. The current proposal recognizes accommodates the affordability and car ownership trends when crafting the 4:1 standard on multifamily buildings with greater than 40 units. But this only applies to multifamily buildings in RX zones. *This same standard should also apply to the other multifamily zones (RH, R1, R2, and R3).*

- **Diminished Urban Design**

The additional parking requirements will require more street frontage to be devoted to driveways and garages. This may increase the height and bulk of some buildings as well as introduce designs that are less attractive and diminish the pedestrian experience and safety.

- **Harmful to Transit Service**

The increased cost and affordability issues act as a disincentive for these zones to reach their maximum allowed density and result in making it harder to generate transit ridership and eventually support better transit service in the future. This is not a sustainable development model the council should support.

I urge the city council to reject these new code changes and more thoroughly consider district wide parking management. If this is not an amenable option, I *strongly* urge the council at minimum reject the proposed changes to the transit exception definition and direct staff to study modifying the minimum parking standards to apply across all multifamily zones.





Thank you,

Ryan Michie
1505 SE 22nd Ave #1
Portland, OR 97214

rymichie@gmail.com

Proposed Code Amendments

Legend

-  Portland City Limits
-  Amendment #1 - Commerical/Multifamily Zones (CM, CS, CX, RX): 4:1 Parking > 40 units
-  Amendment #2 -500ft Frequent Service Corridor: 4:1 Parking > 40 units w/ Multifamily Zones (RH, R1, R2, R3)
-  Amendment #2 - Current 500ft Frequent Service Corridor (20 min headways) being removed w/ Multifamily Zones (R1, R2, R3) that revert to 1:1 Parking



0 0.75 1.5 3 Miles

R MICHIE 4-4-13

Michael C. Robinson
PHONE: (503) 727-2264
FAX: (503) 346-2264
EMAIL: MRobinson@perkinscoie.com

1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2000
FAX: 503.727.2222
www.perkinscoie.com

April 4, 2013

Mayor Charlie Hales
and Members of the City Council
City Hall
1221 SW 4th Avenue
Portland, OR 97204

**Re: New Apartments and Parking: Proposed Zoning Code Amendments to
PCC Title 33**

Dear Mayor Hales and Members of the Portland City Council:

This office represents Dennis Sackhoff and 37th Street Apartments, LLC. I am writing on behalf of Mr. Sackhoff and the LLC to comment on the proposed amendments to the Portland Zoning Code.

1. The ordinance should not affect projects already under construction or in process.

I testified on Mr. Sackhoff's behalf before the Portland Planning and Sustainability Commission at its March 12, 2013 public hearing. My testimony to the Commission focused on potential unanticipated adverse impacts from the ordinance and on proceeding too quickly. Mr. Sackhoff is most concerned about a sudden change in longstanding zoning policy. He recognizes that it is important to be nimble in reacting to community issues but these proposed amendments should not be enacted so quickly that they capture projects in mid-stream.

2. The City's Parking Study shows available parking around SE 37th Avenue and Division Street.

Mr. Sackhoff understands that the City Council will address the parking issue but notes for the record that the City's November, 2012 parking study by David Evans and Associates ("City of Portland Parking Impacts for New TOD Along Portland Inner Corridors: Parking Study") found 400 on-street parking spaces in the vicinity of his apartment building at SE 37th Avenue and SE Division Street (Parking Study at page 16). The Parking Study noted that for this area "On-street parking supply is underutilized" (Parking Study at page 22). The parking study also found that

Mayor Charlie Hales
 April 4, 2013
 Page 2

both week days and weekend days have average utilization rates of below eighty-five percent (85%) effective on-street capacity (Parking Study at page 22). The map showing average utilization of on-street parking at Parking Study page 32 shows parking utilization rates on the residential streets north of SE Division Street generally under fifty percent (50%), with one (1) exception (map enclosed).

Mr. Sackhoff understands that his project will add to the demand for on-street parking (even though he is providing a leased parking lot for tenants' use). I point out this information only to note that the City's study does not show a high average on-street parking utilization in this area.

3. Building density is not being changed.

While this hearing is about the proposed amendments, there probably will be testimony about Mr. Sackhoff's apartment building at SE 37th Avenue and SE Division Street, as there was before the Commission. Because there likely will be testimony that I cannot respond to after I testify, I want to make three (3) points on Mr. Sackhoff's behalf:

- Mr. Sackhoff did nothing wrong in building an apartment building with 81 units (now proposed to be 77 units). Mr. Sackhoff complied with every applicable City standard except the main entrance requirement found in PCC 33.460.310.A.2, which staff has acknowledged does not reflect the City Council's intent that it apply only to non-residential uses. We urge the City Council to begin a process to amend this code provision so that it requires a main entrance on Division Street only for non-residential uses.
- The building size and number of dwelling units complies with the Storefront Commercial ("CS") zoning district requirements. The building's density is controlled only by height and floor area ratio requirements. Mr. Sackhoff could have and, in fact, did consider building an apartment building with more units but did not do so. He received approval for a building with 81 units and is now proposing to reduce the building by four (4) units. However, he cannot remove the entire fourth floor (22 units) and, in any event, density was not an issue decided by the Oregon Land Use Board of Appeals in its decision in *Richmond Neighbors For Responsible Growth v. City of Portland*, __ Or LUBA __ (LUBA No. 2012-061, February 20, 2013) nor is a density change in the CS zone being considered by the City Council. Mr. Sackhoff understands the neighbors' concerns about density and that is why he has offered and will continue to offer eleven (11) items that he believes addresses many of their concerns. Mr. Sackhoff made this offer in a good faith effort to resolve the dispute.
- Finally, Mr. Sackhoff and I appreciate the talks we have had with the neighbors' representative, Dwight Holton. Dwight has not made this a personal matter as some

Mayor Charlie Hales
April 4, 2013
Page 3

have. This issue is not about where Mr. Sackhoff or I live or how well paid I am. I have proudly called Portland my home since my wife and I moved here in 1985. I went to law school in Portland and have worked in Portland since 1991.

This hearing is about what the parking requirements for new apartments should be and when that policy should be implemented. It should not be about punishing Mr. Sackhoff as some would urge you to do.

Mr. Sackhoff and I understand that you will adopt some form of the proposed amendments and will likely do so very shortly. However, we respectfully request that whatever you adopt be effective at a later date so that Mr. Sackhoff and others can rely on the "goal post rule" and those code provisions in effect on the date he submitted his building permit application.

Very truly yours,



Michael C. Robinson

MCR/cfr

Enclosure

Cc: Mr. Dennis Sackhoff (w/encl) (via email)

Subject: Testimony to the Portland City Council related to proposed zoning amendments for apartments being constructed without parking, April 4, 2013.

Imploding with debt, management costs ballooning and transit fares that barely cover 25% of operating costs; TriMet is on the edge of insolvency. Without major changes, the deteriorating transit agency will have to cut 70% of its bus routes by 2025. Likewise, bicycling doesn't generate any tax revenue to pay for infrastructure. Yet, the costly social engineering continues. The notion that everybody will ride a bike, take transit or even commute by transit is a mythical unsustainable fantasy world that lacks a reality check

80% of trips in Portland are made by car. That clearly signifies automobiles are the preferred mode of transport by the citizens of Portland. 70% plus of the tenant households in new apartment buildings without parking have one or more cars, and two-thirds of those cars are parked on the street. Using city streets as a storage lot for these cars decreases the value neighboring homes and businesses thereby creating a transfer of wealth from the nearby property owners to the developer

The reasoning behind the application of parking minimum requirements is to ease the burden on the existing street network from the arrival of fresh demand created by new developments. Implementing a fee based on-street parking permit system as a mitigation measure is not only an attempt to ration demand, but it also discriminately places the burden of fresh demand on existing residences and business rather than the developers that create it.

The proposed zoning code amendments that recommends only .25 parking spaces per unit as a minimum for structures with 40 units or more is a watered down feel good only approach that just puts lipstick on a pig. It totally lacks a reality check. Consider the cumulative effect of several of these apartment buildings without parking or with only .25 parking spaces per unit being constructed in close proximity to each other.

Forcing alternative lifestyles on other people and the kind of social engineering agenda that allows developers to construct new apartment buildings without adequate parking spreads the plague of the Northwest Portland parking mess to the eastside. **Developers need to accept the responsibility for any fresh demand for parking. The zoning code amendments need to reflect the reality check of today and be adjusted to require .75 parking spaces per unit for any new eastside multi-unit residential development.** Parking minimum requirements need to accommodate the majority of tenants with cars while minimizing the on-street impact for existing residences and businesses. New York City for example, has a huge transit system, but still requires .70 parking places per unit.

In today's modern world, the family car represents the true meaning of democratic freedom and mobility. History clearly demonstrates higher rates of personal mobility significantly contribute to greater economic productivity, which in turn generates higher income jobs. None of us can predict the future. The energy sources and propulsion systems for the automobiles of tomorrow may not even be on the drawing boards of today. Even "if" in the decades to come, personal mobility drastically changes and the number of households owning cars radically declines; the smart and logical thing to do is to lessen the negative impacts of today by requiring adequate off-street parking minimums, but design that space so it can be converted to other uses in the distant tomorrows.

Respectfully submitted,

Terry Parker
Northeast Portland

Other Notes:

185974

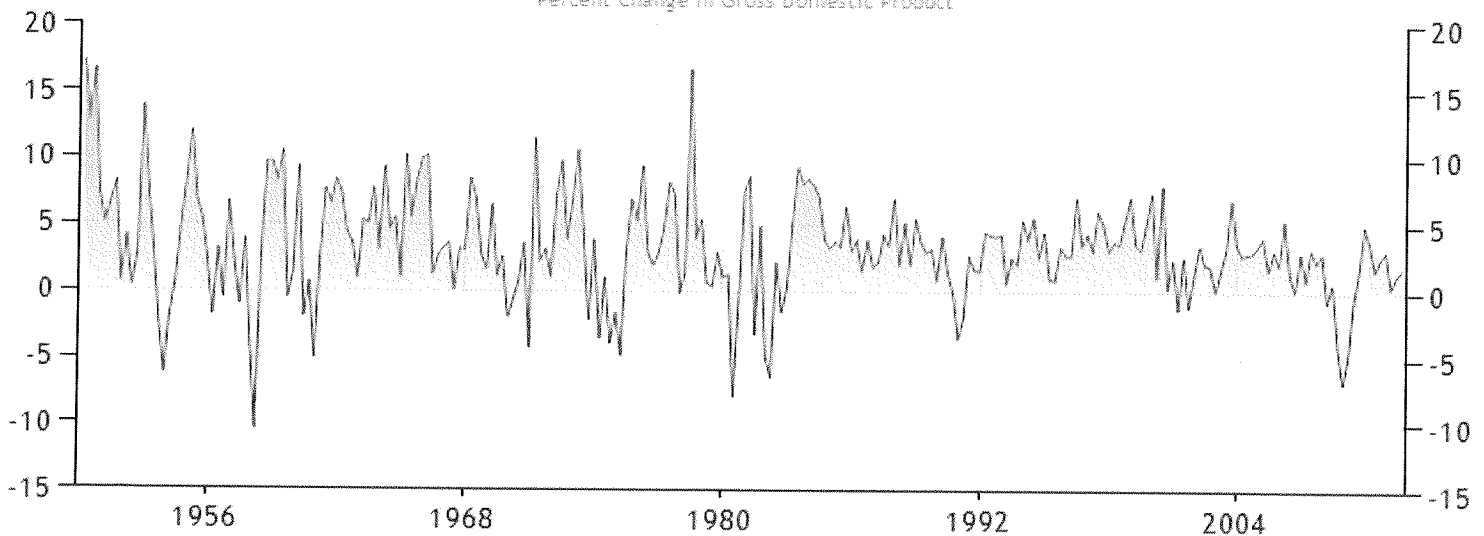
Using data published from 2009, the new technologically advanced cars coming off the assembly lines use less energy per passenger mile (as measured in BTUs), and produce less emissions per passenger mile (as measured in pounds of Co2) than riding transit, even in Portland.

Mode	Highway	Transit
Subsidy per passenger mile	.06 to .09 cents	60.9 cents
Passenger Miles per Capita (2006)	11,258 (auto)	270
Share of Motorized Passenger Miles per capita (2006)		2.2% Portland
Energy Consumption in BTUs per passenger mile	3,700 All Autos 1,659 Prius	3,444 All Transit 3,008 Portland
Pounds of CO2 per passenger mile	0.58 All Autos 0.26 Prius	0.47 All Transit 0.36 Portland
Improvements in Energy Efficiency 1970 through 2006	27.9% Pass Cars 44.7% Light Trucks	-71.3% Busses -29.1% Light & Heavy Rail
Improvements in Energy Efficiency 1984 through 2006	13.6% Pass Cars 22.7% Light Trucks	-28.1% Busses 08.3% Light & Heavy Rail

History clearly demonstrates higher rates of personal mobility significantly contribute to greater economic productivity which in turn generates a stronger economy and higher paying jobs. Eight to ten percent of the jobs in the US are tied to the auto industry. Currently one less motorist and one more alternative transport user is one less taxpayer contributing to transportation infrastructure costs. Multiplied several times over, this current scenario equates to a loss of family wage jobs.

UNITED STATES GDP GROWTH RATE

Percent Change in Gross Domestic Product





April 4, 2013

City of Portland
Attn: City Council
1221 SW Fourth St.
Portland, OR 97204

Subject: Minimum parking for large apartment buildings

Dear Honorable Mayor Hales and City Commissioners,

The Overlook Neighborhood Association Board supports the proposed amendment to city zoning code Title 33 that requires minimum parking for large apartment buildings, but we would encourage you to lower the parking threshold from the current 40 units to 20 or 30 units and to adopt the new rules as an emergency ordinance, as we feel that these changes would better protect our neighborhood's quality of life.

Thank you,

Kevin R. Campbell
Land User Chair, on behalf of **Overlook Neighborhood Association Board**

185974

Moore-Love, Karla

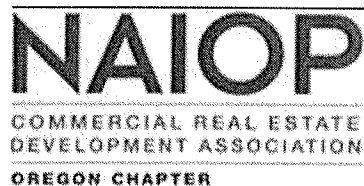
From: Kelly Ross [kelly@westernadvocates.com]
Sent: Thursday, April 04, 2013 12:24 PM
To: Moore-Love, Karla
Subject: Testimony for 2:00 Council Hearing
Attachments: 4-4-13 NAIOP letter to Portland City Council re PCC Title 33 amendments(2-2).pdf

Ms. Moore-Love,

Please find attached a letter from NAIOP President David Kotansky re the proposed amendments to PCC Title 33 that will be considered by the City Council this afternoon. Please enter it into the official record.

Thank you,

Kelly Ross



Kelly Ross, Executive Director
6745 SW Hampton, Suite 101
Portland OR 97223
(503) 223-1766
(503) 380-1316 Mobile



COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION
OREGON CHAPTER

April 4, 2013

Via E-Mail

Mayor Charlie Hales
and Members of the City Council
City Hall
1221 SW 4th Avenue
Portland, OR 97204

**Re: Proposed Amendments to PCC Title 33 Concerning New Apartments
and Parking**

Dear Mayor Hales and Members of the City Council:

I am writing on behalf of the Oregon Chapter of NAIOP Board of Directors, which has authorized me to send this letter to you explaining its position on the proposed amendments. NAIOP members are comprised of many different professionals in the real estate industry, including architects, contractors, developers, lenders, brokers, attorneys, property owners, and consultants.

First, NAIOP takes no position on the substantive amendments. NAIOP recognizes that the debate over off-street parking is complex and that there are many viewpoints on the matter. NAIOP will leave resolution of those matters to the City Council.

However, NAIOP is very concerned about the speed with which this amendment has been processed and the implications on property owners and the development community if the proposed amendments are adopted and made effective immediately. NAIOP is particularly concerned about what appears to be a change in the rules following the issuance of permits for construction.

First, ordinances should only be applied prospectively. Adopting an ordinance with an immediate effective date as urged by some would have a severe negative impact on property owners' and builders' plans that have been in process and who have relied upon existing zoning ordinance provisions. The policy that these amendments seek to change has been in place for many years and a change in policy on an emergency basis will have material adverse impacts on individuals and entities who have relied on these ordinances to borrow money, engage architects and contractors and acquire property.

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Group Mackenzie

Ann Young
US Bank

Executive Director

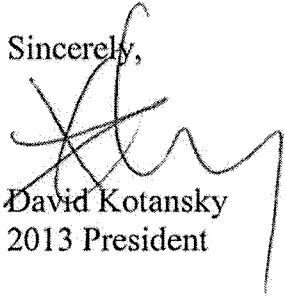
Kelly Ross

Second, NAIOP is very concerned that lenders may cease financing new projects if they perceive that the City can change the rules under which a project can be developed after the issuance of permits for such a project. The result could be that lenders will be less likely to lend money for projects of all types if the City acquires a reputation for halting permit reviews mid-stream and for making dramatic and sudden shifts in policies in longstanding zoning ordinances.

NAIOP appreciates this opportunity to submit this letter on these proposed ordinance amendments and requests that it be made a part of the official record. NAIOP urges the City Council to make the changes it believes necessary but to do so in a thoughtful and tempered way that does not place property owners and builders at a disadvantage and not to adopt the proposed amendments by emergency.

Thank you for your consideration of this input and please do not hesitate to contact me if we can provide any additional information.

Sincerely,



David Kotansky
2013 President

185974

Moore-Love, Karla

From: Benjamin Adrian [benadrian@gmail.com]

Sent: Thursday, April 04, 2013 1:23 PM

To: Moore-Love, Karla

Subject: Testimony for New Apartments and Parking Recommended Zoning Code Amendments hearing
April 4th, 2013

RE: Proposed parking regulations

Dear Mayor Hales and City Council,

I write to urge you to vote no on the proposed zoning code amendments you are considering today. This set of parking regulations does not address the underlying issues that are at hand. Parking demand management has better solutions than requiring the building of costly parking spaces in our close-in neighborhoods. Inner neighborhoods are attracting market demand for housing precisely because of the low-car lifestyle these neighborhoods afford. As the City plans for the next 25 years of growth with our Comprehensive Plan Update, the Bureau of Planning and Sustainability should undertake a thorough review of motor vehicle storage practices and methods. Such a review would need to be more robust than the recent process BPS conducted culminating in the proposal before you today.

