

New Apartments and Parking



Zoning Code Amendments



Adopted by City Council
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Effective May 10, 2013



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon
Charlie Hales, Mayor • Susan Anderson, Director



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Portland City Council

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

Portland Planning and Sustainability Commission

André Baugh, *Chair*
Michelle Rudd, *Vice Chair*
Howard Shapiro, *Vice Chair*
Karen Gray
Don Hanson
Mike Houck
Lai-Lani Ovalles
Gary Oxman
Chris Smith
Katherine Schultz
Irma Valdez

Bureau of Planning and Sustainability

Charlie Hales, *Mayor, Commissioner-in-charge*
Susan Anderson, *Director*

Project Staff

Joe Zehnder, *Chief Planner*
Matt Wickstrom, *City Planner/SE District Liaison*
Phil Nameny, *City Planner*

Other Contributors

Sara Schooley, *Portland Bureau of Transportation*
Rob Burchfield, *Portland Bureau of Transportation*
Paul Smith, *Portland Bureau of Transportation*
Courtney Duke, *Portland Bureau of Transportation*
Kurt Krueger, *Portland Bureau of Transportation*
Mauricio Leclerc, *Portland Bureau of Transportation*
Rebecca Esau, *Bureau of Development Services*
Kristin Cooper, *Bureau of Development Services*
Tim Heron, *Bureau of Development Services*

A digital copy of this report can be found at:

<http://www.portlandoregon.gov/bps/59974>

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1. Introduction

In the last year, there has been an increase in development of new multi-dwelling buildings, including projects that do not include off-street parking. Many of these buildings are being developed along commercial streets in neighborhoods. The projects are being built under current city policies and zoning code provisions, some that have been in place since the 1980s. Community members have reacted with concern about the number of these projects and about the new buildings' height, size, density, design and lack of off-street parking. Others have expressed general support for current policy.

Responding to community concerns and an overall lack of data and literature on this issue, the Bureau of Planning and Sustainability (BPS) completed a series of studies about new apartments and parking. These studies included:

- **Parking and travel behavior study** - an examination of travel, parking behavior and vehicle ownership by residents of eight existing residential and mixed use buildings with little or no parking. The study included counting vehicles parked on surrounding streets, interviews with residents and others, and a survey of residents. 116 completed surveys were received out of 333 mailed.
- **Cost of parking analysis** - BPS modeled development data to evaluate the cost of providing onsite parking for infill apartments and impacts on affordability for apartment dwellers.
- **TriMet service review** - an examination of the frequency of transit service in 2007 (prior to service cuts) and current service levels evaluating whether locations where new apartments are proposed are vulnerable to service cuts.
- **2006-2013 permits** - a review of multi-dwelling permits from 2006 to February 2013 to examine trends related to development and parking.

Studies, an electronic version of this report and other information on new apartments and parking can be found at: <http://www.portlandoregon.gov/bps/59974>.

Results of studies and research related to new apartments and parking, as well as a summary of community concerns were presented at a November 13, 2012 Planning and Sustainability Commission (PSC) meeting and a City Council session on January 10, 2013. Public testimony was taken at both meetings. Some community members expressed opposition to current regulations. Others, who were supportive of current policy, still felt the need for improvements.

At the January 10th City Council session, Council accepted the BPS studies and directed staff to develop and publish a near-term proposal of concepts and regulatory changes related to parking for multi-dwelling buildings, focusing on inner Portland commercial streets, the areas where apartment development with little or no parking is primarily occurring.

BPS presented proposed amendments to the Zoning Code at a public hearing before the PSC on March 12, 2013. Following public testimony, the PSC made minor changes to the proposal, and recommended forwarding it for City Council consideration. City Council held a public hearing on the PSC's Recommended Draft on April 4, 2013. Following public testimony, Council made several changes to the PSC recommendation. On April 10, 2013,

they adopted the amended report and amended the Zoning Code as set out in the report. . These changes took effect May 10, 2013.

A central concept of the adopted amendments was the need to balance potential impacts of larger multi-unit buildings on on-street parking with Portland's goals of maintaining affordability, providing a variety of housing options, and promoting a pedestrian-oriented streetscape. Also considered was how Climate Action Plan and Portland Plan goals factor in New Apartments and Parking approaches.

This document details the amendments to the Zoning Code adopted by City Council and includes:

- Summary of the eight amendments made to the Zoning Code;
- The text of the amendments to the Zoning Code, along with commentary reflecting legislative intent;
- Information on parking for disabled people; and
- The adopting ordinance.

2. Summary of Amendments to the Zoning Code

This project made eight amendments to the Zoning Code. This section describes the amendments, and includes by a discussion of the rationale for each.

Amendment #1 - Add Minimum Parking Requirements in Certain Zones and Near Frequent Transit Service:

In most zones and most locations throughout Portland, one parking space is required for each dwelling unit. However, no parking is required for new multi-dwelling buildings in certain zones (CM, CS, RX, CX, CO1) and for sites within 500 feet of transit streets with 20-minute peak-hour service. This is based on the premise that good transit, pedestrian facilities, and street connectivity allow residents, guests, and customers a range of transportation options beyond personal automobiles. This approach seems to provide a balanced supply of off-street parking overall. BPS examined trends in development and parking by reviewing building permits for multi-dwelling development issued between 2006 and February 2013. The analysis found:

- Between 2006 and 2008, permits were issued for 78 multi-dwelling or mixed-use buildings. Of those 78, about two-thirds (52), included parking. The parking was at a rate of almost one space per dwelling unit.
- Almost no new development occurred in 2009.
- In the past three years, permits were issued for 52 multi-dwelling or mixed-use buildings. Of those, about one-third (19), included parking. The parking was at a rate of approximately 0.6 spaces per unit.

On the whole, the supply of parking has increased with the development of new units, although the ratios have been dropping. However, a reasonable case can be made that larger multi-dwelling projects (more than 30 units) without parking pose a risk of overtaxing the supply of local on-street parking. This can be of especial concern on and proximate to neighborhood commercial streets, where the supply of on-street parking is shared by nearby stores, restaurants, and services, as well as residents.

Many recent examples of new multi-dwelling development have been built on 10,000 square foot lots that face a commercial street and an intersecting side street. The most common approaches to providing parking on a lot this size would be either to reduce the building footprint to provide a surface parking lot or to include parking in some or all of the first floor of the building. This impacts the design and density of the building. It also affects the character of the surrounding streets by adding driveways and curb cuts, which interrupt the pedestrian environment and eliminate at least one on-street parking space. Still, there are good design solutions and many successful examples of larger multi-dwelling development buildings with parking in these types of locations.

The Bureau's study of the development economics of new buildings suggests that buildings with more than 30 units are able to better absorb the cost of providing on-site parking without requiring significantly higher rents. The adopted amendment requires parking only for development with more than 30 dwelling units, which helps address the concern about the impact of parking minimums on housing affordability.

The new minimum parking requirement will not apply to smaller buildings for several reasons. First, allowing some smaller buildings to be built without parking helps keep a mix of housing that offers residents options, including renting housing that does not include the cost of parking that the residents may not need or use. Second, smaller buildings are often on smaller lots and in mid-block locations with no side-street access. Mid-block curb cuts disrupt the pedestrian environment on commercial streets and pose safety concerns. Curb cuts to allow access to minimal on-site parking associated with smaller projects may remove a comparable amount of on-street parking, resulting in a net loss of public parking. Third, requiring larger parking minimums can result in undesirable building forms such as narrow buildings next to surface parking lots or curb cuts accessing small sites, which creates minimal ground floor activity. Finally, there are good design solutions and many examples of successful smaller multi-dwelling buildings being developed as infill on neighborhood commercial streets.

Amendment #2 - Expand Area Where New Minimum Parking Requirements Apply:

Under current regulation, no parking is required for new multi-dwelling buildings in certain zones (CM, CS, RX, CX, CO1) and for sites within 500 feet of transit streets with 20-minute peak-hour service. Amendment #1 added a minimum parking requirement for these areas; this amendment expands the area covered by the new parking minimums to include the areas within 1,500 feet of light rail stations. This is based on the consideration that light rail provides some of the region's best and most frequent transit service with fixed station locations and larger service areas.

Amendment #3 - Minimum Required Parking—Purpose Statement:

For a variety of reasons, some sites are difficult to develop in compliance with the Zoning Code. In some cases a developer is proposing an innovate design that meets the intent of a regulation, but not the letter. The Adjustment Review process provides a mechanism to allow development that does not meet the regulations in the Zoning Code if the proposed development meets the purposes—the intents—of the regulations. Most sections of the code include a purpose statement which is used, among other things, to evaluate adjustment requests.