As we are now seeing, motor vehicle ownership and usage trends are undergoing significant changes. Car sharing and active transportation such as bicycling are reaching significant levels especially in the neighborhoods most impacted by the proposal before you today. I urge you to vote no and direct BPS to conduct a broader effort to help Portland reach an innovative outcome to make more efficient use of our existing supply of on-street parking spaces. We need a better solution than parking minimums to keep the future growth of Portland consistent with our common values of creating a safe and equitable city for all.

Thank you,

Benjamin Adrian
2415 NE Multnomah Street
Portland, OR 97232

4/4/2013

185974

Moore-Love, Karla

From: Susan Lindsay [lindsays@pdx.edu]
Sent: Thursday, April 04, 2013 8:42 AM
To: Hales, Mayor; Commissioner Fritz; Commissioner Saltzman; Commissioner Fish; Novick, Steve; Moore-Love, Karla
Subject: Parking Changes Testimony
Attachments: bca_council_letter_apr_2013.docx

Dear Mayor Hales and City Council Members,

Due to work, I will not be able to attend this important hearing today.

We urge not only your support of these measures, but an immediate increase in the number of required spaces and ratios from these base proposals.

Please see the attached brief letter (made brief due to my knowledge of your incredible work load!)

Thank you all for your service to Portland!!

Respectfully Yours,

Susan Lindsay
Chair BCA

4/4/2013

April 4th, 2013

Mayor Charlie Hales
Commissioner Dan Saltzman
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick

Dear Mayor Hales and Fellow City Commissioners,

Today you will hear public testimony on proposed changes to city code regarding parking for new multi-unit developments. As you will all have much to listen to and read, I will be brief.

First of all, thank you for your interest and concern about this matter!! Neighborhood and community members feel threatened and deeply distressed about the recent proliferation of large new multi-unit developments filled with car-owning residents, yet built without a single parking space. This creates traffic and congestion as too many car owners compete out in nearby neighborhoods for limited parking spaces.

This scenario is particularly true in the Buckman neighborhood where most of the turn of the century houses are already sub-divided into small apartments or units, and due to their age, built without garages or driveways. This means that apartment buildings built without adequate residential parking, create a real hardship for existing residents who will now need to circle round and round the blocks seeking parking. This is a time-consuming and stressful process as anyone who has ever lived in large Eastern cities can attest. To say that residents will simply get rid of their cars is naïve and not backed up by actual facts. Most people in Portland have cars, due to the weather, the lack of adequate public transportation, and a desire to have means explore our beautiful state and region. Also, in Buckman, we lack an existing grocery store. Cars are a real necessity even if they aren't always driven downtown to work and Planning's own statistics bear evidence residents in parkingless structures still own cars.

The new regulations are well meaning and certainly better than nothing, but do not go far enough. Allowing buildings with less than 40 units to escape any parking requirements will simply create a flood of this size building, which is very large in its own right. As there are no restrictions on the number of buildings that can be placed on or near any of the designated streets, Buckman with its unfortunate inclusion of a couplet (Morrison/Belmont), in addition to Hawthorne Blvd. and E. Burnside, can become buried in these, what many see as, developer give-aways...with older houses subject to demolition as development pressures build on this targeted zone.

****We ask and advocate for a reduction of the size of structure that would not require parking, down to 20 units. In addition, we believe the ration of the proposed changes is wrong, and anything above 20 units should have a 50% required parking ratio, which is still much smaller than other, more urban cities.**

**Also, there should continue to be a required on site loading zone, rather than use up whatever limited parking is available or continue the usual practice of parking moving in/moving out trucks in front of nearby neighborhood residences.

So while these proposals are a good start, they do not go far enough and Planning representatives themselves at discussion meetings have described them often as a "place to start".

Please help our neighborhoods not becoming parking war and congested parking "hunting" zones. Build for the future, not to demolish the existing neighborhoods.

Thank you very much.

Sincerely Yours,

Susan Lindsay

Chair, Buckman Community Association

writing for a sub-group of the BCA concerned about these proposals

185974

Moore-Love, Karla

From: Tony Jordan [twjordan@gmail.com]
Sent: Wednesday, April 03, 2013 11:24 PM
To: Parsons, Susan; Moore-Love, Karla; Hales, Mayor
Subject: Testimony In Regards To New Apartments and Parking
Attachments: TonyJordan-ApartmentParking.pdf

Please accept and distribute my comments for the April 4th Council hearing.

Attached as text and PDF

Thank you.

Re: New Apartments and Parking

Mayor Hales and Commissioners,

The amendments proposed by the Planning and Sustainability Commission will slow or suspend residential development along our close-in transit and commercial corridors.

We have waited many years for these streets to "grow up" and it is unfortunate that fear and uncertainty are likely to derail this transformation, which is essential to the long range plans for Portland.

While current residents will continue to enjoy subsidized storage of their vehicles on the street, renters will continue to compete for briefly vacant apartments in an ever tightening market. The adjustments proposed by Commissioner Fish will only exacerbate this effect.

It is true that a brand new development may not be cheap to live in, but high school economics teaches us that increasing supply, relative to demand, will bring down prices overall.

There is a perverse incentive at play for developers to offload the cost of residential parking on nearby neighborhoods. The same incentive convinces homeowners to convert garages to offices and to keep additional vehicles. Innovative residential permit programs will ensure that adequate parking remains available without creating a glut of "just below threshold" buildings designed around these regulations. We should roll up our sleeves and begin the difficult work of converting the parking commons to a managed public resource.

Those of us who had hoped for a reasonable discussion of this proposal have watched in dismay as a series of reactive actions have turned this into an emotionally charged debate with little time for reasoned arguments.

This decision should not have been fast tracked with two weeks notice (one of which was spring break) to stop development at 37th and Division. If that is successful, it will send a shiver down the spines of all developers, not just the unpopular ones, and expose the city to damaging litigation. If that was not the motivation, then what was the rush?

It would be one thing to move quickly to pass the PSC recommendations, but the adjustments proposed are not minor tweaks.

If you must take action, pass the PSC amendments with minimal adjustments.

Sincerely,
Tony Jordan

4/4/2013

Tony Jordan
4540 SE Yamhill St.
Portland, OR 97215

185974

Re: New Apartments and Parking

Mayor Hales and Commissioners,

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It would be one thing to move quickly to pass the PSC recommendations, but the adjustments proposed are not minor tweaks.

If you must take action, pass the PSC amendments with minimal adjustments.

Sincerely,
Tony Jordan

185974

Moore-Love, Karla

From: judah gold-markel [rnrg37@gmail.com]
Sent: Wednesday, April 03, 2013 10:42 PM
To: Hales, Charlie; Fish, Nick; Novick, Steve; Saltzman, Dan; Fritz, Amanda
Cc: Moore-Love, Karla
Subject: Additional testimony for parking amendments

Dear Mayor Hales and City Commissioners:

Tomorrow you have the opportunity to encourage responsible growth that meets the long term vision for our city. By voting yes on the proposed parking amendments and making them effective immediately, you will directly impact livability in many neighborhoods throughout Portland.

Richmond Neighbors for Responsible Growth posted an online petition several weeks ago urging that City Council pass the zoning code amendments for minimum parking requirements and make them effective immediately. As of this evening, the petition has 560 signatures. More importantly, there are comments from hundreds of concerned citizens from many different neighborhoods supporting immediate action on this important issue. We hope you will include these comments along with the testimony that you hear at tomorrow's meeting when making your decision.

To read the comments, click the following link and then the "signatures" button.

<http://www.ipetitions.com/petition/urge-city-council-to-act-now-pass-proposed/>

Respectfully,

Richmond Neighbors for Responsible Growth

Moore-Love, Karla

From: Hiroki Tsurumi [tsurumi@econ.rutgers.edu]
Sent: Wednesday, April 03, 2013 10:35 PM
To: Hales, Mayor; Commissioner Fritz; Commissioner Fish; Novick, Steve; Commissioner Saltzman; Moore-Love, Karla; Wickstrom, Matt; Gunnar Sacher
Subject: Testimony on Recommended Parking Minimums
Attachments: city council agenda min parking.doc



city council
agenda min parkin.

I am attaching a Word file of my testimony on recommended parking minimums.

Thank you.

Hiroki Tsurumi
1221 SW 10th Avenue
Portland Oregon 97205-2437

My name is Hiroki Tsurumi. I have recently moved to Portland from New Jersey and live in a condo in Portland's West End neighborhood downtown. In the past I have lived in New Jersey, Philadelphia, Ontario Canada, Tokyo, and Kyoto among other places.

I thank the Bureau of Planning and Sustainability for the proposed amendment to put a minimum requirement for parking space for new multi-dwelling buildings.

My concerns are

- (1) The proposed minimum 25% on-site parking for future multi-dwelling buildings over 40 units is too low. The minimum should be much higher, say, 40% to 50% regardless of the number of units. **But the exact minimum % should be determined with the participation of the local residents in such a way that the property values of the existing neighborhood will not be disrupted.**
- (2) If the City of Portland is encouraging the construction of multi-dwelling buildings with no or little on-site parking requirement to push Portland towards a car-free city, it is a one-sided policy that may easily disrupt the livability of the city. To attain a car-free city, many systems and services to be addressed.

Tokyo might be seen as a prime example of a car-free city. These are some of the ways that Tokyo differs from present day Portland:

- (i) The public transportation network is extensive and reliable. Bus, train, and subway lines are never reduced or out of service. Six million people live within a 10 to 20 minutes walk to public transportation. Every child can get to school and every worker can get to work on public transportation.
- (ii) Same day delivery service is available for almost anything, from furniture to airport luggage to groceries.
- (iii) Taxis are plentiful and always visible.
- (iv) Every neighborhood has a small shopping center with fresh food and other essentials for essentials within walking distance.

In a successful car-free city like Tokyo, car ownership is a luxury not a necessity. For Portland to become a car-free city, a more comprehensive approach is needed. The parking policy should change gradually and at the same rate as other necessary changes occur. Otherwise the city will become unlivable.

I urge the council members to change the parking requirements much more gradually than now proposed.

185974

Moore-Love, Karla

From: Dave Krogh [dhkrogh@gmail.com]
Sent: Wednesday, April 03, 2013 9:16 PM
To: Moore-Love, Karla
Subject: Testimony for April 4 Agenda item 300 regarding parking changes

Dear Mayor and Commissioners:

The automobile is not going away soon.

I am a professional land use planner with 30 years experience. I also live in the Richmond Neighborhood 2 blocks away from one of the apartment buildings previously allowed with no parking.

Zoning amendments need to maintain a semblance of reality. Otherwise, livability and other public interests are potentially in jeopardy.

The reality is, the automobile is not going away soon.

A recent study referenced by the Oregonian stated that 65% of the residents within transit corridor proximity apartment projects still owned and drove automobiles. That means under the current standards with no parking requirements, 65% of the apartment residents are parking down the street within the single family neighborhoods. That's what I'm facing 2 blocks away from one such monstrosity. My street is becoming more and more crowded. I'm just lucky to have a driveway or I might not even be able to park at my home.

Why is the automobile not going away soon? There are several reasons. First, transit service is not convenient to many people and Trimet is already talking about cutbacks in service. Second, federal standards will be requiring improved gas mileage for vehicles. With higher mileage vehicles, people will take convenience over higher gas prices. Third, electric and hybrid vehicles are on the increase. We are going to be seeing more and more of these on the road in the future.

If anything, please increase the parking requirements. One space for 5 vehicles still puts the autos of 45% of the apartment residents into our neighborhood streets. That is unacceptable and unrealistic. Providing less parking will not make cars go away. It will only hurt livability and create parking problems for residential neighborhoods. No single family home owner should have to pay for a parking permit just to park at their home.

Again, the automobile is not going away soon. Please require adequate parking for them for apartment complexes; even those in transit corridors.

Thanks for your consideration.

David Krogh
1720 SE 44th Ave.
Portland, OR 97215

Moore-Love, Karla

From: md.newman@comcast.net
Sent: Wednesday, April 03, 2013 5:29 PM
To: Moore-Love, Karla
Subject: Recommended Zoning Code Amendments for Parking Minimums - Testimony

Attachments: Parking Code Comments.doc

Enclosed is testimony from David Newman, 1221 SW 10th, Portland, OR 97205

4/4/2013

As a resident of the West End area of Downtown Portland, I am interested in more middle income housing in this neighborhood. Parking in city zoning code will be a major determining factor for future neighborhood development. Housing developed in the South Waterfront and Pearl areas include parking that makes it attractive to people from suburbs.

Both Neighborhood Apartment Parking Survey and City of Portland Parking Impacts for New TOD Along Portland Inner Corridors Parking Study indicate that most (72% to 85%) apartment tenants and homeowners in the Central City own cars.

West End housing is currently dominated by low-income tenants and publicly subsidized housing. Housing attractive to people that work downtown is greatly needed. According to a Portland Business Alliance survey, a small percentage of people that work downtown, live downtown. Parking availability is directly related to the income range of residents. To attract downtown workers from the suburbs, downtown housing with parking is needed.

West End on-street parking is all metered, so I urge that Amendments #1 and #2 to the City Zoning Code require all new Housing to have a **minimum of one parking space for two units** with of new construction with no maximum.

Regards,

David Newman
1221 SW 10th
Portland, OR 97205

185974

Moore-Love, Karla

From: Justin Wood [justinw@hbapdx.org]
Sent: Wednesday, April 03, 2013 2:10 PM
To: Hales, Charlie; Commissioner Novick; Commissioner Fish; Commissioner Fritz; Commissioner Saltzman
Cc: Moore-Love, Karla
Subject: HBA Metro Portland Written Testimony
Attachments: HBAMP Testimony to Portland City Council - 4-3-13 - final.pdf; Portland 20 Unit Parking Example.pdf

Mayor Hales and Commissioners. Please find attached the written testimony from the HBA of Metro Portland that will accompany my testimony tomorrow. Within my testimony please make note of a proposed amendment as well as an attached example that parking on smaller lots creates.

Thank you for reviewing my testimony and I appreciate your consideration on these issues tomorrow.

Justin Wood

Associate Director of Government & Builder Relations
Home Builders Association of Metro Portland
t 503.684.1880 | c 503.997.7966 | f 503.684.0588 | hbapdx.org

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4/3/2013



Home Builders Association
of Metropolitan Portland

To: Mayor Charlie Hales & City Commissioners
City of Portland

From: Justin Wood, Associate Director of Government Relations
Home Builders Association of Metro Portland

Date: April 2, 2013

Re: Apartment Parking Requirements Testimony

Dear Mayor Hales & Commissioners,

Thank you for reviewing my testimony regarding the proposed planning code amendments addressing apartments with limited or no parking. I want to first provide a couple of comments about the context for this issue, as it is just one example of an area where a substantive change in regulations could have a big impact on the City's ability to reach its housing density and affordability, transportation and climate change goals.

As a member of the Portland Comprehensive Plan Housing PEG, I have been a part of the discussion of the role housing will play in our city over the next generation. City of Portland elected leaders and citizens have made a choice to value and encourage density, infill and redevelopment in support of Metro's regional goals. These values are in place to relieve pressures on our metro area urban growth boundary, to increase efficiencies in development, and to make more vibrant, walkable and livable communities.

While the immediate issue before you is related to the amount of parking needed for apartment projects located close to mass transit options, other issues have also been raised as concerns, including the buffer/transition between traditional single-family home neighborhoods to three- and four-story building apartments and design review involvement. All understandable concerns, but adding too many regulations, creating uncertainty in the development process, and increasing costs on projects that makes them not fundable or unfeasible will only hurt the City's efforts to achieve the infill and redevelopment goals it has set for the next twenty years. Any future changes made must keep these issues in mind.

Significant government and private investments have also been made in providing additional transportation options to decrease the reliance on automobiles (and resulting CO2 emissions) for

personal and business travel in the City and the region. Apartments that do not currently have a minimum parking requirement are only built along transit lines with high levels of service. While some will argue that many of the tenants living in these units still own an automobile, many believe that we are on the verge of a behavioral shift in the urban Portland area. This shift will not happen overnight. However, as more non-auto dependent buildings and neighborhoods are built in urban core areas, more people will feel comfortable without a car. As more people feel comfortable without a car then more services supporting these people such as increased transit and car sharing systems will be put in place. Adding parking requirements to these apartments will reduce the incentive for people to move away from an auto dependent lifestyle.

The amendments presented to you today reflect work on behalf of Planning & Sustainability Staff and the Planning & Sustainability Commission to address concerns with the current code and make adjustments that provide relief to the neighborhoods on the most important areas of concern. **We support the recommendations with one suggested modification discussed below.** In addition, we would ask that the City Council not go any further on these issues right now. Portland will be going through a comprehensive plan review in a couple of years, and that will give more time to study the impact low or no parking apartment projects are having on existing neighborhoods and in altering transportation behaviors among the residents who choose to live in these units. What we can say is this: these apartments have proven to be financially viable as banks are now lending on them, and they have proven to fill a need as people are moving into them. Those are strong market factors in play that should be considered.

While the proposed amendments deal with several issues, the biggest issue which must be dealt with is the threshold at where units will be required to provide some level of parking. Planning & Sustainability staff have done a very good job at evaluating the impacts that various levels requirements would have on the feasibility of construction. The amendments as proposed would require 1 parking space for every 4 units above 40 units with no requirement below 40. Forty units is not just a number which was settled on arbitrarily. Typically, buildings 40 units or less are built on interior lots measuring less than 10,000 square feet. A typical Portland interior lot would be a 50 x 100, 5,000 square foot lot with 50' of street frontage. Building an apartment building on this type of lot provides many challenges such as:

- Storefront Loss - Twenty feet of the frontage is used for driveway access. This results in 40% of the frontage of the lot being used for paving. This driveway access to parking removes space which could be used to provide ground floor retail space and a much more attractive face to the building.
- On Street Parking Loss – The driveway paving and approach will remove valuable on street parking. If a development is required to build 5 parking spaces on site but 2 on the street are lost, the net gain is only 3 parking spaces.

- **Paved / Impervious Surfaces** – In order to provide 5 parking spaces on site, the typical design of an interior lot would require parking in the rear of the lot. The amount of paving required to provide these 5 parking spaces would be roughly 40% of the coverage of the lot. These paved / impervious surfaces require storm water management, adding to costs and storm water runoff off site.

Over forty units was chosen because most buildings of this size are built on 10,000 square foot lots or larger. A majority of these lots in Portland are typically on a corner lot. Having a building on a corner lot provides greater flexibility in parking design which has less impact on the losses mentioned above. Additionally, buildings of more than 40 units are more easily able to absorb the cost of the required parking as the costs are spread over the cost of the entire development.