This amendment adds language to the purpose statement for minimum required parking. The added language stresses the intent to balance minimum parking requirements with an active pedestrian network and to minimize pedestrian, bicycle and vehicle conflicts as much as possible. This responds to concerns that minimum parking requirements entail driveways and curbs cuts, along with the loss of potential retail or other active ground floor uses; the result could be a negative impact on the streetscape and design of buildings, especially those located on mid-block sites.

Amendment #4 - Substitutions for Motor Vehicle Parking

Current regulations allow minimum parking to be reduced if specific amenities are provided. There are four such provisions in the Code now: tree preservation, bicycle parking, transit-supportive plazas, and motorcycle parking. This amendment adds two more options: car sharing and bike sharing.

Currently, the Zoning Code does not limit the amount of required parking that may be reduced through substitutions. Adding two more substitutions increases the potential to greatly reduce required parking. Limiting the amount of required parking that may be reduced through substitutions to 50 percent ensures that amenities may still be included in projects but without the potential to nearly or completely eliminate required parking.

Car sharing is becoming increasingly popular in Portland, where several different models of car share programs exist. Car share allows members an option to not own a vehicle and to instead reserve and use a fleet or peer vehicle when they need it. Car share allows for more efficient use of vehicles and parking. Data shows that car share provides potential environmental benefits as participants generally drive less than when they own a personal vehicle. For these reasons, allowing on-site car share spaces to substitute for up to 25 percent of required parking spaces allows for a more efficient use of the site area, by providing one or more vehicles that can be shared by all residents of the development.

Regional leaders approved funds in 2011 to start Portland Bike Share (scheduled to begin in Spring 2014). Bike Share relies on a system of self-service bike stations where Portland residents and visitors may check out a bike, ride to their destination and return the bike to any docking station near that destination. Allowing bike share to substitute for onsite parking can help build the Portland Bike Share network and provide a new amenity for residents and visitors of Portland's neighborhoods.

Amendment #5 - Joint Use and Off-site Parking

Current regulations allow two (or more) uses to use the same parking spaces to meet minimum parking requirements; it is called joint parking. Proposals for joint parking must be accompanied by an analysis that shows peak parking demand for each use occurs at a different time. In addition, an easement or deed restriction that guarantees access for all uses is required. Joint use of parking is only allowed for nonresidential uses. Parking for residential uses must currently be used exclusively for the dwelling units it is accessory to.

This amendment will allow residential parking to become joint use parking if all the uses associated with the parking are allowed in the zone. Allowing residential parking to be used by nearby nonresidential uses allows for more efficient use of parking, especially when demand for the residential parking is lower than the supply.

Zoning rules allow required parking for nonresidential uses to be up to 300 feet away. This amendment allows such parking to be up to 500 feet from the site, which is consistent with proximities allowed by exceptions for sites well-served by transit.

Amendment #6 - Loading Spaces.

Requiring a loading space for larger multi-dwelling buildings helps ensure the availability of a designated loading space for moving in and out, dropping off groceries, and other needs. Currently, multi-dwelling buildings with more than 50 units are required to provide an onsite loading space. Lowering the threshold to 40 units better ensures the availability of designated loading spaces for residents.

Requiring on-site loading for buildings with less than 40 units would result in additional curb cuts and effectively eliminate a comparable amount of on-street parking where

loading and unloading also occurs. This would also create less-frequently used loading spaces occupying critical site area. Smaller buildings are often on smaller lots and in mid-block locations with no side-street access. Mid-block curb cuts disrupt the pedestrian environment on commercial streets and pose safety concerns.

The on-site loading space is intended to serve residents. The space could also be used for outside delivery if the parking/loading area is accessible to the public. UPS, TriMet's LIFT service, and other service vehicles may also use existing on-street spaces or require an on-street space designated for loading by the Portland Bureau of Transportation; however, the driveway or curb cut associated with the onsite parking and loading spaces will provide an additional space for quick pull-in and drop-off.

Amendment #7 - Bicycle Parking

Current bicycle parking requirements state that each short-term (guest use) bicycle parking space must be at least 2 feet by 6 feet. However, there is no size requirements for long-term (resident use) bicycle parking. This lack of long-term bicycle parking standards can lead to installation of required bike racks in inappropriate locations, where the racks are not accessible or readily usable by bicyclists. This amendment applies the same size standards to all bicycle parking. .

Amendment #8 - Transit Street Main Entrance

The Zoning Code includes regulations that require buildings on transit streets to orient their main entrance to the transit street. The intent of these regulations is to ensure that retail, office, and similar uses along transit streets are pedestrian- and transit-friendly, rather than having their main entrance oriented to a parking area, or set back from the sidewalk. This amendment clarifies that the regulations apply only to nonresidential uses on the ground floor.

4. Parking Information for People with Disabilities.

Over the course of the discussion about new apartments and parking, considerable concern and attention focused on the needs of residents with disabilities and aging Portlanders. In response, staff reviewed current requirements and processes for installation of parking spaces for people with disabilities. Three of these are important to highlight:

1. Parking for people with disabilities is triggered with the first on-site parking space. When one or more on-site parking spaces is created, at least one accessible space is required. Amendment #1, by requiring parking for multi-dwelling buildings with more than 40 units, ensures that at least one on-site accessible space is provided.
2. Residents with disabilities may continue to request installation of an on-street accessible space free of charge. When possible, the Portland Bureau of Transportation will work with the resident to accommodate the request in the most suitable location. This space will be available for use by anyone with a valid disabled permit, not just the requesting resident.

3. On-street loading and unloading spaces and limited duration spaces (e.g. 15-minute limit spaces) may be requested through the Portland Bureau of Transportation which will assess the need, suitable locations, and proximity to other spaces. These spaces are suitable for TriMet LIFT service and other vehicles that are picking up or dropping people off. .

5. Continued Work Items

While these amendments are intended as attainable near-term solutions, continued work is expected. Items that require continued observation and evaluation include:

1. Evaluate how minimum parking requirements for multi-dwelling development could impact historic buildings and affordable housing projects.
2. Explore neighborhood parking permit programs such that any potential parking permit program would operate as a piece of a greater Transportation Demand Management strategy for areas that may see impacts related to recent multi-dwelling development projects.
3. Monitor permits and development activity including measuring on-street parking congestion before and after the construction of the 81-unit building at SE Division & SE 37th Avenue.

6. Amendments to the Zoning Code

The language of the amendments to the Zoning Code is in this section of the report.

- Commentary explaining the code language is on the left-hand pages.
- Code language is on the right-hand pages. Code language to be added is underlined. Code language to be deleted is shown in ~~striketrough~~.

**CHAPTER 33.130
COMMERCIAL ZONES**

Table 130-3 - Summary of Development Standards in Commercial Zones

This table in the current code contains a line that summarizes whether parking is required in the different commercial zones.

The amendment to Chapter 33.266, Parking and Loading, requires parking for larger multi-dwelling developments. Due to this change, the parking information in this table is no longer correct or useful, and should be deleted. Deleting the information will also make this table consistent with the tables for other zones.

**CHAPTER 33.130
COMMERCIAL ZONES**

Table 130-3 Summary of Development Standards in Commercial Zones								
Standard	CN1	CN2	CO1	CO2	CM	CS	CG	CX
Maximum FAR (see 33.130.205)	.75 to 1	.75 to 1	.75 to 1	2 to 1	1 to 1 See 33.130.253	3 to 1	3 to 1	4 to 1
Maximum Height (see 33.130.210)	30 ft.	30 ft.	30 ft.	45 ft.	45 ft.	45 ft.	45 ft.	75 ft.
Min. Building Stbks (see 33.130.215) Street Lot Line or Lot Line Abutting an OS, RX, C, E, or I Zone Lot	0	0	0	0	0	0	0	0
Lot Line Abutting other R Zoned Lot	See Table 130-4	See Table 130-4	See Table 130-4	See Table 130-4	See Table 130-4	See Table 130-4	See Table 130-4	See Table 130-4
Garage Entrance Setback (see 33.130.250.E)	5/18 ft	5/18 ft	5/18 ft	5/18 ft	5/18 ft	5/18 ft	5/18 ft	5/18 ft
Max. Building Stbks (see 33.130.215) Street Lot Line Transit Street or Pedestrian District	None 10 ft.	None 10 ft.	None 10 ft.	None 10 ft.	10 ft. 10 ft.	10 ft. 10 ft.	None 10 ft.	None 10 ft.
Building Coverage (see 33.130.220)	Max. of 85% of site area	Max. of 65% of site area	Max. of 50% of site area	Max. of 65% of site area	Min. of 50% of site area	Min. of 50% of site area	Max. of 85% of site area	No Limit
Min. Landscaped Area (see 33.130.225)	15% of site area	15% of site area	15% of site area	15% of site area	None	None	15 % of site area	None
Landscaping Abutting an R Zoned Lot (see 33.130.215.B.)	5 ft. @ L3 or none	5 ft. @ L3 or none	5 ft. @ L3 or none	5 ft. @ L3 or none	5 ft. @ L3 or none			
Ground Floor Window Stds. Apply (see 33.130.230)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pedestrian Requirements (see 33.130.240)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Required parking (see 33.266)	None Req'd	Yes	None Req'd	Yes	None Req'd	None Req'd	Yes	None Req'd