Some adjustments to the amendments proposed by **neighborhood groups would lower the parking threshold to 20 units. This number is not based on any research or background information.** The number 20 is simply “less than 40”. Since Planning & Sustainability staff has backed up their reasoning for the 40 unit threshold with solid reasoning, and these findings were supported by the Planning & Sustainability Commission, we ask that the Portland City Council support the staff recommendation of a 40 unit no parking threshold.

We are in support of the amendments as proposed, including that **there should be some credits given for buildings above 40 units for alternative transportation options provided**, such as bike racks, shared vehicle parking, or parking provided offsite but within a certain proximity to the project.

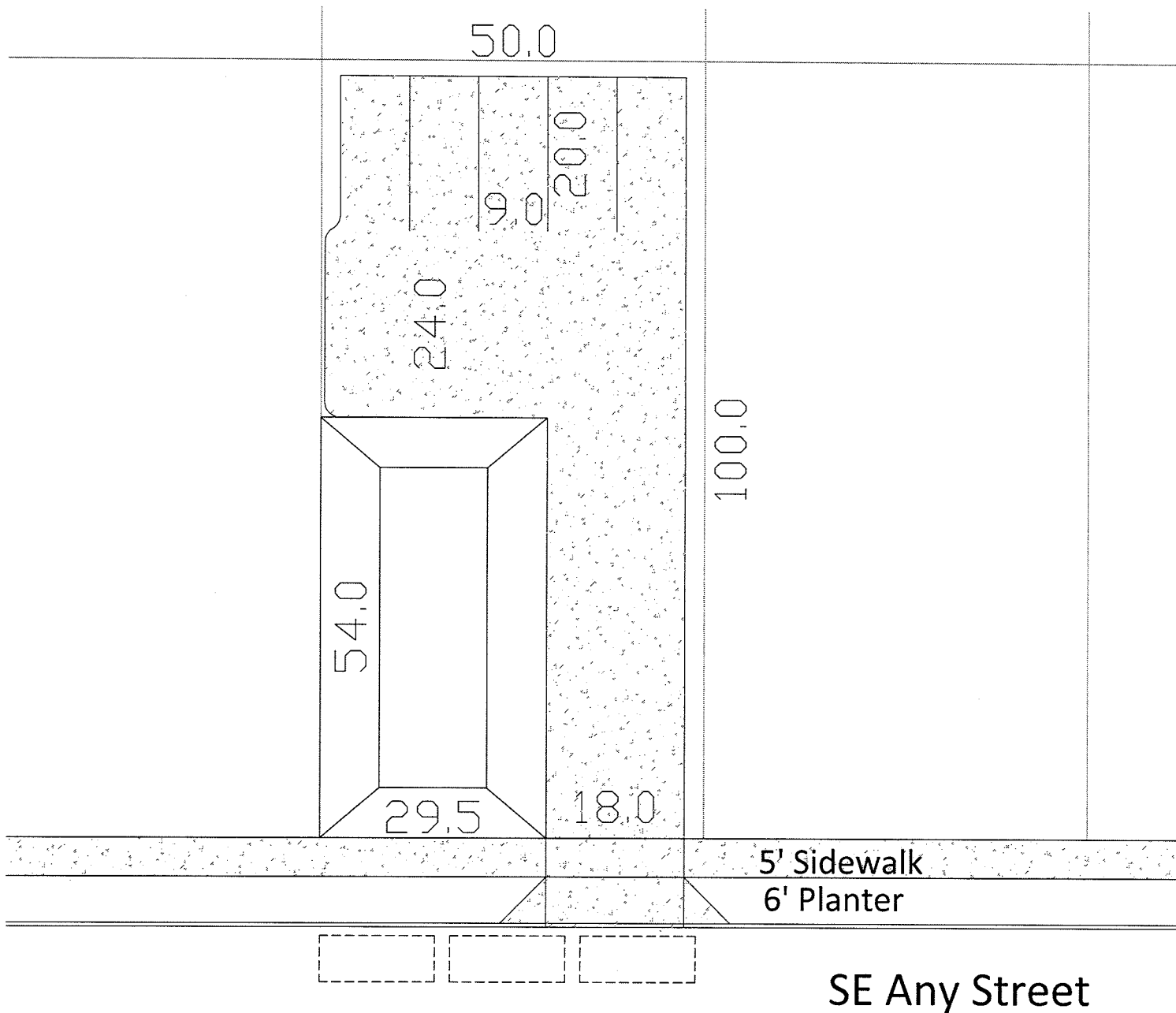
However, **we feel one proposed adjustment is needed to address a transition stage for buildings over 40 units.** The amendments as proposed would require a 45 unit building to have 11.25 parking spaces, where a 40 unit building would not be required to add any. The side effect to this is that many buildings may be designed to be just under 40 units. To address this issue, we suggest “stepping into” a parking requirement. One such idea we have discussed with planning staff is to require five spaces above 40 units, with one additional space added for every four units above 40. Under that proposal a 45 building unit would be required to have 6.25 spaces. This suggested amendment would allow for flexibility and fairness in design of new apartment buildings over 40 units, and there are ways builders can incorporate those number of spots in projects that still aren’t big enough to justify a much larger parking requirement/expense.

While this is a contentious issue with strong feelings on both sides, these apartments with minimal to no-parking requirements help the City of Portland work towards meeting goals of density, infill, affordability and carbon / CO2 reduction. They also support the City’s and region’s desire to change driving behaviors in urban neighborhoods and create more walkable, livable communities. The proposed amendments from Planning & Sustainability staff reflect careful consideration of these goals and try to balance them with neighborhood concerns. The Home Builders Association of Metro Portland

ask the Portland City Council to approve the amendments as proposed by staff along with the suggested stepped in parking adjustment mentioned above.

Finally, the City Council will also be asked to consider a schedule for implementation of these new amendments. Typically, amendments of this nature would be given a 1st reading followed by a 2nd reading and a minimum of a 30 day period before full implementation. We understand that there are some who have asked the Council to consider making these amendments effective immediately via an emergency ordinance. The effect of this emergency ordinance would essentially target one particular development and render it unbuildable in its current form. We believe that this would be a mistake and would set a dangerous precedent for building permits and development within the City of Portland. A building permit is a contract between the city and the builder who submitted the permit. When a builder designs a project, obtains financing for the project, submits the project for city approval and then receives an approved building permit based on city review, the builder has to believe that the City will honor it. Or, if something is found that needs changed, then the builder will still be held to the same standards under which it applied and received approval. We ask the Council to not subject any builder to new standards that have nothing to do with why the permit was placed on hold by making this an emergency ordinance.

Thank you for your consideration on this issue.



SITE STATISTICS	
Lot Size:	5,000 SF
Building Footprint:	1,593 SF
Parking and Drive Area:	2,999 SF
Total Lot Coverage:	91.8%
Parking Stalls Provided:	5
On-Street Parking:	-2
Net Parking Result:	+3



April 3, 2013

AUDITOR 04/04/13 AM 8:35

Dear City Council:

I am writing to support the immediate passage of the proposed zoning code amendments for parking requirements on new apartment buildings containing more than 40 units.

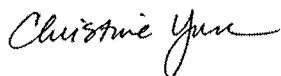
I have been through my share of land use issues in the Buckman neighborhood, including 2 appeals before LUBA, one of which was incorrectly required by the Bureau of Development Services and then subsequently thrown out. I am horrified at how the Division Street neighborhoods have been inundated by multiple new construction projects, all with little to no parking and with no mitigation on the huge impacts to the surrounding neighborhoods. Most incomprehensible is the fact that RNRG actually WON their case at LUBA, something that rarely happens, and BDS initially made the bad judgment call to ignore it. This only confirmed the suspicions of those of us who have dealt with appeals, BDS and LUBA in the past, that BDS does not operate in a transparent fashion and is clearly on the side of the developers.

The city needs to show a good faith effort to pass protections for our neighborhoods to rectify this situation of non-transparency and clear favoritism on the side of developers. We can't have every individual citizens' group fighting every single bad development proposal. Just think how much more productive and creative we would be as a city, if we weren't fighting these things all day!

Personally, I have spent the last 7 years of my life addressing the issue of no neighborhood input on many large development projects "allowed by right," including formation of a historic district in the Buckman neighborhood. Thanks to your vote to lower the new Type I review fee to \$250, that campaign has a better chance of being successful, although it is still likely to be defeated.

It's been a tumultuous time for a new city council with many hot issues demanding your attention. Once things settle down, I would love to sit down and talk with those of you who are interested about planning, neighborhoods and historic design review issues that still need resolution.

Sincerely,



Christine Yun
Chair, Buckman Historic Association

Parsons, Susan

From: Ben Schonberger [Ben@winterbrookplanning.com]
Sent: Wednesday, April 03, 2013 5:02 PM
To: Hales, Mayor; Commissioner Fritz; Commissioner Fish; Novick, Steve; Commissioner Saltzman
Cc: Parsons, Susan; Moore-Love, Karla
Subject: parking policy
Attachments: City Council letter 4-3.pdf

Commissioners,

Please find the attached letter from the board of Housing Land Advocates, an affordable housing advocacy group. HLA opposes increasing parking requirements for sites near transit lines. Serious concerns about equity have not been addressed.

Parking crowds out housing. Forcing developers to build parking doesn't make it free. Everyone, particularly renters, pay higher prices for goods to get "free" parking. Mandated parking spaces result in fewer housing units within a limited building envelope. Rental prices rise to make up for the limitation in housing supply. Without city intervention, unneeded or underutilized parking might otherwise be devoted to productive, revenue-generating housing. On the margin, if the rental market can't sustain higher prices, some projects won't get built at all.

In effect, zoning requirements like this drive down the price of street parking to \$0, undercutting building owners' ability to charge for off-street parking. This result has already been observed in residential buildings all over Portland. As a result, building owners set higher rents for everyone, regardless of car ownership, to make up for fewer units. Furthermore, the indirect approach fails to solve the "problem" of neighborhood parking. If parking is really the issue, it would be far more effective to manage street parking with pricing or permits instead of restrictions on new development.

In the best-case scenario, according to the city study, the new rule raises rental prices on new apartments by \$50/month, or about 6%. This is equivalent to a 6% development tax assessed on all renters. Renters will have to pay this tax regardless of whether they actually have cars. The apparent purpose of this regressive tax is to preserve easy street parking for incumbent homeowners. Renters are charged the tax even though they are, as a group, poorer and less likely to own cars.

Portland should be building neighborhoods for its future, not for its past. All the demographic evidence points toward smaller households, more need for multi-family housing, lower rates of car ownership, and increased desire for the kind of amenities these neighborhoods provide. New development is providing exactly the kind of housing that brings Portland into this future. To swap housing for parking is against the stated goals of the city, and creates unacceptable inequities.

Thank you.

Ben Schonberger, Board Member
Housing Land Advocates

4/3/2013



AUDITOR 04/03/13 PM 5:00

April 3, 2013

City Commissioners:

Housing Land Advocates, a nonprofit organization, encourages land use policies supporting affordable housing and the development of sustainable communities. We represent over 250 housing advocates across the state who are active in our cause. We further represent the less-heard voice of economically disadvantaged people who do not have the time or opportunity to organize for themselves to speak out on important land use policies that affect affordable housing.

HLA has grave concerns about the proposal to increase parking requirements for new buildings near transit. The process for permanently altering the zoning code has sped forward without sufficient input or careful analysis of the potential impacts. The swirling proposals and amendments for last-minute changes raise even more questions about the process.

Higher parking requirements will increase the cost of housing, lower the amount of housing that is constructed, and discourage active transportation and transit use. Empirical evidence on the relationship between parking rules and higher costs is abundant and clear. Portland's own research shows parking requirements raise prices for *all* tenants, regardless of car ownership. Rentals with parking are priced \$50 to \$700 per month higher than equivalent developments without on-site parking, and significantly fewer units are created when parking is required. In effect, implementing the proposed regulations is the same as imposing a rental tax of 6%, and potentially more, on apartment residents.

Existing property owners worry about their access to free street parking, and about the size and compatibility of new apartment buildings. Unfortunately, the proposed fix does nothing to address design issues. Nor does the proposal provide for a far more effective method for preserving parking: actively managing it with permits or pricing. Overall, zoning changes fail to address the relationship between parking, transportation, and housing costs.

HLA seriously questions the ability of the current proposal to address the following issues.

A. Equity.

New housing units without parking cost less than if that unit included parking. Lower-income Portlanders own fewer cars per household and are more dependent on transit. Therefore, less expensive units without parking will, on average, be more attractive to lower-income people. There is no question, empirically, that parking requirements raise housing costs. Multiple reliable academic studies, in addition to the Portland modeling referenced above, have demonstrated the same thing: parking requirements make housing more expensive.



The proposed zoning changes do not obligate building owners to rent their units at below-market rates. HLA would support a policy where developers are required to set aside some units as permanently affordable housing, using HUD standards, if their buildings do not include parking.

Many factors besides parking influence household decisions about car use and auto ownership. A unit that is close to work, school, child care, services has a significant, if not greater, impact on auto dependency than mere access to a bus stop. As a social justice issue, raising rental prices on all residents to subsidize low-cost parking for those who own cars is unfair, as well as costly and inefficient. The integration of transportation policy and affordable housing policy is critical to achieving city goals, and is not addressed in the proposed changes.

B. Accessibility.

Proposed zoning changes do not directly address the needs of physically disabled residents. An on-street ADA parking or loading space can be requested from PBOT, but the changes do not require accessible parking if buildings do not otherwise provide it. Ignoring the needs of the disabled community is a major flaw in current parking policy for infill developments.

Without a concrete plan, the proposed changes reduce access to housing for people with physical disabilities. The proposed ordinance fails those who need an accessible vehicle to take them where mass transit will not.

C. Incentives.

Off street parking is expensive to construct and does not pay for itself, because un-priced street parking undercuts building owners' ability to charge for it. Forcing developers to provide parking does not make it free. Costs are absorbed by tenants in higher rental prices and by developers in the form of lower profits. Developers will cover the cost of parking by building fewer units at higher prices, even where larger buildings with lower-priced units would be appropriate. It also builds into the code a bias towards cars and away from transit, in exactly the location where the opposite should be true. Discouraging housing through additional zoning requirements is contrary to Portland's stated land use goals, specifically, to accommodate future population growth in the city and to support mass transit.

D. Legal issues.

The Oregon Land Use Board of Appeals decision in the Richmond case complicates matters even further. Neighbors have halted (at least temporarily) the development of an 81-unit building without on-site parking, but the central issue in that decision has nothing to do with parking. If opponents' concern is the appearance of new buildings, this can be addressed through improved design standards and not by reflexively increasing parking.



HLA believes Portland's existing residential neighborhoods should provide housing for a wide range of citizens. New housing in transit-rich areas opens up neighborhoods to a people at all levels of age, ability, and economic status. The current proposal for increasing parking requirements is deeply flawed and does not adequately address these concerns. We strongly advocate for re-starting this process with the participation of a broad group of interested citizens, including those concerned about equity and fairness.

Respectfully,

A handwritten signature in black ink that reads "Benjamin Schonberger". The script is fluid and cursive, with the first name and last name clearly distinguishable.

Ben Schonberger
Housing Land Advocates



Tamara DeRidder & Associates
Land Use Planning/ Policy/ Project Facilitation

1707 NE 52nd Ave
 Portland, Oregon 97213
SustainableDesign@tdridder.users.panix.com
 503-706-5804

April 4, 2013

AUDITOR 04/03/13 PM 4:15

City of Portland
 Attn: City Council
 1221 SW Fourth
 Portland, OR 97204

Subject: Implement Car Diet of 0.5 spaces/unit and Livable City Phase II

Dear Honorable Mayor Hales and Fellow Commissioners,

You have already in your packets recommendations on the Apartment Development and Parking Ordinance from Rose City Park Neighborhood Association (RCPNA) and the Apartment Parking Task Force (APTF) that I submitted as their representative. In both cases, these groups shared the frustration that the proposed parking minimum was too little and nothing addressed the clustering impact of apartment developments less than 40 units. They recommend:

RCPNA: 0.25 parking spaces/ residential unit for developments with over 20 and up to 40 units

0.50 parking spaces/ residential unit for developments with over 40 units

APTF: 0.50 parking spaces/ residential unit for developments over 20 units.

The 0.5 parking spaces recommendation places new developments on a 'parking diet' and satisfies the TPR by promoting greater than 10% reductions from the 72% or 0.72 rate that is currently being self-administered by residents living in these type of apartments, per the BPS Parking Study. A slightly higher off-street parking usage of 0.8 parking space/residential unit has been identified as adequately satisfying peak parking for low to mid-rise apartments based on a 2007 PSU studyⁱ. This recommendation is lower than the ITE manual for these units in the Portland area which is 1.0 car space per unit during peak periods. Even Nelson/Nygaard has recommended that Sacramento reduce the required TOD multi-family parking from 1:1.ⁱⁱ

The parking design hardship created by the 20-40 unit developments who frequent 5,000 sq. ft. lots has been greatly relieved by the PSC change that allows required off-street parking to be located within 500 feet either on old or new parking lots. This provision supports the concept of maintaining a walkable urban façade along Main Streets and in Centers while, ideally, investing in community parking garages for the Inner Portland Neighborhoods.

Only the market sets the price of apartments – not the addition or deletion of parking spaces. This is especially true as developers and apartment managers increasingly de-couple residential units from leases for parking storage. Further analysis of the BPS 2012 Parking Study by APTF member Allen Field

shows that the cheaper apartment units in the study included parking while those without parking were priced higherⁱⁱⁱ. There are a variety of issues used in determining the price-point for an apartment. It would be incorrect to assume that no parking requirement = *cheaper rent*. Unless the 20-40 unit apartment are included in these requirements their clustering will continue to over-whelm the existing neighborhoods. This is already evident with new developments on Burnside near NE 28th and on NE 20th near Morrison.

Limit overall parking space tradeoffs to 25%. The APTF recommended this cap after we deduced that a 100-unit apartment complex at 0.25 parking spaces/unit could be reduced to 7 required parking spaces. They would be required parking spaces for 3 vehicles, 4 car shares, 6 motorbikes, and bicycle parking together with providing a plaza and reduced footprint to preserve mature trees.

Finally, please make good the social contract made with SEUL and other neighborhoods back in 1993 in the Livable City Phase I that was presented to the Planning Commission as the 'Growing Better' document. This was published back when Charlie Hales was Commissioner of Public Safety and Bob Stacey was the Planning Director for the City of Portland. **The recommendations of Phase I identifying the City's need to resolve the parking issues for Residential uses in Centers and along Main Streets were never addressed.** Yet, the concerns raised in Phase I portend the issues that we are faced with here today.