33.130.242 Transit Street Main Entrance

The Zoning Code includes regulations that require buildings on transit streets to orient their main entrance to the transit street. The intent of these regulations is to ensure that retail, office, and similar uses on the ground floor along transit streets are pedestrian- and transit-friendly, rather than having their main entrance oriented to a parking area, or set back from the sidewalk. The provision does not apply to buildings only containing residential uses.

Similar regulations are contained in the Employment Zones and the Division Street regulations in the Main Street Overlay chapter (with more strict setbacks). They also apply within the East Corridor and Gateway plan districts, although the regulations in the plan districts apply to all buildings within specific zones.

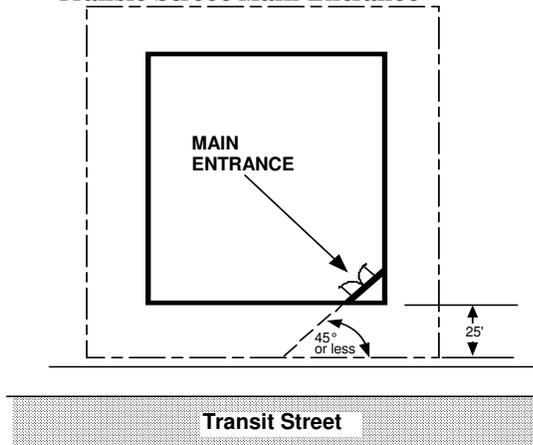
A recent Land Use Board of Appeals (LUBA) decision illustrated the need to clarify the code to re-affirm the original intent that the regulations apply to nonresidential spaces on the ground floor. This amendment clarifies that nonresidential spaces must orient to the transit street, but does not apply the requirement to dwelling units or residential lobbies.

33.130.242 Transit Street Main Entrance

- A. Purpose.** Locating the main entrance to a use on a transit street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.
- B. Applicability.**
 - 1. Generally. All sites with at least one frontage on a transit street, and where any of the floor area on the site is in nonresidential uses, must meet the following standards of Subsection C, below for the nonresidential uses. If the site has frontage on more than one transit street, the standards of Subsection C, below, must be met on at least one of the transit streets;
 - 2. Houses, attached houses, manufactured homes, and duplexes. Houses, attached houses, manufactured homes, and duplexes must meet the standards of 33.130.250.C, Residential Main Entrance, instead of the requirements of this section.
- C. Location.** For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:
 - 1. Be within 25 feet of the transit street;
 - 2. Allow pedestrians to both enter and exit the building; and
 - 3. Either:
 - a. Face the transit street; or
 - b. Be at an angle of up to 45 degrees from the transit street, measured from the street property line, as shown in Figure 130-6, below.
- D. Unlocked during regular business hours.** The main entrance that meets the standards of Subsection C, above, must be unlocked during regular business hours.

Figure 130-6

Transit Street Main Entrance



**33.140
EMPLOYMENT ZONES**

33.140.242 Transit Street Main Entrance

See commentary for 33.130.242

**33.140
EMPLOYMENT ZONES**

33.140.242 Transit Street Main Entrance

- A. Purpose.** Locating the main entrance to a use on a transit street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.
- B. Applicability.**
 - 1. Generally. In the EX and EG1 zones, all sites with at least one frontage on a transit street, and where any of the floor area on the site is in nonresidential uses, must meet the following standards for the nonresidential uses. If the site has frontage on more than one transit street, the standards of Subsection C, below, must be met on at least one of the transit streets;
 - 2. Houses, attached houses, manufactured homes, and duplexes. Houses, attached houses, manufactured homes, and duplexes must meet the standards of subsection 33.140.265.D, Residential Main Entrance, instead of the requirements of this section.
- C. Location.** For the portion of buildings that conform to the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:
 - 1. Be within 25 feet of the transit street;
 - 2. Allow pedestrians to both enter and exit the building; and
 - 3. Either:
 - a. Face the transit street; or
 - b. Be at an angle of up to 45 degrees from the transit street, measured from the street property line, as shown in Figure 130-6, below.
- D. Unlocked during regular business hours.** The main entrance that meets the standards of Subsection C, above, must be unlocked during regular business hours.

**Figure 140-6
Transit Street Main Entrance**
[No change – see Figure 130-6]

CHAPTER 33.266
PARKING AND LOADING

Motor Vehicle Parking

33.266.100 General Regulations

- E. **Proximity of parking to use.** Currently, required parking for all residential uses must be on the site of the dwelling units or within a shared court. Required parking for nonresidential uses may be located off-site, if the parking area is within 300 feet of the use it serves.

This amendment increases the distance for parking for nonresidential uses from 300 to 500 feet. The Planning and Sustainability Commission recommended allowing parking for multi-dwelling development to also be off-site, but this recommendation was not supported by City Council without a more comprehensive parking study.

33.266.110 Minimum Required Parking Spaces

- A. **Purpose.** The current purpose statement includes information about why some development may need little or no parking in certain situations, such as areas close to transit, and with good connectivity and pedestrian facilities. This amendment augments the Purpose Statement to explain why some parking would be required, regardless, for larger multi-dwelling developments. It also stresses the need to balance the need for parking with the need to minimize conflicts between modes of travel.

**CHAPTER 33.266
PARKING AND LOADING**

Motor Vehicle Parking

33.266.100 General Regulations

A-D. No Change.

- E. Proximity of parking to use.** Required parking spaces for residential uses must be located on the site of the use or within a shared court parking tract owned in common by all the owners of the properties that will use the tract. On-street parking within a private street-tract other than a shared court does not count towards this requirement. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas whose closest point is within 5300 feet of the site.

F-G. No Change.

33.266.110 Minimum Required Parking Spaces

- A. Purpose.** The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Multi-dwelling development that includes a large number of units may require some parking to support existing and future uses in the area and serve residents and guests, especially those with disabilities. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.

B. Minimum number of parking spaces required.

2. Joint use parking. Joint use parking is currently allowed between non-residential uses, if specified standards are met. This amendment allows residential uses to participate in joint use parking to increase opportunities for such off-site parking. Current policy is that parking serving uses on other sites is only allowed in zones where those uses are allowed. For example, parking serving commercial uses is not allowed in residential zones. The sentence added to this paragraph clarifies this intent.

C. Carpool Parking. This section is not changing but has been shifted within the code to accommodate the formatting amendments made to create Sections D and E on the following pages.

B. Minimum number of parking spaces required.

1. The minimum number of parking spaces for all zones is stated in Table 266-1. Table 266-2 states the required number of spaces for use categories. The standards of Tables 266-1 and 266-2 apply unless specifically superseded by other portions of the City Code.
2. Joint use parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed only if the uses and housing types to which the parking is accessory are allowed in the zone where the parking is located. Joint use of required ~~nonresidential~~ parking spaces is allowed if the following documentation is submitted in writing to BDS as part of a building or zoning permit application or land use review:
 - a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - b. The location and number of parking spaces that are being shared;
 - c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

C. Carpool parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:

1. Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 AM on weekdays. More spaces may be reserved, but they are not required.
2. The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.
3. Signs must be posted indicating these spaces are reserved for carpool use before 9:00 AM on weekdays.

D. Minimum parking requirement for sites well served by transit.

In most locations, one parking space is required for each dwelling unit. However, near streets that are well served by transit no parking is required for any use. Streets well served by transit are those with 20-minute peak hour service, which is determined by consulting TriMet maps and schedules.