In 1993, only two years after the City removed parking minimums for the Commercial zones, City staff, a group of U of O students led by Professor Edward Starkie, Carol Meyer-Reed, Thia Bankey, and numerous other notable community leaders began this project. A community visual preference study was conducted as part of the outreach. This led over 70% of those who participated to agree that a compact urban form with good transit, walkable streets, and a vibrant urban environment was what they wanted for Portland. This was a water-shed moment for many of us, planners and community members alike. It was the beginning of the community consciousness that we were partnering together to build a new urban lifestyle consistent with holding the Metro urban growth boundary.

But the recommended Phase II of the project never materialized. It had included a Pilot Project using mixed-use development standards to work out possible issues. The stated need in Phase I for multi-family residential parking standards in the Commercial zones was never addressed. Applicable statements that still impact us now include:

"Main Streets is a development concept which involves encouraging higher density mixed-use development along selected arterials, with a minimum impact on adjacent neighborhoods...Compatibility with surrounding neighborhoods is essential," pp 30-31.

“Shared-use parking is allowed and even encouraged in the code. This is a particularly useful tool in the CS zone, where there are no minimum parking requirements-therefore, one need not limit a certain number of parking spaces to a specific use. However, parking lots in residential zones cannot be used for commercial use. Shared-use parking therefore only works in the commercial zones,”p.45

“The provision of off-street parking for infill development can be a challenge. While the suggestion of minimum parking ratios for new development may have some merit, there is currently no mechanism to require parking in the CS zone. In addition, the minimum parking ratio in the R1 zone is one space per unit, regardless of the number of bedrooms per unit. In the RH zone, the off-street parking requirement is only one space for every two units. The greatest challenge is for small infill lots, such as the typical 5,000 square-foot lot in the R1 zone. Surface parking requires five-foot landscaped buffers, which is a considerable area on a 5,000 square-foot lot however, the economics of small-scale development does not support underground or otherwise "hidden" parking,” p. 45.

“Based on the above analysis, the draft Hollywood Transit Station Specific Development Plan Project would require the following issues to be resolved:..

- The CS zone has no minimum parking requirement. Proposals calling for minimums (including higher parking requirements for larger residential units) could not be carried out under the existing zoning...”

- “Shared parking facilities are allowed in the CS zone, but they are not allowed in residential zones. This could be a disadvantage, especially in the case of small infill lot development in the R1 zone, where it is difficult to provide required parking and required landscape buffers on site,”p. 48

Proposed growth principles for Main Streets: “For larger Main Streets projects, more extensive private improvements and public investments might be undertaken including the addition of such facilities as-pocket parks; landscaping; and **parking lots/ garages shared between various businesses and uses, including possibly some city-owned facilities,**” p. 78 <Emphasis added>

Issues common to all Growth Principles: “**Parking is frequently an issue.** On the one hand there is concern about the impact infill development can have on existing on-street parking. On the other hand, there is a question of whether with good transit service, existing parking requirements in some cases might be modified. **Other parking issues include the possibility of multiple-use of common parking facilities, as opposed to each development providing all its own parking, and whether some form of assistance might be warranted for some such facilities,**”pp 86-87<Emphasis added>

“The following is a partial list of zoning code amendments which, if enacted, could accommodate the type of development envisioned by the growth principles...

- In commercial zones, review height and **parking requirements for residential uses,**”p.91. <Emphasis added>

After 20 years, The Portland Zoning Code still contains no parking requirements for multi-family residential uses in the Commercial Zones. Instead of a Pilot Project our community is being faced with the riddling of parking crises erupting throughout Portland. Now is not the time to 'Kick the can down the road' while our neighborhoods hemorrhage the dedicated people who helped, in good faith, to build this new urban lifestyle.

Today Planner Matt Wickstrom shared that in 2011 and 2012, there were permits for 25 buildings with no parking. A total of 756 units are in these 25 buildings. Most are in the CS zone but a few are in the CM, EX and R1 zone. The lack of meaningful off-street parking solutions for multi-family residential in these zones is strangling property owners, businesses, and patrons alike. Off-street parking requirements alone typically will not alone reduce on-street parking. Parking permits and other measures are likely needed to assist neighborhoods in developing a suite of options that can address their particular issues. But, creating 0.50 spaces/unit parking standards is a good first step.

The community needs the City Council's help with the implementation phase of this "Growing Better" vision. We need the City to re-engage this project's dialogue as Livable City Phase II and work with professionals and the neighborhood communities to seek solutions on parking and related issues.

Please, help us maintain our neighborhood integrity while supporting this urban vision. Thank you for your time and consideration.

My best,



Tamara DeRidder, AICP
Principal, TDR & Associates
1707 NE 52nd Ave.
Portland, OR 97213
SustainableDesign@tdridder.users.panix.com
503-706-5804

Community Volunteer:

Chairman, Apartment Parking Task Force
Citywide Land Use Group

Member, Residential Development PEG

Neighborhood's Representative, BPS BAC

Co-Chair, Land Use & Transportation Committee
Board, RCPNA

ⁱ Parking at Transit-Oriented Multifamily Residential Developments, Joe Recker, PSU, Sept. 24, 2007; p. 6.

ⁱⁱ Sacramento Zoning Code, Executive Summary by Nelson Nygaard, Recommendation #3, p. E-4

ⁱⁱⁱ Rent Cost with Parking, Allen Field, ApartmentParkingTaskForce, Project Documents - 2013

185974

Moore-Love, Karla

From: Kurt Schultz [kurts@serapdx.com]
Sent: Wednesday, April 03, 2013 8:24 AM
To: Moore-Love, Karla
Subject: Proposed parking changes
Attachments: SERA parking change letter.pdf

Karla, please add our letter regarding opposition to the new parking changes to the record

Thank you!

SERA

architecture | interior design | planning | urban design | www.serapdx.com

Kurt Schultz, AIA, LEED® AP
principal kurts@serapdx.com 503.445.7312
338 nw 5th avenue, portland, oregon 97209
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4/3/2013

April 2, 2013



Council Clerk
1221 SW 4th Avenue, Room 140
Portland, OR 97204

Re: Parking Standard Changes to the Zoning Code

Dear Mayor Hales and City Commissioners:

SERA Architects is nationally recognized as a leader in the movement towards sustainable design, smart growth, and walkable communities. Our leadership in these areas helps build the Portland sustainability brand all over the world, and we are proud to carry that banner wherever we work. On behalf of SERA Architects, I wanted to express our concern and opposition to the new proposed parking standard changes to the Portland Zoning Code, which are contrary to the values of our company. We believe that the current code, which does not require onsite parking along many transit corridors, is the right path towards a sustainable future.

Our concerns about the new parking standards include the following points:

- They decrease access to affordable housing in the City's core transit areas. They incentivize big units (where residents are more likely to own a car) and dis-incentivize small units (where residents are much less likely to own a car). For example, developers can build the same size building and for the same rentable area 40 big units (one and two bedroom units) or 70 small studios. Since the small units are more likely to trigger the parking minimums, there is no incentive for a developer to build those anymore. The result will be an increase in less affordable apartments with more car ownership, the opposite of what anyone wants.
- The new parking minimums also decrease access to affordable housing by increasing the cost per unit and thus increasing rent. We do not agree with the BDS report on the minimal rent increase per unit based upon our direct experience with the infill apartment projects we have designed. The costs will be significantly higher than reported, especially on small quarterblock sites that will require the ground floor to be built with a concrete podium to accommodate only 6-7 parking stalls.
- They do not match the City's and the region's sustainable development goals. Regional and local policies encourage much of Portland's growing population to be housed downtown and in neighborhood centers and corridors where services and amenities are concentrated. Parking minimums make sustainable, affordable, transit oriented development less feasible in these locations. Parking supply mandates incentivize automobile ownership and usage through a de facto subsidy.
- They halt development potential in the urban GG zones. Much of the central eastside is zoned CG, which requires a 1:1 parking ratio unless the site is within 500 of a transit street with 20 minute service, then no parking is required. The change to "frequent service lines" (which are few) essentially changes most sites in the CG zone from a no parking minimum to 1:1 parking, a suburban ratio at best! At the very least, we ask that the CG zone have the same parking standards as the other commercial zones CS, CM, and CX.
- They are a blunt instrument resulting from a few unfortunate projects that will now affect the density and growth of the whole City for many years to come. It is using a sledge hammer where a scalpel

is needed. We have already seen affordable projects halted due to the changes proposed in areas that could use the density.

We also believe this process has been moving too quickly and has resulted in new standards that have many unfortunate unintended consequences. We urge the Council to slow down and consider the concerns of the design professionals and planners in the region prior to adapting any changes to the zoning code. SERA Architects is proud of the current zoning code as it one of the most progressive and sustainability focused in the nation, and we are saddened to see this step backwards.

Sincerely,

SERA

A handwritten signature in black ink, appearing to read "Kurt Schultz". The signature is fluid and cursive, with the first name "Kurt" being more prominent and the last name "Schultz" following in a similar style.

Kurt Schultz, AIA LEED AP
Principal

185974

Moore-Love, Karla

From: Wickstrom, Matt
Sent: Tuesday, April 02, 2013 3:14 PM
To: Moore-Love, Karla
Subject: FW: Overnight parking districts
Attachments: ShoupToPortlandBureauOfTransportation.pdf
Testimony on new apartments and parking.

*Matt Wickstrom
SE District Liaison
City of Portland, Bureau of Planning and Sustainability
503-823-2834
matt.wickstrom@portlandoregon.gov*

From: Ocken, Julie
Sent: Tuesday, April 02, 2013 2:52 PM
To: Wickstrom, Matt
Subject: FW: Overnight parking districts

Julie Ocken
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
503-823-6041
www.portlandoregon.gov/bps

From: Ocken, Julie
Sent: Tuesday, April 02, 2013 10:44 AM
To: Zehnder, Joe; Anderson, Susan; Wickstrom, Matt
Subject: FW: Overnight parking districts

FYI. This was directed and sent to PBOT re: parking permits, but here's a copy for all of you. Let me know if we need to draft a response from Susan...

Julie Ocken
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
503-823-6041
www.portlandoregon.gov/bps

From: BPS Mailbox
Sent: Tuesday, April 02, 2013 10:40 AM
To: Ocken, Julie
Subject: FW: Overnight parking districts

The following email was received in the BPS mailbox. It's being sent to you for a response or other appropriate follow-up. Thanks.

From: Donald Shoup [mailto:shoup@ucla.edu]
Sent: Tuesday, April 02, 2013 10:38 AM

4/2/2013

To: BPS Mailbox
Subject: Overnight parking districts

185974

Dear Director Anderson,

I understand that a controversy has arisen over my *Oregonian* editorial about overnight parking districts. I'll attach my rebuttal to the Portland Bureau of Transportation's claim that overnight parking districts are "unfeasible" in Portland.

Donald Shoup, FAICP
Distinguished Professor of Urban Planning
University of California, Los Angeles
Los Angeles, California 90095-1656
Tel 310 825 5705
Fax 310 206 5566
<http://shoup.bol.ucla.edu>

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SANTA BARBARA • SANTA CRUZ

DONALD SHOUP, FAICP
DISTINGUISHED PROFESSOR
TEL: (310) 825-5705
FAX: (310) 206-5566
SHOUP@UCLA.EDU

DEPARTMENT OF URBAN PLANNING
LUSKIN SCHOOL OF PUBLIC AFFAIRS
3250 PUBLIC AFFAIRS BUILDING
UNIVERSITY OF CALIFORNIA
LOS ANGELES, CALIFORNIA 90095-1656

March 24, 2013
Ms. Sara Schooley
Portland Department of Transportation
1120 SW Fifth Ave, Suite 800
Portland, OR 97204

Dear Ms. Schooley:

Thank you for giving me the opportunity to respond to your memorandum about my *Oregonian* editorial recommending overnight parking districts for Portland. I think you may have misinterpreted some of what I wrote. In the text below, I have clarified my proposal in *italics* after your own **bolded** comments.

**PBOT Staff Response to Dr. Shoup's Editorial on
Overnight Parking Permits
Prepared by Sara Schooley, PBOT Parking Policy Coordinator
March 1, 2013**

The following brief addresses Dr. Donald Shoup's editorial which was printed in the *Oregonian* on January 5, 2013. Dr. Shoup's editorial addressed the recent building of large apartment buildings with little or no parking along main corridors in Portland's inner neighborhoods. He recommended overnight parking permits as a solution to maintain parking privileges for current residents and create a parking market for those moving into apartments.

Many residents, as well as some Councilors, have mentioned Dr. Shoup's permit parking recommendation as a key part of a parking solution. While PBOT believes that Dr. Shoup presents some interesting concepts and points, there are many realities of Portland's situation that make his permit ideas unfeasible.

Below, we walk through the editorial and debrief how parts of Dr. Shoup's suggestion can and cannot be applied to Portland. Hopefully, this will lead to a more informed and realistic conversation between staff, Council, and the public.

The quoted text is verbatim from the *Oregonian*. The bulleted "PBOT Notes" are Portland Bureau of Transportation staff reflections and responses to the points made in the editorial.

Portland should consider overnight permits to solve its parking headache

on January 05, 2013 at 5:00 AM, updated January 05, 2013 at 5:05 AM

By Donald Shoup

"Portland is at the center of a national planning debate about off-street parking requirements. Advocates often claim that parking requirements are necessary because banks will never finance new apartment buildings without parking, developers will never build them and tenants will never want to live in them.

Portland has tested these claims by removing the parking requirements for new apartment buildings near transit. What happened? Banks are lending, developers are building, and tenants are renting the new apartments without parking.

Some residents of these new apartment buildings own cars, however, and park them on the nearby streets. The residents of nearby neighborhoods are now complaining about parking spillover, and who can blame them? Fortunately, the city of Portland can solve this spillover problem without new parking requirements. The problem is not a lack of off-street parking spaces, but the lack of on-street parking management.

Portland can allow the residents of any block to adopt an overnight permit parking district that prohibits overnight parking on the block except for cars with resident permits. This will prevent nonresidents from storing their cars on the block, and it will eliminate the parking spillover from apartments without parking. In Los Angeles, for example, the fee for a resident's overnight permit is only \$15 a year. Enforcement officers need to make only one quick visit during a night to cite all cars parked without permits. If the residents of a block object to an overnight permit parking district, the spillover parking problem can't be serious."

PBOT Note: According to the LADOT website, "The Department of Transportation implements and enforces Overnight Parking Districts created to prohibit the parking of all vehicles between 2:00 a.m. and 6:00 a.m. to deter public nuisance crimes associated with people in parked vehicles late at night. If one of these Overnight Parking Districts is in or near a residential area with inadequate off-street parking, the City Council may also authorize the sale of permits to the residents that will exempt the residents and their guests from the overnight parking restrictions."

In other words, there are areas of LA, dubbed "Overnight Parking Districts" where there is little to no parking demand in the evenings. Overnight Parking Permits allow those who live in areas where parking is difficult to buy a permit to park in one of these Overnight Parking Districts overnight. In Portland, the parking issue arose because of the permeable flow between parking due to residents, visitors of the residents, and those frequenting businesses in the area all at the same time. There is no adjoining area in Portland that empties at night and would not be impacted by nearby residents' parking. The LA situation is too different from Portland's situation to offer the same tool.

Shoup response: The overnight permit districts in Los Angeles are not designed for areas "where there is little to no parking demand in the evenings." In any case, overnight permit districts are not inappropriate for Portland simply because they exist in Los Angeles.

"The city can make residents of apartment buildings without off-street parking ineligible for residential parking permits on nearby blocks, so anyone who rents an apartment in those buildings will know that overnight parking in front of nearby homes is illegal. Tenants will have to live without a car or make arrangements to pay for off-street parking. The market for these apartments without parking is large, however, because almost a quarter of renter households in Portland do not own a car."

PBOT Note: Dr. Shoup's proposed parking permit program would regulate parking amongst the residents of a particular neighborhood assigning a priority to a 'class' of residents (single-family home vs. apartment dweller).

Shoup response: Overnight permit districts can be adopted on blocks with apartments, not only on blocks with single-family homes. All apartment dwellers can receive overnight permits on their own block.

This question of privilege is a vexing one, which requires decision-makers to ask and answer a few fundamental questions, including:

1. Should residents, who live in single family residences, be given parking privileges that are not afforded to their neighbors that live in apartments (even if neither have off street parking)? Why or why not?

Shoup response: Every resident of a block would have the same privileges.

2. Should residents who live in an area of the neighborhood that was developed many years ago be given parking privileges distinct from residents that are living in a newly developed area? Why or why not?

Shoup response: Portland's existing Area Parking Permit Program seems to answer that question. The City Council has already decided that residents of a neighborhood can be given parking privileges distinct from residents that are living in a newly developed area.

There is no equitable justification for these types of distinctions. In fact, these types of policy discussions raise the concern that we may be perpetuating patterns of discrimination based on home ownership status, which correlates to income, race, and ability.

Shoup response: There is no need to play the income, race, class, and disability cards. The overnight permit districts were proposed in response to aggrieved citizens who want to impose off-street parking requirements that will harm exactly the people you are concerned about.

In many of the neighborhoods where the new apartments are permitted and/or being built, there is a mixture of single family homes, small multi-family units (duplexes, quads) and businesses along the main street. Large apartment buildings are new additions to the neighborhoods, and much of the conversation has created an "us (existing residents) versus them (new apartment residents)" framework in discussing who has the right, or more right than others, to use the public right-of-way.

Dr. Shoup's approach also gives the impression that residents' have ownership of the right-of-way in front of their home or on their block. Given the multitude of purposes that the right-of-way fills, this is a dangerous precedent to set. The City of Portland's right-of-way is a public good and its use by individuals should not be dependent on the size of one's personal property.

Shoup response: Portland's Area Parking Permit Program has already set this "dangerous precedent."

"A further refinement to the overnight permit system can benefit everyone. Some cities sell special nonresident permits on blocks that have many vacant spaces, and they dedicate the revenue to pay for added services on the blocks that accept the nonresidents' cars. For example, the city can sell a few nonresident permits on blocks that have an overnight vacancy rate greater than 50 percent. Nonresidents pay market prices for the overnight permits, such as \$50 a month per car. Each nonresident permit is valid only on a specific block, with no more than four nonresident permits on any block. This approach ensures that each block has ample open parking spaces for both residents and their guests."

PBOT Note: This approach does not account for the constant influx of visitors that may be visiting the neighborhood businesses that we have encouraged through mixed use development. For example, using Dr. Shoup's proposal, there could be a block with 15 parking spaces. Of these 15 spaces, eight get taken by residents. Of the remaining permits, four are sold to "nonresidents" (aka, apartment residents or employees at nearby businesses). That would leave three remaining spaces for those visiting to frequent the businesses, restaurants, parks, etc. within the neighborhood.

Shoup response: Portland's Area Parking Permit Program already restricts the "constant influx of visitors" to the existing permit zones. Overnight permit districts will merely prevent an influx of nonresidents who want to park their cars overnight.

Given the intentional permeability between the neighborhood and the main street, it should be expected that many visitors to the area will look to residential streets surrounding the destination street for parking. Therefore, if more than three visitors park on the block mentioned above from 5pm – 8pm as they get dinner, residents with permits for that block would have to find another block to park on, and then plan on moving their vehicle back to the correct block before the overnight permit hours begin. This seems like an unattractive option for residents who may not be interested in watching the street every evening for spaces to open up.

Shoup response: Residents already face the problem you describe. Overnight permits will reduce this problem.

While Dr. Shoup's approach is interesting, it appears to be designed for a residential area that is not connected to a thriving and destination-producing main street, and would not be a practical tool to apply in neighborhoods abutting Portland's main streets.

Shoup response: Overnight permit districts will not interfere with parking for main-street activities unless these activities go on after 2 or 3 am. If Portland's main streets really do bustle at 3 am, I suspect the nearby residents would be among the first to request an overnight permit district.

"The revenue from the nonresident overnight permits can pay for the residents' overnight permits and for added public services, such as repairing sidewalks, planting and trimming street trees, or putting overhead utility wires underground. Four nonresident permits at \$50 a month will raise \$2,400 a year for added public services on a block that allows limited overnight parking by residents of a nearby apartment building without its own off-street parking."

PBOT Note: The City of Portland operates its existing Area Parking Permit Programs on a cost for service fee structure, meaning that the cost of any permit covers the cost of issuance, administration, operations, and enforcement of the regulations tied to the permit. Our APPPs currently cost \$60 annually. Dr. Shoup's suggestion of \$600/year for Non-residents is ten times Portland's annual permit cost. This would definitely bring more revenue to PBOT, but would violate the City's precedent of having permit costs reflect the cost to administer the permit. A discussion would need to be had surrounding how on-street parking should be valued for what purpose, so these prices can be administered consistently throughout the city.

Shoup response: Portland does need this discussion.

If an area wished to receive an amount of the permit revenue, there would have to be discussions about the cost of the permit in order to cover the City's costs and have enough to split with the neighborhood.

Shoup response: This discussion should be very valuable.

"Overnight parking permit districts can benefit everyone. Any block can choose to prohibit overnight parking except by residents. Blocks that allow a few nonresident permits, however, will benefit from new public investments because the nonresidents will become paying guests rather than freeloaders. And Portland can continue its policy of not requiring parking in new apartment buildings well served by public transit.

Overnight permits with nonresident buy-in will also benefit residents of new apartments without off-street parking. Car owners can pay for nearby on-street parking, and those who don't own a

car won't pay anything. The money saved by not building off-street parking for new apartments will indirectly pay for public reinvestment in older neighborhoods."

PBOT Note: Dr. Shoup's recommendations suggest permitting at a micro-level, potentially by individual block-face. A parking permit program may not be cost-effective at this small area scale. Regulating parking through signage and issuing location specific permits for many small districts would drive-up program administration costs.

Shoup response: I am sure the PBOT staff could rise to this challenge.

"Will overnight permit districts unfairly discriminate against the residents of new apartments without parking spaces? Some may argue that all drivers should pay for on-street parking privileges, but we are a long way from that world, and Portland has to start from where it is. As Supreme Court Justice Benjamin Cardozo wrote, "Justice is not to be taken by storm. She is to be wooed by slow advances."

PBOT Note: Dr. Shoup seems fairly unconcerned that the permit program he proposes would discriminate against residents of new buildings. For the City of Portland, any foreseen discrimination is unacceptable, especially if the discrimination perpetuates inequities of the past along racial, income, and ability lines. Given that home owners in the Portland area are more likely to be wealthier, whiter, and more abled than renters, permitting based on housing type would further the inequities of the past and not be a productive step in creating a Portland where all residents have equitable access to City resources.

Shoup response: Again, there is no need to play the race, income, and disability cards. If overnight permit districts reduce the demand for off-street parking requirements for new apartments, they will help all the groups you mention.

Dr. Shoup's point about "slow advances" is a point worth taking, and PBOT understands that perfection should not be the enemy of progress. That said, it is important that any step, large or small, points to a more equitable City and one where new residents are welcomed.

Shoup response: I agree with your comment about welcoming new residents, but Portland shouldn't aim to welcome only new residents who have ample off-street parking. The city might experiment with an overnight permit district in one neighborhood to see if it can reduce the demand for off-street parking requirements and thus help to welcome residents without cars. A pilot program can answer many of the questions you have posed.

In conclusion, I appreciate the opportunity to comment on the benefits and feasibility of overnight parking permit districts. Few people can seriously contend that minimum parking requirements and free on-street parking are long-term strategies to build great neighborhoods and create sustainable cities. I agree that establishing fine-grained permit districts will be more work

for PBOT than offering free on-street parking for everyone. Nevertheless, PBOT can make a great contribution to the livability and sustainability of Portland by offering neighborhoods option to join overnight permit districts.

Minimum parking requirements distort transportation choices toward cars, and thus increase traffic congestion, air pollution, and energy consumption. They reduce land values and tax revenues. They damage the economy and degrade the environment. They debase architecture and urban design. They burden enterprise and prevent the reuse of older buildings. They increase prices, especially the price of housing for low-income families. If overnight permit districts can reduce the demand for minimum parking requirements, they will improve life for most citizens in Portland.

Sincerely,

A handwritten signature in dark ink, reading "Donald Shoup", followed by a horizontal line.

cc: Sam Adams
Susan Anderson
Eden Dabs
Liz Dahl
Nick Fish
Amanda Fritz
Charlie Hales
Steve Novick
Dan Saltzman
John Widmer

Portland should consider overnight permits to solve its parking headache
Guest Columnist on January 05, 2013

By Donald Shoup

Portland is at the center of a national planning debate about off-street parking requirements. Advocates often claim that parking requirements are necessary because banks will never finance new apartment buildings without parking, developers will never build them and tenants will never want to live in them.

Portland has tested these claims by removing the parking requirements for new apartment buildings near transit. What happened? Banks are lending, developers are building, and tenants are renting the new apartments without parking.

Some residents of these new apartment buildings own cars, however, and park them on the nearby streets. The residents of nearby neighborhoods are now complaining about parking spillover, and who can blame them? Fortunately, the city of Portland can solve this spillover problem without new parking requirements. The problem is not a lack of off-street parking spaces, but the lack of on-street parking management.

Portland can allow the residents of any block to adopt an overnight permit parking district that prohibits overnight parking on the block except for cars with resident permits. This will prevent nonresidents from storing their cars on the block, and it will eliminate the parking spillover from apartments without parking. In Los Angeles, for example, the fee for a resident's overnight permit is only \$15 a year. Enforcement officers need to make only one quick visit during a night to cite all cars parked without permits. If the residents of a block object to an overnight permit parking district, the spillover parking problem can't be serious.

The city can make residents of apartment buildings without off-street parking ineligible for residential parking permits on nearby blocks, so anyone who rents an apartment in those buildings will know that overnight parking in front of nearby homes is illegal. Tenants will have to live without a car or make arrangements to pay for off-street parking. The market for these apartments without parking is large, however, because almost a quarter of renter households in Portland do not own a car.

A further refinement to the overnight permit system can benefit everyone. Some cities sell special nonresident permits on blocks that have many vacant spaces, and they dedicate the revenue to pay for added services on the blocks that accept the nonresidents' cars. For example, the city can sell a few nonresident permits on blocks that have an overnight vacancy rate greater than 50 percent. Nonresidents pay market prices for the overnight permits, such as \$50 a month per car. Each nonresident permit is valid only on a specific block, with no more than four nonresident permits on any block. This approach ensures that each block has ample open parking spaces for both residents and their guests.

The revenue from the nonresident overnight permits can pay for the residents' overnight permits and for added public services, such as repairing sidewalks, planting and trimming street trees, or

putting overhead utility wires underground. Four nonresident permits at \$50 a month will raise \$2,400 a year for added public services on a block that allows limited overnight parking by residents of a nearby apartment building without its own off-street parking.

Overnight parking permit districts can benefit everyone. Any block can choose to prohibit overnight parking except by residents. Blocks that allow a few nonresident permits, however, will benefit from new public investments because the nonresidents will become paying guests rather than freeloaders. And Portland can continue its policy of not requiring parking in new apartment buildings well served by public transit.

Overnight permits with nonresident buy-in will also benefit residents of new apartments without off-street parking. Car owners can pay for nearby on-street parking, and those who don't own a car won't pay anything. The money saved by not building off-street parking for new apartments will indirectly pay for public reinvestment in older neighborhoods.

Will overnight permit districts unfairly discriminate against the residents of new apartments without parking spaces? Some may argue that all drivers should pay for on-street parking privileges, but we are a long way from that world, and Portland has to start from where it is. As Supreme Court Justice Benjamin Cardozo wrote, "Justice is not to be taken by storm. She is to be wooed by slow advances."

Donald Shoup is a professor of urban planning in the Luskin School of Public Affairs at the University of California at Los Angeles.

Moore-Love, Karla

185974

From: Justin Cloyd [justinc@serapdx.com]
Sent: Tuesday, April 02, 2013 2:31 PM
To: Moore-Love, Karla
Subject: Written testimony for Zoning Code amendments regarding apartment parking
Attachments: Apt Parking Zoning Amendment feedback .pdf

Karla, please see attached for zoning code amendments regarding apartment parking.
This letter is purely my opinion and does not necessarily reflect the views of other HAND board members or my colleagues at SERA Architects.

Thank you.
-Justin Cloyd, Architect, HAND Board Member

DISCLAIMER:

This message and any attachments are intended for the sole use of the individual or entity to whom it is addressed. It may contain information that is privileged, confidential, and / or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that you may not use, copy, disclose, or distribute this message or any information contained within, including any attachments, to anyone. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments and destroy any printouts made. Although we have taken steps to ensure that our e-mail and attachments are free from viruses, the recipients should also ensure that they are virus free.

4/2/2013

Justin Cloyd
1812 SE 11th Avenue
Portland, OR 97214

April 2nd, 2013

City Council
1221 SW 4th Ave # 110
Portland, OR 97204

Re: Zoning Code Amendment feedback for City Council consideration

Dear Members of City Council,

The recent zoning code change contradicts the City's goals as outlined in the Climate Action Plan. By increasing parking requirements at apartment buildings along our city's best corridors for transit, we are incentivizing car transportation rather than fostering long term sustainable alternatives:

- Objective 5 of the 2030 Climate Action Plan calls for creating "vibrant neighborhoods where 90 percent of Portland residents and 80 percent of Multnomah County residents can easily walk or bicycle to meet all basic daily, non-work needs and have safe pedestrian or bicycle access to transit," yet the recent zoning code amendment takes the most fertile ground for these desired "vibrant neighborhoods" and forces additional car parking into them. Not only does the increased residential density along the city's transit corridors strengthen the viability of transit lines, but promoting walking, bicycling, and transit use among new residents also increases the likelihood that new residents will frequent neighborhood businesses.
- Objective 6 of the 2030 Climate Action Plan aims to "reduce per capita daily vehicle-miles traveled (VMT) by 30 percent from 2008 levels." If the City's aim is to reduce vehicle miles, why are we promoting the use of single occupancy vehicles by requiring parking spaces for them in new large housing projects on a per-unit basis? Should we instead require resident carshare parking on a per-housing-community basis? This zoning code amendment appears to be applying a 1970's Dallas parking approach to a modern day Portland issue.
- Objective 16 of the Climate Action Plan: "Motivate all Multnomah County residents and businesses to change their behavior in ways that reduce carbon emissions." Clearly this parking amendment is a lost opportunity to promote behavior change among residents and neighbors where these buildings would possibly steer them toward more sustainable transportation modes. The housing market has finally gotten to a place where renters in certain neighborhoods no longer demand a parking spot with their apartment, and now the City is forcing developers to provide parking. This is completely incompatible with the City's march toward sustainability and reverses zoning codes that have been pushing for this progress for over 25 years. Now, on the brink of reaching critical mass for a robust and reliable alternative transportation network that supports the 20 minute neighborhoods we're striving to create, the City is backtracking. By allowing this zoning code amendment to pass, we are losing a great opportunity to continue the Portland Experiment. We are flinching when we should be breaking through this car-centric glass ceiling.

Should zoning codes be designed to allow the neighbors to provide thoughtful feedback and open discussions with developers about the height, or the size, or the character of large buildings and their impacts to the area? Absolutely. Should zoning codes mandate that parking be required at large buildings in neighborhoods with the most potential for car-free living both now and in the long term future? Absolutely not.

We need to be able to split the two issues apart and consider them individually. We all need to make sacrifices in order to achieve the goals of our Climate Action Plan. With that in mind, is it really worth handcuffing our Climate Action Plan for the small inconvenience of walking an extra block from your house to your parked car? Absolutely not.

The street is public domain. By submitting to the near-sighted desires of neighbors about parking, the City is setting an unfortunate and dangerous precedent that every resident should have exclusive parking rights to the portion of the street in front of their house. While this may be necessary for some members of the community due to mobility or occupation concerns, this is best resolved on a case by case basis.

We are allowing people's fears about the potential effects of new adjacent development to swiftly and severely undermine decades of careful, responsible planning that aims to create a sustainable, healthy, and resilient city for generations to come. I, for one, prefer not to let *this* happen in my back yard.

Cordially yours with hope,

Justin Cloyd, Architect, Hosford – Abernathy Neighborhood Development Board Member

Moore-Love, Karla

From: Phyllis Boyer [pboregon@comcast.net]
Sent: Tuesday, April 02, 2013 12:37 PM
To: Moore-Love, Karla
Subject: Testimony regarding City Council Recommendations on Parking Minimums

Ms. Moore-Love,

I am a resident of the Sellwood/Moreland neighborhood. We are being inundated with new developers who want to put up large apartment complexes with little or NO PARKING on site. One complex, which the developer withdrew due to neighborhood complaints, would have had 100 units with no parking. There is another development on Tacoma that will allow 64 units with only 45 parking spaces. I understand the idea behind these no parking developments, is that they will only appeal to commuters without cars. That is silly. It's also not realistic. Our neighborhoods will lose the parking now afforded to our local merchants and even residents may be forced to park away from their own homes due to the congestion.

Portland seems to be on a direction of the denser, the better. It is important to take into consideration the nature of the neighborhood where these developments take place, if anywhere.

Please preserve the livability of some of the most wonderful, unique neighborhoods which make up inner East Portland.

I am asking that you pass a resolution requiring parking minimums, effective immediately.

Best,
Phyllis Boyer
7535 SE 19th Ave.
Portland, OR 97202-
503-235-9511

185974

Moore-Love, Karla

From: Steve Gutmann [gutmann.steve@gmail.com]
Sent: Tuesday, April 02, 2013 12:34 PM
To: Parsons, Susan; Moore-Love, Karla
Cc: Justin Sawyer; Aaron Jones; Adrienne Stacey; Ashe Urban; Becky Luening; Bill Stites; Bob Stacey; Brian Posewitz; brian@cleanenergyworksoregon.org; Catherine Ciarlo; David Aulwes; David Sweet; Doug Klotz; Doug Klotz; Eli Spevak; Erik Brakstad; Erin Kelley; Glen Lamb; Greg Raisman; Jane Pullman; Kasandra Griffin; Mark Wheeler; McCurdy Mary Kyle; Michelle Machado; Pamela Kislak; Peter Ovington; RAHMAN Lidwien; Reuben Deumling; Rex Burkholder; Bennett, Rob - pdxinstitute; Rob Sadowsky; Robert Liberty; Sean Barnett; Sean LaFreniere; Seth Gallant; Steve Gutmann; Sue Knight; Ted Labbe; Thomas Robinson; Tom Brennan; Tony Jordan

Subject: Scholarly article re. the impact of parking requirements on affordability

Dear Mayor Hales and City Councilors

This article may be of interest to the Portland City Council, as well as to individuals who intend to testify on Thursday.

Abstract: Using a partial deregulation of residential parking in downtown Los Angeles, I examine the impact of minimum parking requirements on housing development. I find that when parking requirements are removed, developers provide more housing and less parking, and also that developers provide different types of housing: housing in older buildings, in previously disinvested areas, and housing marketed toward non-drivers. This latter category of housing tends to sell for less than housing with parking spaces. The research also highlights the importance of removing not just quantity mandates but locational mandates as well.
Developers in dense inner cities are often willing to provide parking, but ordinances that require parking to be on the same site as housing can be prohibitively expensive.

Here's the entire article:

http://www.its.ucla.edu/research/rpubs/manville_aro_dec_2010.pdf

Steve Gutmann

E: gutmann.steve@gmail.com

P: 503-333-7564

Skype: sgutmann1

185974

Moore-Love, Karla**From:** Alexis Grant [alexisg@gmail.com]**Sent:** Tuesday, April 02, 2013 10:41 AM**To:** Moore-Love, Karla**Subject:** Written testimony for April 4 City Council Meeting on "New Apartments and Parking"

Ms. Moore-Love,

Please include the below message with written testimony to the City Council for the "New Apartments and Parking" item at the April 4 meeting.

Thank you,
Alexis Grant

Dear Councillors,

As a newly-minted and car-free resident of one of Portland's apartment buildings with no on-site auto parking, I strongly oppose the proposed amendments to the current Zoning Code regarding Minimum Parking Requirements for Multi-Unit Buildings. I believe that allowing developers working within the city's Frequent Transit Corridors to choose whether parking is an amenity that they want to offer is a wise choice for the city, its residents, and local developers. It promotes equity by reducing housing costs and sustainability by preserving valuable public space for residential, commercial, greenspace, or transportation use.