Although this regulation has been in the Zoning Code since 2002 it is only in the past three years that permits have been issued for many infill multi-dwelling developments that include little or no parking. The construction of these residential and mixed-use projects has created concerns that the parking impacts from larger-scale developments will spill into adjoining neighborhoods.

To address this concern, the parking exception is removed for larger multi-dwelling buildings, and is replaced with a regulation that requires a small amount of parking if there are more than 30 units on the site. The parking required is tiered with the requirement increasing as the number of total units increases. For example, a proposed building with 45 units to be built on a street with frequent transit service would be allowed now with no parking. This amendment will require 12 parking spaces (fractions are always rounded up for minimum requirements). It should be noted that the Building Code requires at least one space to meet ADA requirements whenever parking is required. More information is also provided in the commentary for Table 266-1.

The Planning and Sustainability Commission (PSC) recommended a single parking ratio, and to only require parking when there would be more than 40 dwelling units on the site. City Council discussed this in detail at their hearing, and adopted different code language. Council felt that the tiered approach would provide more flexibility to smaller proposals and require a higher ratio for larger projects that may have a greater parking impact. Council also set the threshold at 31 units.

The PSC recommended a change in the areas considered well served by transit. The current code—and the language adopted by Council—bases the area on transit streets with 20-minute peak hour service. The PSC recommended basing the area on TriMet's Frequent Service Map. City Council did not accept the PSC recommendation because it would alter the current number of streets that qualified. Council felt that the impact of such a change had not been adequately researched.

City Council voted to expand the area considered well-served by transit to include the areas within 1500 feet of light rail stations. The light rail stations can attract transit oriented development over a larger area.

E. Exceptions to the minimum number of parking spaces.

This is a new section that combines the new and existing regulations on exceptions to the minimum required parking regulations. New provisions limit the amount of parking that can be replaced by various amenities, and add two new exceptions.

D. ~~3.~~ — Exceptions Minimum for sites well served by transit. ~~There is no minimum parking requirement for sites located less than 1500 feet from a transit station or less than 500 feet from a transit street with 20-minute peak hour service, the minimum parking requirement standards of this subsection apply.~~ Applicants meeting these standards this exception must provide a map identifying the site and TriMet schedules for all transit routes within 500 feet of the site. The minimum number of parking spaces is:

1. Household Living uses. The minimum number of parking spaces required for sites with Household Living uses is:
 - a. Where there are up to 30 units on the site, no parking is required;
 - b. Where there are 31 to 40 units on the site, the minimum number of parking spaces required is 0.20 spaces per unit;
 - c. Where there are 41 to 50 units on the site, the minimum number of parking spaces required is 0.25 spaces per unit; and
 - d. Where there are 51 or more units on the site, the minimum number of parking spaces required is 0.33 spaces per unit.
2. All other uses. No parking is required for all other uses.

E. Exceptions to the minimum number of parking spaces.

1. The minimum number of required parking spaces may not be reduced by more than 50 percent through the exceptions of this subsection. The 50 percent limit applies cumulatively to all exceptions in this subsection.
24. Exceptions for sites where trees are preserved. Minimum parking may be reduced by one parking space for each tree 12 inches in diameter and larger that is preserved. A maximum of 2 parking spaces or 10 percent of the total required may be reduced, whichever is greater. However, required parking may not be reduced below 4 parking spaces under this provision.
35. Bicycle parking may substitute for up to 25 percent of required parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

COMMENTARY

2-5. These items were previously listed as Items B. 4.-7. and are not changing. They are included here to illustrate the other provisions that allow reductions in the number of parking spaces.

46. Substitution of transit-supportive plazas for required parking. Sites where at least 20 parking spaces are required, and where at least one street lot line abuts a transit street may substitute transit-supportive plazas for required parking, as follows. Existing parking areas may be converted to take advantage of these provisions. Adjustments to the regulations of this paragraph are prohibited.
- a. Transit-supportive plazas may be substituted for up to 10 percent of the required parking spaces on the site;
 - b. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop;
 - c. The plaza must be at least 300 square feet in area and be shaped so that a 10'x10' square will fit entirely in the plaza; and
 - d. The plaza must include all of the following elements:
 - (1) A plaza open to the public. The owner must record a public access easement that allows public access to the plaza;
 - (2) A bench or other sitting area with at least 5 linear feet of seating;
 - (3) A shelter or other weather protection. The shelter must cover at least 20 square feet. If the plaza is adjacent to the bus stop, TriMet must approve the shelter; and
 - (4) Landscaping. At least 10 percent, but not more than 25 percent of the transit-supportive plaza must be landscaped to the L1 standard of Chapter 33.248, Landscaping and Screening. This landscaping is in addition to any other landscaping or screening required for parking areas by the Zoning Code.
57. Motorcycle parking may substitute for up to 5 spaces or 5 percent of required automobile parking, whichever is less. For every 4 motorcycle parking spaces provided, the automobile parking requirement is reduced by one space. Each motorcycle space must be at least 4 feet wide and 8 feet deep. Existing parking may be converted to take advantage of this provision.