The concerns of existing residents regarding parking scarcity are unfounded based on the city's own research and the current report's recommendation of revision is largely based on a speculative future in which parking demand increases, which may never occur, since parking demand is based very much on the built environment and developed transportation systems of a city. If it does occur, the city has many other options that would lead to better use of precious public space, including managing use of parking by pricing or permitting it, which leads to improved turnover and appropriate pricing of a valuable service. To allow current residents to close out options for new ones will stifle healthy growth and lead to inequitable outcomes as living the inner city increasingly becomes the preserve of those who can afford the privilege of paying the inevitable rental cost add-ons that come with fewer units and the \$55,000 cost of an underground parking space.

Not requiring parking also decreases the need to own or use a car, promoting a walkable and bikable urban form by both allowing for a higher density through a smaller building footprint, and creating buildings that are an active face to the street, without the blank eye of a parking garage or the excess asphalt of a parking lot. Adding density along transit corridors is a sensible and natural way to allow for the city's future growth and accommodate residents both in central locations that provide access and farther-out regions that provide excellent mobility through a variety of transportation options.

It also allows a developer and the city not to incentivize car ownership by default. Less car ownership means less space required to store and travel in cars, allowing more space for efficient vehicles such as bikes and buses. Even if residents of such buildings own cars, they use them less, something that is one of the city's stated goals for the 2030 Bicycle Plan and consistent with city and regional goals for greenhouse gas reduction. Incentivize behavior you want more of, not behavior you want less of!

4/2/2013

185974

Finally, the proposed changes, although they contain ideas worthy of review, are hastily constructed and poorly structured. If a 40-unit building requires no parking, how can a 41-unit building's demand be so different as to require ten spaces? While tightening the definition of "frequent transit" and incentivizing the provision of carsharing spaces and greater levels of bike parking are excellent concepts, the rest of the regulations are misguided. Requiring parking is not the future of city parking regulations -- intelligent management of demand and use is. We should be looking to the future, not the past, in our policies. Please remand these changes to city staff for further development, and work to create a better future for all Portlanders through intelligent management of one of our biggest city public spaces: our streets.

Thank you,
Alexis Grant
Irvington Gardens Apartments
Irvington

185974

Moore-Love, Karla

From: gsacher@yahoo.com
Sent: Monday, April 01, 2013 8:46 PM
To: Hales, Mayor; Commissioner Fritz; Commissioner Fish; Novick, Steve; Commissioner Saltzman
Cc: Moore-Love, Karla; Wickstrom, Matt; Gunnar Sacher
Subject: Written Testimony: Recommended Changes - New Apartments and Parking Proposed Zoning Code Amendments

Dear Mayor Hales and City Council Members,
 As a long-time resident of the West End of the Central City, I have followed with interest and excitement the discussion about new minimum parking regulations for new housing developments.

I wanted to thank you, city council members, and the Bureau of Planning and Sustainability for taking on this important issue by reaching out to various neighborhood organizations, land use groups, and many other advocacy groups. The "Memo: Minimum Parking Requirements for Multi-Family Buildings" and the "Planning and Sustainability Commission (PSC) Recommendation: Code Amendments" are proof of the research that the Bureau of Planning and Sustainability have done to come up with a recommendation on the subject.

As you are preparing to adopt the proposed Code Amendments, I urge you to consider the following changes:

1. <!--[endif]-->**Proposed Amendment #1 and #2:** One parking space per four dwelling units for new developments of more than 40 units

The data presented by the Bureau of Planning and Sustainability suggest that 88% of residents of the City of Portland own at least one car. The Parking Survey conducted produced a similar result: 72% of the respondents own at least one car. In addition, an average of 55% of new buildings and 68% of new units built outside of the Central City provide parking.

The proposed amendment requires only 25% of buildings with 40 or more units to provide parking. This minimum requirement is 43% less than the current average number for units with parking provided. Although commendable as a long-term, strategic goal, this proposed number of 25% is not reflecting current realities at all.

I strongly suggest revising the 25% minimum parking requirement upwards. Allow for periodic reviews of the percentage of parking provided by new developments per time table in the future to revise the number downwards.

Please also consider that 25% of a 40-unit building compared to 25% of a 500-unit building as recently proposed for the West End area has a very different impact on the parking situation in an already stressed neighborhood. Therefore, I suggest adjusting the minimum parking requirements for different dwelling categories, for example 40 - 100 units, 100 - 200 units, etc..

185974

2. <!--[endif]-->Proposed Amendment #3: Allow additional reductions for car-sharing and bike-sharing

I cannot support the reductions for car-sharing and bike sharing in conjunction with the proposed minimum parking requirement of 25% as it further exacerbates the parking issues for the reasons stated above.

I suggest disallowing additional reductions unless the minimum parking requirement is adjusted upwards.

3. <!--[endif]-->Existing language - Parking regulations in a plan district or overlay zone (e.g. Central City, Gateway and Northwest plan districts) supersede minimum parking requirements -- Proposed language - no change

Residents of the Central City, Gateway and Northwest plan districts face the same challenges when it comes to neighborhood parking issues. In addition, Chapter 33.510 for the Central City Plan District does not define any minimum parking requirements but only maximum parking requirements.

It is extremely important to not exclude any plan districts in the city. Should you adopt the amendment as proposed, I request that you direct the Bureau of Planning and Sustainability to start working on a similar amendment to Chapter 33.510 of Title 33.

As you are considering the proposed language of Code Amendments, I wanted to express my hope that this will only be the first step in creating a holistic, long-term, and strategic but reality-based and phased Parking policy for the city of Portland.

Respectfully,

Gunnar Sacher

From: Wickstrom, Matt
Sent: Monday, April 01, 2013 1:09 PM
To: Moore-Love, Karla
Cc: 'Julie Garver'
Subject: FW: New parking amendments & historic buildings

Karla,

Please submit Julie Garver's email below as testimony for the April 4th apartments/parking hearing. Julie is cc'd on this email.

Matt

Matt Wickstrom
SE District Liaison
City of Portland, Bureau of Planning and Sustainability
503-823-2834
matt.wickstrom@portlandoregon.gov

-----Original Message-----

From: Julie Garver [mailto:jgarver@innovativehousinginc.com]
Sent: Monday, April 01, 2013 1:12 PM
To: Wickstrom, Matt
Subject: RE: New parking amendments & historic buildings

Hi Matt...

Sure my email can be submitted as testimony. And yes I'm planning to attend.

Thanks much!

Julie

Julie E. Garver
Housing Development Director
Innovative Housing, Inc.
219 NW Second Avenue
Portland, Oregon 97209
Phone (503) 226-4368 ext. 3
Cell (360) 635-1216
Fax (503) 226-2509
www.innovativehousinginc.com

-----Original Message-----

From: Julie Garver [mailto:jgarver@innovativehousinginc.com]
Sent: Friday, March 22, 2013 5:33 PM
To: Wickstrom, Matt
Subject: RE: New parking amendments & historic buildings

Hi Matt...

Thanks for letting me know. I've been following the DJC Articles. It is only my opinion, but I sure hope the project on Division that got its permits pulled can come to a fair resolution. I realize the neighbors don't like the project, and think that not having any onsite parking will severely impact them.

But the project was permitted and started in good faith under the ordinances in place at the time. I would hate to see a project that is already halfway done be required to try to conform to added parking requirements that it was never designed to accommodate. As a developer, I can't imagine how I could do that. And if I were a neighbor, I wouldn't expect it. Applying the amendments to future projects seems the appropriate course of action.

I really hope the City does not get caught in the middle of this fight. It is a no-win for the City. I think what should happen is that the City should request that LUBA accept the neighbor's appeal even though the time limit has passed. That puts this fight squarely where it belongs...at LUBA.

I think the parking amendments are not bad, in most cases. However the new rules will make it very hard for historic buildings to be converted and positively re-used if they are not in the Central City. This is a shame, because historic buildings already have many additional costs like seismic, egress and fire life safety. All things that are very needed! But it seems that an exception could be made about parking for historic buildings, because let's face it...there are just not very many out there. And they add so much to the character of our City.

Anyway, I am going to make every effort to attend on the 4th. Thanks for the notification...I really appreciate it.

Julie

Julie E. Garver
Housing Development Director
Innovative Housing, Inc.
219 NW Second Avenue
Portland, Oregon 97209
Phone (503) 226-4368 ext. 3
Cell (360) 635-1216
Fax (503) 226-2509
www.innovativehousinginc.com

185974

Moore-Love, Karla

From: Steve Gutmann [gutmann.steve@gmail.com]
Sent: Monday, April 01, 2013 10:00 AM
To: Parsons, Susan; Moore-Love, Karla
Cc: Justin Sawyer; Aaron Jones; Adrienne Stacey; Ashe Urban; Becky Luening; Bill Stites; Bob Stacey; Brian Posewitz; brian@cleanenergyworksoregon.org; Catherine Ciarlo; David Aulwes; David Sweet; Doug Klotz; Doug Klotz; Eli Spevak; Erik Brakstad; Erin Kelley; Glen Lamb; Greg Raisman; Jane Pullman; Kasandra Griffin; Mark Wheeler; McCurdy Mary Kyle; Michelle Machado; Pamela Kislak; Peter Ovington; RAHMAN Lidwien; Reuben Deumling; Rex Burkholder; Bennett, Rob - pdxinstitute; Rob Sadowsky; Robert Liberty; Sean Barnett; Sean LaFreniere; Seth Gallant; Steve Gutmann; Sue Knight; Ted Labbe; Thomas Robinson; Tom Brennan; Tony Jordan
Subject: 45+ PNSD Signatories who favor Parking Management, not Minimums!

Attachments: ParkingMinimumLetter3withBullets (1).pdf

Dear Mayor Hales and the Portland City Council -

The 45+ signatories to the attached letter would appreciate your giving it your thoughtful consideration.

Our group, Portland Neighbors for Sustainable Development, is advocating for a set of modern parking management solutions that are flexible, site-specific, affordable and environmentally sensitive. We believe that the parking issues confronting our neighborhoods can and should be effectively managed without relying on the wholesale re-imposition of parking minimums.

We recognize that pursuing the sort of path we've proposed will require political courage, clear communication and strong leadership. We believe that the current City Council is up to the challenge.

Thank you for your thoughtful consideration.

- Steve

--

Steve Gutmann

E: gutmann.steve@gmail.com

P: 503-333-7564

Skype: sgutmann1

March 31, 2013

Dear Mayor Hales and Commissioners:

Re: Position of Portland Neighbors for Sustainable Development

We are residents of Portland who envision our city as a vibrant, sustainable city where residents can walk, bike or ride transit as well as drive automobiles in their daily life. We would like to live in a city where higher density housing and businesses are located along neighborhood Main Streets and Transit Corridors, linked to Town Centers and the Central City. We believe that the current code, which does not require on-site parking along many transit corridors, is the right choice to build this future city.

Our group feels that requiring parking works against the city's stated Comprehensive Plan goals, to provide housing for all while reducing auto travel and building walkable neighborhoods. Some of us feel that the Planning Commission proposed code amendments are an acceptable compromise; others feel that they restrict development too tightly, and will tether our city to outmoded values and patterns.

We all believe that parking minimums are bad policy because:

- they don't manage parking demand and, therefore, don't solve parking problems in residential or commercial areas. Each neighborhood has unique development patterns and demand for parking is widely variable. Zoning code changes are blunt instruments: they're inflexible, permanent, and they affect the entire city including areas without parking congestion. Management solutions such as parking meters and permit districts can be tested and applied to targeted areas as needed, and are ultimately far more effective.
- they reduce the supply of affordable housing in the neighborhoods that need it the most. Requiring parking in mid-sized housing developments guarantees that tenants will be paying for the storage of cars whether they own them or not. Furthermore, developers will likely build fewer and larger units to avoid building excess parking supply. In an area like Portland with very low vacancy rates, slowing the rate of new supply make many close-in neighborhoods unaffordable to fixed-income seniors, young people and low-income families.
- they are not in-line with the city's and the region's sustainable development goals. Regional and local policies encourage much of Portland's growing population to be

housed downtown and in neighborhood centers and corridors where services and amenities are concentrated. Parking minimums make sustainable, affordable, transit oriented development less feasible in these locations. Parking supply mandates incentivize automobile ownership and usage through a de facto subsidy.

- they are out of touch with observed demographic trends. Automobile ownership is declining in key segments of the population, particularly among the young and recently retired. Growth in car share opportunities and the ever increasing costs of maintenance and fuel are likely to support this trend. If these trends continue we will likely be able to meet parking demand with current supply, and if these trends accelerate we could end up with a glut of expensive, unused and unconvertible parking garages.
- they displace storefronts, public spaces and residences with parking lots when land values are too low to allow structured parking to be feasible. This bleeds the energy and vitality out of a Main Street. While Downtown and The Pearl District have land values high enough to make structured parking economically feasible, most of Portland does not. Surface parking lots will create "missing teeth" in the street frontage, and many projects simply will not be built because the cost of providing parking absorbs any potential financial incentive.

Thank you for your consideration of our perspective. We hope our comments will lead to better and more equitable housing and neighborhoods for everyone in our city.

Sincerely,

David Aulwes
Sean Barnett
Rob Bennett
Erik Brakstad
Tom Brennan
Rex Burkholder
Brian Cefola
Catherine Ciarlo
Jeff Cropp
Brian Detman
Reuben Deumling
Jim Edelson
Joseph Edge

Seth Gallant
Kasandra Griffin
Peter Gutmann
Steve Gutmann
Rebecca Hamilton
Marsha Hanchrow
Aaron Jones
Davida Jordan
Tony Jordan
Erin Kelley
Pamela Kislak
Doug Klotz
Sue Knight
Glenn Lamb
Ted Labbe
Sean LaFreniere
Robert Liberty
Becky Luening
Michele Machado
Mary Kyle McCurdy
Jane Pullman
OregonWalks.org
Brian Posewitz
Beth Raisman
Greg Raisman
Thomas Robinson
Stephanie Routh
Rob Sadowsky
Justin Sawyer
Ben Schonberger
Eli Spevak
Adrienne Stacey
Bob Stacey
Bill Stites
David Sweet
Mark Wheeler
Ashe Urban

Parsons, Susan

From: joseph bradford [joseph.bradford@icloud.com]
Sent: Friday, March 29, 2013 3:45 PM
To: Moore-Love, Karla
Subject: Parking for apartments

My name is joe bradford and I do not support the parking mandate on new development. When the cycle is over apartments that could be built under different economics won't be because of addition requirements. Generally , developers do put parking in where they can and it makes sense-- and should be an economic decision, not one decided by nimbys!

Sent from my iPhone

185974

Parsons, Susan

From: Ted Labbe [ted.labbe@gmail.com]
Sent: Friday, March 29, 2013 2:18 PM
To: Moore-Love, Karla
Subject: Depave comments on proposed parking requirements for new apartments
Attachments: Depave_letteronCOPparkingrequirements2.pdf

Hello:

Please accept the attached comments on the City of Portland's proposed parking requirements for new apartments. We appreciate the opportunity to provide comments on this issue and look forward to offering public testimony next Wed April 4 at the public hearing.

Thank you,

Ted Labbe and the Depave team

--

Ted Labbe
6325 N Albina Ave #7
Portland, OR 97217
ted.labbe@gmail.com
503-758-9562

Save our in-boxes! <http://emailcharter.org>

3/29/2013

depave**from parking lots
to paradise**

March 29, 2013

Portland City Council
1221 SW 4th Ave, Room 140
Portland, OR 97204
karla.moore-love@portlandoregon.gov

RE: Parking Requirements and New Apartment Buildings

Dear Mayor Hales and City Commissioners Fritz, Fish, Novick, and Saltzman:

As a community organization committed to citizen action to reduce the proliferation of unnecessary pavement, Depave welcomes the opportunity to provide comments on the City of Portland's proposed zoning code amendments regarding parking requirements. We offered comments on this issue at the November 13, 2012 and March 12, 2013 Planning and Sustainability Commission (PSC) meetings and will continue to offer input to the City on this and other important sustainability and equity issues.

The City of Portland's current progressive parking policies are an important tool supporting development of dense, mixed-use walkable neighborhoods, allowing the City to slowly transition away from an auto-centric transportation system. These policies: foster more efficient urban land use; maintain affordable housing choices; promote more interactive and small business-friendly streetscapes; support greater mobility for pedestrians, bikes, and transit; help preserve greenspaces and downstream water quality; and move the City towards greater resiliency in the face of shifting climate regimes.

Right now City leaders are hearing noisy complaints from neighbors concerned with impacts to on-street parking and community character. However, it is important to know that there are many advocates for bikes, pedestrians, transit, affordable housing, smart growth, and sustainability who favor the current zoning code provisions.

We commend City staff on their recent research and report to PSC and Council on parking requirements. This work illustrates that there is sufficient parking within a few blocks of new apartments lacking on-site parking. The City's report considers and offers solutions for disabled, bike, and temporary parking needs, and it demonstrates that new apartments built without parking tend to have more affordable units.

While we applaud the City's efforts to ameliorate perceived neighborhood impacts, we question the wisdom of proposed zoning code amendments and object to the lack of discussion around a

comprehensive parking management and City streets cost-recovery system. Below we detail these concerns and offer suggestions for improvements and consider the wider context for this discussion of parking requirements.

Proposed code amendments and the need for parking benefit districts

Code amendment #1 adds a new provision whereby apartments with more than 40 units would be required to have one parking space per four units. We are concerned that this provision would interfere with development of new affordable housing and create artificial limits on construction economies of scale. We would object less to a requirement for one parking space per six or eight units, a higher threshold for on-site parking requirements (e.g. 60 units), and/or an approach where only the number of units above the 40-unit threshold would count (e.g. 0.25 parking spaces per unit starting at the 41st unit and beyond).

Code amendment #2 modifies and significantly shrinks the number and distribution of transit corridors where the on-site parking requirements exemption applies. Currently the on-site parking exemption applies to areas with "transit service of 20 minute or greater rush hour frequency", and the proposed changes would shift to the Trimet "Frequent Service" 15-minute standards. This shift could ultimately affect new development on ~24,000 tax lots but under current zoning approximately 5,120 properties would have new on-site parking requirements applied immediately. We support an approach that better aligns the zoning code with Trimet's primary service corridors, but such drastic changes should be considered in the context of the comprehensive plan update not in a piecemeal fashion without careful review as proposed now.

We welcome code amendments #3-6, but are troubled to see the continued lack of consideration for residential parking permit systems that could simultaneously: better manage parking demand, create a revenue stream for local neighborhood improvements, and provide needed PBOT cost recovery to maintain City streets. Numerous parties like Daniel Shoup, 1000 Friends of Oregon, and Oregon Walks have called for experimentation with parking management schemes. Various schemes could help remedy the funding shortfall for maintenance and upkeep of City streets, and systems could be designed to be low-cost or free for neighborhood residents. We strongly encourage the City to take this opportunity to align the work of PBOT and BPS, and experiment with 'parking benefit districts' to help create a more sustainable streetscape that remedies long-term funding shortfalls.

Needed social, economic, and environmental context for parking requirements discussion

Portland is in the midst of a long-awaited market adjustment, which is correcting pent up demand for multi-family housing after decades of construction dominated by single-family residential homes. Portland is the last affordable city on the west coast, but housing costs are rising fast and we need to find ways to retain and expand our stock of affordable housing. Housing affordability is one reason why Portland has built an impressive reputation as a creative, sustainable, and relatively equitable community.

Our housing stock is dominated by detached single-family residential homes, which are among the least sustainable and affordable of housing choices. Apartments, condos, and attached

multi-family housing make more efficient use of land, energy, and public resources. Moreover, the public health impacts of auto-centric single-family residential development are crushing us: obesity, diabetes, etc. We need incentives for folks to get out of their cars, walk, bike, and ride transit. Every incremental change we can make that favors walkability and discourages car use needs careful study and adoption.

Twenty years ago, car-sharing, low-cost intercity buses, and other alternatives to private car ownership were just concepts. Now they are real and viable choices, with private car ownership rates and vehicle miles traveled in decline. Cars are no longer central to our cultural identity like they were a generation or more ago.

More dense, walkable building forms represent a return to an older Portland architectural past, before the car came to dominate after WWII. Too many historic buildings have already fallen to be replaced by parking garages or lots to satisfy unsustainable parking requirements. When parking requirements were first imposed on our neighborhood commercial districts, they impeded redevelopment and many languished for decades before the City lifted them in the 1980's.

Creating dense, walkable neighborhoods fosters mobility for everyone and makes needed public and private ADA improvements more affordable and doable. Bikes, pedestrians, and transit support vibrant streetscapes, concentrating customers who frequent and benefit local businesses. Recent work by PSU suggests shoppers arriving by bike, foot, or transit outspend those arriving by car, and that parking congestion in close-in historic business districts is more related to retail customers arriving by car than it is to the proliferation of apartments without on-site parking.

New apartment construction is one of the few signs of recovery, in an otherwise sagging housing construction economy. With continued near-term PBOT budget shortfalls the City needs to identify new revenue streams to support street upkeep and maintenance, as well as other public improvements. Parking benefit districts are one potential new revenue stream that deserve consideration, and not just within the central city but also in neighborhood commercial districts.

Portland has made important strides preparing for climate change, but still has more work to do. TriMet service cuts and new parking requirements potentially jeopardize our recent progress on reducing vehicle miles traveled. Policies fostering mobility by foot, bike, and transit move us towards energy independence and self-reliance, while those supporting car reliance and a sprawling urban form make us more dependent on expensive, harmful fossil fuels.

Finally, we must object to the rushed public process used to bring these code changes forward. All three public hearings (including the planned April 4 City Council hearing) have occurred during weekdays, making them difficult - if not impossible - for lower-income, working people to attend. We have not heard from apartment dwellers, working people, and others who would be harmed by the code changes, which will make rental housing more expensive, less available,

and less accessible. Nor have we had a chance to consider how these changes align with the City's comprehensive plan, climate action plan, and Metro's 2040 growth concept plan.

With this context in mind, we urge you to carefully consider the adoption of new on-site parking requirements, and to expand their discussion to consideration of parking benefit districts. New parking requirements will incrementally jeopardize housing affordability, community health and livability, a recovering construction industry, and regional sustainability. Parking is never free: we all pay for parking whether we drive or not. Research by Daniel Shoup and others indicates that on-site parking requirements can increase the cost of housing by 30% or more.

In sum, we ask that you reconsider these proposed amendments. We favor no changes to the current City code around on-site parking requirements for new apartment buildings. However, we understand that you and your staff are under tremendous pressure from the neighborhoods. We respectfully suggest that you consider:

- delaying and deliberating more carefully over these proposed changes to be sure that they align properly with the comprehensive plan, and to ensure that all voices have been heard;
- raising the size threshold for required on-site parking to 60 or more apartment units; only counting units *above* this threshold when determining numbers of required parking spaces; and retaining the parking exemption for new apartments within 500 feet of "transit service of 20 minute or greater rush hour frequency;" and
- experimenting with a pilot parking benefit district in one or more close-in historic commercial districts to examine the feasibility of such an approach.

Thank you for your public service and thoughtful deliberation on these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Labbe". The signature is fluid and cursive, with the first name "Ted" and last name "Labbe" clearly distinguishable.

Ted Labbe and the Depave team

185974

Parsons, Susan

From: lone.pine@comcast.net**Sent:** Friday, March 29, 2013 10:50 AM**To:** Moore-Love, Karla**Subject:** Parking [done sp]

My name is Barry Hinkson and I live at 6428 15th Ave., right behind QFC. I teach Sp. Ed. K=5. My cell is 5032341601.

I'm writing because the issue of off street parking for apartments, is very important to me. Our streets were built in or around 1920, so they are narrow. Most of us do not have a garage or a garage where newer cars won't fit, so consequently, we park on the street.

When the developer proposed a four story apartment complex, in our very old and established neighborhood, I was glad for the local businesses, on Milwaukee and for the local Public School. When I discovered that parking would NOT be provided, I was alarmed because our local streets are already crowded with cars.

It's just a matter of caring for the integrity and liveability of the neighborhood. We can build and attain density, but not at the cost of greed and over crowding.

Sincerely,
Barry Hinkson

3/29/2013

Brian Posewitz
8508 SE 11th Ave.
Portland, OR 97202

March 28, 2013

Mayor Charlie Hales and Portland City Commissioners
1221 SW 4th Ave.
Portland, OR 97204

AUDITOR 03/29/13 AM 8:13

VIA EMAIL

Re: New Apartments and Parking

Dear Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman:

Please consider my following comments on the controversy surrounding parking requirements for new apartments and the proposed zoning codes changes on this topic. In general, I think existing codes are well thought-out and shouldn't be eroded simply to preserve free and easy private parking in the public right of way for existing residents and businesses. I also believe the scale of the buildings is appropriate for the nature of the neighborhoods given the inevitable need to increase building heights and densities as the Portland area grows and resists sprawl.

1. I Have No Property Or Financial Interest In This Issue.

First, I will tell you a little about myself just so you know my perspective. I live in Sellwood, where one no-parking apartment has been proposed and, as I understand it, approved, and where another large apartment complex with parking has become controversial. I became aware of these issues primarily through my attendance at neighborhood association meetings. I have no financial interest in the outcome. I am not a developer, do not own land on which an apartment might be developed, and am not looking for an apartment. However, I am generally interested in seeing the Portland area continue to develop in a smart and thoughtful way.

2. Before I Had Any Opinion, I Could Not Find What The Fuss Was About On Division Street.

Awhile back, on September 26, 2012, to be exact, in the afternoon before a neighborhood association meeting to discuss "out-of-scale, no-parking" apartments, and before I had any opinion on the topic, I rode my bike up Division Street, beginning near SE 12th Avenue and going east. I had been told that Division Street was the "poster child" for the problem of monstrously out-of-scale apartment buildings with no parking. I had my camera and wanted to

take some pictures. Given the uproar, figured I could not miss what everyone was talking about. I rode and rode, seeing nothing that, in my mind, could possibly justify the outrage. I finally stopped at approximately 50th Avenue and figured I must be missing something. I had to look up recent articles from The Oregonian on my iPhone to find the locations everyone was talking about. I swear this is a true story.

Thus, to at least one then-neutral observer, the apartment buildings were not at all inappropriate for the neighborhood. On this issue, the controversy seems like a massive overreaction.

3. The Policies Behind The Existing Codes Are Good Ones.

I have spent some time reading about reasons for the existing codes. As I understand it, they include: reducing urban sprawl by allowing increased density; enhancing the urban environment by reducing the number of parking lots; promoting alternative transportation by encouraging auto-free lifestyles and increasing the cost and inconvenience of driving; and promoting affordable housing by not requiring the price of every unit of housing to cover the cost of a parking space. As Portland grows and we fight to prevent sprawl and exclusion, and as the entire world fights to reduce carbon output, the goals of the existing code seem compelling.

4. Complaints From Existing Businesses And Residents Do Not Justify Eroding The Policies Behind Existing Codes.

I understand the complaints from existing residents and businesses to be primarily reduced availability of free, on-street parking for themselves and their customers, and loss of existing “neighborhood character.” These reasons do not justify eroding the policies behind the existing codes.

a. Public On-Street Parking Needs To Be Shared As The Community Grows.

On the parking issue, we have been hearing from people who already use the public right of way for their private parking (for free) that other people shouldn’t be allowed to do the same thing in the future. That seems a little shameless to me, and hard to justify. Existing residents and businesses don’t own the parking spaces on the street. It wasn’t in their deeds and no one promised it to them. It does not seem unfair to me to say that, as the community grows, they will have to share the public parking with others.

b. Existing Codes Do Not Give Developers An Unfair "Subsidy."

Existing residents and businesses complain that allowing residents of the new apartments to park on the street amounts to a subsidy to the developers. However, it is no more a subsidy to the developer than free on-street parking has long been a subsidy to the existing residents and businesses. Again, opponents of existing code are complaining about someone else getting what they themselves have long been getting. Again, it does not seem unfair to expect them they have to share the public property as the community grows.

c. There Is No Unfair "Transfer of Wealth."

Existing residents and businesses also claim their property values would go down if on-street parking becomes scarcer and that this would amount to a "transfer of wealth" to the developers. In fact, I suspect that any reduction in property value from reduced parking would be more than offset by increased property value from a more vibrant neighborhood. In any event, to adopt codes forcing developers and new residents (indirectly) to pay for off-street parking so existing residents and businesses can continue to park free in the public right of way would be a "transfer of wealth" from the developers and future residents to the existing businesses and residents. The fairest solution here is to say that the public right of way is a public resource and that existing and future businesses and residents need to share it.

d. "Neighborhood Character" Needs Room To Change.

By all accounts, the Portland area will grow in leaps and bounds over the coming decade, especially if climate change forces people to move north. Expecting existing neighborhoods to retain existing "character" in density, building sizes and building types is naïve, unreasonable and self-destructive to the community. There is nothing magical about "existing character." Nothing establishes it as the peak of perfection in urban planning or design. It is just where we happen to be right now. If we mandated conformance with "existing character" 20 years ago, we wouldn't have the Pearl District or South Waterfront. If we mandated conformance to "existing character" 150 years ago, downtown Portland would have nothing over 10 stories high. Our neighborhoods are bound to change. They need to change if we are going to try to limit the spread of our urban footprint (as we should). Thus, the codes should not be revised, as some neighbors suggest, to preserve "existing character."

5. The City Should Put Some Faith In Free Markets.

The parking/apartment debate often seems to assume that the neighborhoods will have only the quantity and style of parking mandated by city government. The debate seems to forget

that we still have a somewhat free-market economy and that markets are often very good (better than government) at allocating resources. If parking in fact becomes a scarce and valuable commodity in neighborhoods with new apartment developments, the marketplace will find a way to provide more parking even if it is not mandated by city codes. If new residents need parking, they will make it a priority in buying and renting and developers will provide it. If existing businesses and residents need it, the markets will no doubt give them a chance to buy it. There really is not a good reason, other than a blunt "first come, first serve" philosophy, to say that new residents and businesses should pay for off-street parking while existing residents and businesses are entitled to monopolize the public right of way for free. Moreover, relying on markets will allocate the parking most efficiently by matching the best parking with the people who need it most and are therefore willing to pay for it; and by leaving the worst parking to the people who don't care as much, such as the non-driving apartment resident who needs parking only for the occasional visitor with a car.

6. Some Negative Side Effects Need To Be Tolerated For The Greater Good.

Almost all new development will have some negative consequences – increasing traffic, reducing available parking, reducing privacy, impairing views, etc. However, we need new development to accommodate an increasing population and to revitalize rundown areas; and most people agree that we need to grow up so we don't need to grow out so much. If we are going to get the development we need, we cannot hold developers to an impossible standard of buildings that don't have any negative impacts on existing residents. Some amount of impact needs to be tolerated for the greater good – for reduced sprawl, for less dependence on automobiles, for more affordable housing, etc.

7. Opponents Of Existing Codes Are Over Represented.

The City also should keep in mind that a person who sees a threat to his or her on-street parking is much more likely to write the City and show up at hearings than a possible future renter or a person with a policy preference for the broad principles behind existing codes. Although the opponents of existing codes may be more numerous in the hearing rooms and inboxes of city officials, the majority of the community may very well value reduced sprawl, less auto dependence and more affordable housing over perpetually free on-street parking for whoever was there first.

Thank you for considering my comments.

Very truly yours,

Brian Posewitz

Brian Posewitz

185974

Parsons, Susan

From: Nameny, Phil (PLN)
Sent: Thursday, March 28, 2013 8:35 AM
To: Moore-Love, Karla
Cc: Wickstrom, Matt; Schooley, Sara
Subject: FW: A letter *not* in favor of parking for new development on SE Division

Karla,

I am forwarding an email that is addressed to Mayor Hales (and presumably the Council) regarding the parking provisions going to hearing on the 9th. I was not able to tell if she had sent this to the Council separately, so am providing it to you for the record.

I'm also cc'ing Matt and Sara who are working on the project.

Phil Nameny

From: Alicia Cohen [mailto:cohenalicia@gmail.com]
Sent: Wednesday, March 27, 2013 11:06 PM
To: Nameny, Phil (PLN)
Subject: A letter *not* in favor of parking for new development on SE Division

Dear Mayor Hales,

Please know that while a number of vocal residents in the Richmond neighborhood are very organized and outspoken in their car advocacy, they absolutely do not represent the majority of residents affected by new development in inner Southeast. They certainly do not represent me.

I am strongly opposed to including parking spaces in new development in my neighborhood and many neighbors I speak with share my position.

Parked cars are not the problem we face in inner Southeast as we move toward a more dense urban environment. The problem we face is moving cars. Building parking spaces for new residents will only exacerbate our problems. Our narrow two-lane roads cannot physically support the volume of car traffic that the new density would bring *if* we build to encourage car driving. In fact, if anything, I am in favor of on-street parking. Cars parked on-street have been shown to act as a protective buffer and safety feature for non-drivers as they serve to slow down car traffic.

I agree with RNRG that the city should demand more of developers/developments in order to make the increase in population easier on those of us who already live off Division. I, however, think there are many better solutions than more parking. For example, how about requiring developments include yearly Tri-Met passes for all residents? These TriMet passes could be paid for either by the developer or through residential fees. How about fare-free zones on Division? Requiring Zipcar parking? Have the developers foot the bill for better bike lanes? Or, best of all, how about some non-motorized-vehicle only roads? Wouldn't it be wonderful to be able to bike along streets and never have to worry about a car hitting you?

In an ideal world I would like to see the cost of TriMet go down substantially in order to increase ridership in our neighborhood and all over the city.

I have lived in the Clinton/Abernathy neighborhood on-and-off for over twenty years. I love our

3/28/2013

neighborhood. However, the increase in *moving* car traffic has made biking and walking much less safe and much less pleasant. The air pollution and noise from cars has greatly increased in the past five or so years.

My daughter attends Abernethy School right off Division and her school is ranked in the bottom 2% for toxic air quality from sitting industrial sites for the entire US. To add more cars into the toxic mix in our neighborhood is the wrong answer for health, safety, and quality of life.

Sincerely,
Alicia Cohen
503-475-9256
2240 SE 24th Ave
97214

Parsons, Susan

From: Bob Stacey [bobstacey@mac.com]
Sent: Thursday, March 28, 2013 9:20 AM
To: Moore-Love, Karla; Parsons, Susan
Cc: Wickstrom, Matt
Subject: Testimony for April 4 Council hearing

Attachments: letter to council.docx; psc 11.12.docx; ATT00001.txt



letter to psc 11.12.docx ATT00001.txt (115
ouncil.docx (152 KB) (97 KB) B)

Please provide this testimony (a letter to Council with an attachment in a second Word file) to the City Council, and make it a part of the Council's record in its April 4, 2013 hearing on amendments to the zoning code for apartment parking recommended by the Planning and Sustainability Commission.

Thank you.
Bob Stacey

Bob Stacey
3434 SE Brooklyn Street
Portland, OR 97202

March 28, 2013

AUDITOR 03/28/13 AM 9:35

Mayor Charlie Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

Subject: Proposed Zoning Code Parking Amendments

Dear Mayor Hales and Commissioners:

Due to scheduling conflicts I'm unable to appear and testify at your public hearing next week on proposed zoning code amendments that would require parking in multiple dwelling development in areas where parking is not required by the current code. I offer the following comments solely in my personal capacity, as a resident of a Portland neighborhood that is experiencing significant new apartment and single-dwelling development.

I do not agree with the Planning and Sustainability Commission's recommendation that these amendments should be adopted. However, it appears to me that you are likely to adopt new parking requirements for residential development along the city's main streets. Given those circumstances, I urge you to impose no greater parking requirements on new residential development than those recommended by the commission.

I have attached my November 12, 2012 testimony to the Planning and Sustainability Commission, presented in response to staff reports on the impact of low-parking and no-parking apartment buildings. My testimony there argued against imposing parking requirements and in favor of creating parking management districts abutting the City's main streets, to protect the on-street parking resource for existing residents. I hope you'll consider my arguments as supporting your adoption of the Planning and Sustainability Commission's amendments, rather than amendments that would be more harmful to new mixed-use and multi-dwelling development.

As I told the commission in November, my family and I have lived here in Richmond, a few blocks off Division, for nearly 37 years. In the last two decades, under regulations that allowed development without parking, this neighborhood has been transformed for the better. It is far stronger, wealthier, and more fun and convenient to live in than it was in the seventies and eighties, with more transit, more shops, more restaurants. However,

it has not become more economically diverse. Imposing the cost of parking on new housing will not make that housing more affordable, and may slow the development of additional multiple dwelling housing altogether. That would be bad for my neighborhood and my city.

I ask that you proceed with care and caution, and limit the changes you make to those recommended by the Planning and Sustainability Commission. Thank you for your thoughtful consideration of this issue.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Bob', written in a cursive style.

Bob Stacey

enclosure

Bob Stacey
3434 SE Brooklyn Street
Portland, OR 97202

AUDITOR 03/28/13 AM 9:35

Via email

November 12, 2012

André Baugh, Chair
Portland Planning and Sustainability Commission
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Subject: Public Forum on New Apartments and Parking

Dear Chair Baugh and Commissioners:

This letter responds to your request for public comment on the research and analysis conducted by the Bureau of Planning and Sustainability on the parking impacts of recently-constructed apartment buildings containing no off-street parking or fewer off-street spaces than the number of dwelling units constructed. Please include these comments in the public record of your November 13 Forum.

The reports on this subject submitted by the Bureau and its consultants contain good work done in a limited amount of time. They provide useful analysis that should inform the public's and the Commission's discussion of community concerns about the impacts of recent apartment construction, particularly on the supply of on-street parking available to current residents of areas near these buildings and buildings which may be constructed in the future.

I have long been involved in city and regional land use and transportation policy, as a public interest advocate, as City planning director, as a land use lawyer, and at TriMet. In January I will join the Metro Council, representing parts of Southeast, Northeast and Southwest Portland. However, my comments to you are solely my personal thoughts, and are based on my experience as a resident and homeowner for the past 36 years in one of the neighborhoods affected by recent low-parking and no-parking housing development.

1. Density and Design Issues

The Bureau's November 7 summary report makes clear that community concerns about recently built or permitted apartments are not limited to parking impacts, but include issues with notice and opportunity for comment as well as building height, density and design. Public comments reflect worries about the pace and scale of development, and its impact on the livability and quality of nearby single-family neighborhoods.

Such concerns are understandable. Notwithstanding the recession and slow pace of recovery from it, Portland continues to grow. The 2010 Census enumerated nearly 584,000 Portland residents; one year later, the Census Bureau estimates another 10,000 people had been added to the city. Today, it is almost certain that Portland has now passed the 600,000-population milestone. Residential vacancies are extraordinarily low; the result is the current spate of apartment construction. This new development follows the construction of many new apartment and condominium buildings outside the Central City in the decade leading up to the 2008 crash. New four-story and taller buildings rise on narrow strips of commercial land bordering single-family neighborhoods, their designs and materials different from existing development. Numerous residents find these changes objectionable.

I understand these concerns about density, height and design; but I do not share them. On SE Division, my neighborhood main street, development since the 1990s has steadily improved what was (and to some extent, still is) a depressing, ugly strip of automobile-oriented development interspersed with boarded-up and plastered-over nondescript single-story commercial buildings from the early 20th century, and motel-style apartments from the 1960s and '70s. The city's development standards, although minimal, have resulted in new buildings that reinforce the pedestrian environment along Division. Moreover, the ground-floor retail in those buildings and in revitalized existing buildings—particularly the ever-expanding universe of restaurants—has added real pedestrian traffic to Division for the first time in more than a generation.

There is more that could be done by the City to address the conflicts that arise from a zoning pattern that puts single-family houses and four-story buildings back-to-back on the same block, and the Commission and Bureau should explore those issues as part of the zoning implementation of the Portland Plan. But the Commission should not lose sight of the enormous gains made toward truly walkable "20-minute neighborhoods" on main streets like Division, precisely because those four-story buildings have helped add businesses, residents, customers and transit patrons to the neighborhood. I strongly urge the Commission not to reverse course on the policy of encouraging mixed-use, pedestrian-oriented development on the City's transit-served main streets.

2. On-street Parking

AUDITOR 03/28/13 AM 9:35

Most Portlanders who live in single-family neighborhoods expect to be able to park on the street in front of their homes. We look out the front window if someone pulls up to the curb out front into “our” space. Of course, it isn’t *our* space: it’s public property, and we use it through long-standing privilege, not by right.

But that privilege of nearby on-street parking is very important to folks who rely on it. And the work done by the Bureau shows that new apartment buildings with reduced or no off-street parking put more cars on neighborhood streets within two blocks of the buildings. So, too, do businesses along Portland’s main streets, whether they’re in the ground floors of these new low/no parking buildings or in revitalized older storefront spaces. As development proceeds along Division in my neighborhood, the streets on either side are starting to experience what has long been the case near SE Hawthorne to the north: competition for curb parking.

The remedy for this competition must not be to restore the costly requirement that every building provide off-street parking for every unit. As the staff’s research makes clear, this would add tens of thousands of dollars to the cost of even small dwelling units in main street development. The condominium market of five years ago may have been able to bear that cost; but today our neighborhoods are finally seeing development that can respond to the growing need for lower-cost rental housing, by avoiding the high price of structured parking.

Instead of prohibiting low-parking and no-parking apartment buildings, the City should focus on improving its parking management programs aimed at protecting existing users of on-street parking. The City’s parking management districts are capable of great flexibility in their design. It should be possible to draw district boundaries that include single-family zoned properties near Division and other main streets, while excluding from the district those commercially zoned properties where larger apartment buildings are permitted. Existing homeowners and tenants in single-family zoned homes would be eligible for parking permits. Apartment residents without off-street parking would not; and they would have to walk three or four blocks if they wanted to park a car on-street. This would both spread the parking impact of new buildings over a wider area, and encourage apartment residents to consider using car-sharing services, transit and cycling rather than continuing to own a car they have to hike to in order to use.

It’s also possible that such limitations on parking would dampen demand for no-car apartment buildings, lowering rents and potentially resulting in fewer such buildings. However, that kind of market response is preferable to prohibiting construction of housing without parking. The number of car-free households in the City is growing. Those households deserve the choice of buying housing without being forced to pay the cost of parking they do not use. To the extent that Portland can encourage the formation of more such car-free households—through a combination of allowing car-free buildings

while regulating nearby on-street parking—we will all enjoy the benefits of cleaner air, less automobile traffic, and safer streets.

Thank you for the opportunity to comment on these important issues.

Very truly yours,

/s/

Bob Stacey

March 27, 2013

Written Testimony for April 4th City Council Hearing
Submitted via email to: karla.moore-love@portlandoregon.gov

RE: New Apartments and Parking

Dear City Council Members,

I understand the desire for a reasonable minimum parking requirement for large developments along transit corridors that can too quickly overwhelm an adjacent neighborhood. I support that change as well as most of the other changes recommended by the Planning and Sustainability Commission (PSC) that better match code regulations with actual transportation behavior. However, the PSC recommendation before the City Council includes a seemingly benign code amendment that would dramatically remove the parking exemption altogether along many transit streets. This significant code change has wide reaching effects that should be more thoughtfully considered as part of the comprehensive plan update – not a rushed interim code fix. I urge you to reject this one piece of the subject code amendment package, as detailed below.

Issue: The amendment in question would limit the parking exemption to TriMet's official "Frequent Service" transit corridors - removing the exemption (as proposed to be amended) from a dozen or so transit streets including Burnside, Glisan, Broadway, 52nd, 60th, Holgate, Capitol Blvd, and Greeley, to name a few. If passed, parking would be required at a ratio of 1 space per unit, regardless of the number of units, on 1,000's of medium- and high-density residential (R1, R2, and RH) and general commercial (CG) lots. Below is a list of reasons why I think this change should be rejected by the City Council.

Reason #1: This change is not needed to address the concerns currently being raised by some residents. Some residents have voiced concerns over large multi-family developments with zero parking and speculated that those developments will too quickly overwhelm their residential streets with congestion. Requiring a reasonable parking ratio for large developments (40+ units) solves this problem.

Reason #2: This change will harm the expansion of transit service in Portland's neighborhoods. During the recession, TriMet cut low-performing service from low-performing bus routes – not service with high demand. The proposed change would require *too much* parking and reduce the incentive to take transit. The infusion of new transit-oriented development with lower parking ratios will help expand transit service on these streets by providing more people and places to travel to/from along the bus routes – generating demand that can preserve and enhance transit service on these streets to everyone's benefit.

Reason #3: The existing code language is backed by solid policy and actual transportation behavior. More people are choosing not to own a car these days, particularly younger generations. Others are choosing to pare down to one car per household and take advantage of transit, carsharing, biking and walking to supplement their travel demands. Households with one or fewer cars look to locate along transit routes where they can easily and reliably take transit to work. I know this because this is how I vetted every apartment I've ever rented. The current code recognizes this behavior by assessing transit frequency during peak commute periods, when people are most reliant on transit.

Reasons #4: The "Frequent Service" designation is an inappropriate tool for the City to determine where the parking exemption should be applied. Some of the routes that don't qualify as official "Frequent Service" routes by TriMet actually have more frequent service during peak commute periods. For example, Lines 19-Glisan/Woodstock and 35-Macadam/Greeley have more frequent service during the peak commute periods than lines 33-McLoughlin and 75-Cesar Chavez/Lombard. A more objective standard would be to exempt developments within 500' of a transit route with at least 6 scheduled trips per 2-hour period in the morning and evening commute periods, which gets at the reliability that transit-dependent people look for in choosing where to locate.

Reason #5: This change has had very little public discussion at recent hearings. The current imbalanced discussion has centered on a handful of large developments along SE Division Street and has not thoroughly considered what's right for other streets by residents living along them. Any increase in parking requirements on the transit corridors in question should be discussed more broadly in the context of the Portland Plan, where the whole community is engaged rather than one angry subset with a specific development in mind.

Reason #6: Unintended consequences on urban design and compatibility within neighborhoods. Developments that would have been only 2 or 3 stories could be forced to increase to 3 or 4 stories, respectively, to provide a garage level or tuck under parking to meet the new requirement. More garage doors and driveways will be constructed at the street level than currently required, resulting in less on-street parking. The effects of the change are most pronounced for small infill developments on 5,000 and 10,000 square foot lots. These are reasons that staff has proposed the current threshold of 40+ units to trigger any parking requirement. That same thoughtfulness and sensitivity is missing from this proposed change.

I urge the City Council to reject this one unnecessary change to require *too much* parking in Portland neighborhoods.

Respectfully,

Joe Recker
615 NE 64th Ave
North Tabor neighborhood

Rex Burkholder
2824 SE Yamhill St
Portland, OR 97214
rexburkholder@gmail.com

Mayor Charlie Hales
City Council
1221 SW 4th Ave, Rm 140
Portland, OR 97204

AUDITOR 03/25/13 AM10:42

Comment on Zoning Code Amendments regarding Apartment Parking

Dear Mayor Hales and Council:

I urge you to oppose any changes in the City's parking requirements for housing along transit corridors. I would like to make 3 points regarding the recommended imposition of parking requirements on new residential development along transit streets:

- 1) Under the Regional Framework Plan, fully 70% of the region is zoned for single family residential housing and includes strong protections against upzoning. With over 1 million new residents expected in this region in the next 25 years, many more if we become a refuge for people fleeing climate change, we must do whatever we can to encourage more housing in the areas currently zoned for higher density housing.
- 2) Parking can add up to \$20,000 per unit to the cost of housing, further exacerbating an already imbalanced housing supply. Working people find it more and more difficult to find an affordable place to live. Unnecessary and expensive requirements will add to this problem. With almost half of the city's land area already paved, paid for by the public and therefore available for parking, there is no reason to require more.
- 3) Personally, my family of four lived for 30 years two blocks off a major transit street as well as three blocks from Lloyd Center. My neighbors included a 40 unit building constructed in the 1920s without off-street parking. My own home had no off street parking. Yet, in those 30 years there were few times that I couldn't park in front of my home. Today, I live one block off of a major transit street and around the corner from 3 buildings with almost 100 units—without off-street parking. Plus restaurants and bars. Do I have a parking problem? No. I may have to park my car a few doors down occasionally but that's a small price to pay to live in a neighborhood where I don't have to drive because it has so much vitality.

Portland's existing policy of permitting housing along transit corridors without parking is a good one, helping with housing affordability, adaptation to climate change and an uncertain energy future, as well as encouraging people to walk and cycle. It also increases the customer base for local businesses. All without imposing substantial burdens on the City.

Thank you for your consideration and your commitment to our City.

Sincerely,

Rex Burkholder

185974

Parsons, Susan

From: Brian [bjcefola1984@aol.com]
Sent: Sunday, March 24, 2013 12:03 PM
To: Moore-Love, Karla
Subject: New Apartments and Parking Testimony
City Council Members,

I'm writing to urge you to reject the proposed increases in parking minimums, or if enacted to allow neighborhoods to waive the requirements in return for alternative design considerations.

Parking minimums are terrible social policy. They encourage the supply of premium, high-end housing both because larger units will push unit counts down and because more expensive units will more easily absorb the cost of parking. That has consequences for economic and ethnic diversity. The market for low-cost housing does not look like the market for high-end housing. The minimums will in effect further segregate our city.

Parking minimums are terrible environmental policy. They encourage the use of automobiles, both for apartment residents and for homeowners whose street parking is effectively subsidized. Because our roads aren't getting any wider they will increase traffic and congestion, making our air more polluted. Parking minimums discourage people from using alternate transit, rendering our sidewalks less active and less safe. And because more buildings will have ground floor parking rather than retail they render our streetscapes uglier.

Finally, parking minimums have consequences for regional policy. Encouraging high density elsewhere, such as urban growth boundary expansion areas, is untenable if we reject density in inner-city Portland. One way or another housing demand will be met. If it isn't met by urban housing it will be met by sprawl.

All this, for what purpose? To protect who? How many homes lack off-street parking? Where are they concentrated? Virtually every home in my neighborhood has off-street parking, what purpose do minimums serve here? That's not an idle question, I live one block from Broadway and apartment development is not unlikely. Why should those apartments be required to have parking?

Where homes do lack off-street parking why should their occupants be entitled to preferential treatment? Why should such residents be protected from the consequences of their decision to live in a home without off-street parking? If they should be protected why should that cost be born exclusively by renters in other buildings? Why should the resident of a 500 square foot apartment pay for parking so that the resident of a three bedroom single family home doesn't have to?

As a matter of equity, as a matter of sustainability, and as a matter of basic common sense parking minimums should be rejected.

But what should happen and what does happen aren't always the same. With that in mind, if parking minimums are adopted I urge the council to include an amendment that would act as a breath of fresh air. Allow a waiver of parking requirements if the presiding neighborhood association consents to one as part of a broader agreement with developers on project design. This flexibility would allow neighborhoods to determine their own best interest on a case by case basis, and it allows the possibility of creating particular amenities or features to meet a particular location's needs.

If a location needs more parking lots, the neighborhood can sit on their hands and get that by default. But for neighborhoods with different aspirations, such as a public plaza or seating area, or a lower building height, or a stoplight to improve pedestrian safety, the ability to grant a waiver on parking requirements creates a powerful

3/25/2013

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incentive for developers to take those aspirations seriously. Maybe a meeting of the minds will happen and maybe it won't. But if a bargain is there to be struck why shouldn't the city bless it?

If this measure is passed make it one that strengthens the hand of neighborhoods in pursuing their own interest, not one that binds them.

Thanks for your consideration,

Brian Cefola
3244 NE Schuyler Street
Portland OR 97212

3/25/2013

Parsons, Susan

From: Gene Avery [eugenesavery@gmail.com]
Sent: Saturday, March 23, 2013 7:40 PM
To: Moore-Love, Karla
Subject: Beaumont Village parking

Please don't allow the neighborhood to be flooded with cars. It should be a crime to build apartments w/o parking. I frequently shop at the market, and hardware store. If this is allowed to go in I won't even try to shop there. Why isn't the city protecting it's citizens? Those poor, abandoned people who live near Fremont.

Gene Avery
Alameda resident

Moore-Love, Karla

From: Adrienne Stacey [adriennestacey@mac.com]
Sent: Friday, March 22, 2013 3:19 PM
To: Moore-Love, Karla
Subject: New Apartments and Parking

Our family has lived at SE 35th and Brooklyn for 36 years. Brooklyn is three blocks south of Division.

My husband and I are planning not to buy another car after the one we have. We have talked frequently of retiring to an apartment on Division and very much support the idea of not having to pay for a parking space.

I like supporting non auto-oriented development. I like having a choice to live in such a place. I feel it is one more step in living better in the city.

Please feel free to contact me if you have any questions. Please feel free to forward this email as needed.

Thank you,

Adrienne Stacey

<adriennestaceypottery.com>

503 232 4393



Office of Equity and Human Rights

185974

Realizing Equity. Enhancing the City of Portland.

Portland Commission On Disability

Executive Committee

Joe VanderVeer
Chair

Nicholas Johnson
Vice Chair

Jan Campbell
Chair Emeritus

Nyla McCarthy
Chair Emeritus

Travis Wall

Lavaun Heaster

Jewls Harris

Alan DeLaTorre

Re: Further accessibility concerns of zero parking ordinance and amendments

March 12, 2013

To whom it may concern:

Last September, our commission submitted comments regarding the zero parking ordinance that detailed our concerns about accessibility and the impact on people with disabilities that may result from the implementation of such policy. While not all of our concerns have been directly addressed in the further refining of this ordinance, we feel that staff heard and considered the reservations we expressed at that time. We now wish to offer additional brief comments on the amendments currently under consideration.

First, regarding the provision of loading zones as part of these zero parking developments, we feel strongly that all developments, regardless of size, should have loading zones for the purpose of paratransit pickup and drop-off. We expect that, given the proximity to services and transit, these developments will be attractive options for people with disabilities and so paratransit access is essential for all developments.

Second, we would like to offer additional details we feel are important to maximize the accessibility and utility of the loading zones for people with disabilities. There are two primary considerations that we feel should be part of the code regulating such installations – proximity and vehicle orientation. To the greatest extent possible, loading zones intended for passenger pickup and drop-off should be located as close to the main entrance of the development as possible. However, of perhaps greater importance than proximity, is the orientation of the loading zone to the vehicle utilizing it. In order for such zones to be usable by paratransit vehicles, wheelchair accessible taxis, and other wheelchair adapted vehicles with lifts or ramps, the loading zone must be on the right side of the vehicle, as virtually all adaptive equipment deploys from that side. Furthermore, we recommend that this right side orientation consideration be given greater priority than the proximity consideration in cases where both concerns cannot be fully satisfied.

Finally, we would like to take this opportunity to express our concern that these zero parking developments could fail to meaningfully contribute to the supply of accessible housing in Portland. Because this ordinance applies to small-scale developments (40 units or less) and is meant to promote affordability in areas of concentrated services and access to transit, we're concerned that developers will strive to further reduce costs by eliminating other accessibility amenities such as elevators in these buildings. To allow multi-story housing development without elevators in these service rich areas could mean that the City fails to respond to the critical need for accessible housing for people with disabilities and older adults.

Thank you for considering our input.

Joe VanderVeer
Chair, Portland Commission on Disability

Dante J. James, Director

Charlie Hales, Mayor

421 SW 6th Avenue, Suite 500 Portland, OR 97204

www.portlandonline.com/equityandhumanrights