6. Substitution of car-sharing spaces for required parking. As part of a longer term analysis of parking requirements for infill development, staff with the Bureau of Planning and Sustainability and the Bureau of Transportation will analyze various strategies to reduce car use. However, in the interim, this amendment allows a reduction in required parking for developments that dedicate parking spaces to car sharing programs, where the cars can be used by residents of the development. This may help reduce reliance on private automobiles.

7. Substitution of bike-sharing spaces for required parking. This amendment is similar to the provision for car-sharing spaces, and was added after discussion at the Planning and Sustainability Commission hearing. With the expected opening of the city's bike-sharing program in 2014, multi-dwelling developers may have an interest in providing bike-sharing facilities. Allowing a bike share facility to substitute for onsite parking can help build the bike share network and provide a new amenity for residents and visitors of Portland's neighborhoods.

6. Substitution of car sharing spaces for required parking. Substitution of car sharing spaces for required parking is allowed if all of the following are met:
- a. For every car-sharing parking space that is provided, the motor vehicle parking requirement is reduced by two spaces, up to a maximum of 25 percent of the required parking spaces;
 - b. The car-sharing parking spaces must be shown on the building plans; and
 - c. A copy of the car-sharing agreement between the property owner and the car-sharing company must be submitted with the building permit.
7. Substitution of bike sharing facility for required parking. Substitution of a bike sharing facility for required parking is allowed if all of the following are met:
- a. A bike sharing station providing 15 docks and eight shared bicycles reduces the motor vehicle parking requirement by three spaces. The provision of each addition of four docks and two shared bicycles reduces the motor vehicle parking requirement by an additional space, up to a maximum of 25 percent of the required parking spaces;
 - b. The bike sharing facility must be adjacent to, and visible from the street, and must be publicly accessible;
 - c. The bike sharing facility must be shown on the building plans; and
 - d. Bike sharing agreement.
 - (1) The property owner must have a bike sharing agreement with a bike-sharing company;
 - (2) The bike sharing agreement must be approved by the Portland Bureau of Transportation; and
 - (3) A copy of the signed agreement between the property owner and the bike-sharing company, accompanied by a letter of approval from the Bureau of Transportation, must be submitted before the building permit is approved.

Table 266-1

Table 266-1 spells out basic parking requirements throughout the city. Currently, there are several zones where no parking is required. Many of these zones, such as the CS (Commercial Storefront) and CM (Mixed Commercial) zones have had no minimum parking requirements for more 20 years. However, recent projects that focus on residential development have generated concern that the parking impacts from larger scale developments will spill into the adjoining neighborhoods.

To address this concern (similar to the regulations for sites near Frequent Transit Service above), a new standard is applied to the areas that currently do not require any parking. The new standard applies to development that includes more than 30 dwelling units, and the number of spaces required is tiered. For example, a proposed building with 45 units to be built in the CS zone would now be allowed with no parking. This amendment will require 12 parking spaces; fractions are always rounded up for minimum requirements,.

Where parking is required, the Building Code requires at least one space for disabled people be provided. More than one such space may be required, depending on the overall number of spaces provided.

See also the commentary for Section 33.266.110.D, Minimum Parking for Sites Well Served by Transit

The new parking standard is not being added in the CN1 (Neighborhood Commercial 1) zone. This zone applies to very small areas of the city, generally consisting of small lots within neighborhoods. Parking is discouraged in these zones by the very low maximum parking limit. The size of the lots, and the height limit (30-feet) precludes larger scale buildings from locating on these sites.

Table 266-1 Minimum Required and Maximum Allowed Parking Spaces By Zone [1]	
Zone	Requirement
OS, RF - RH, IR, CN2, CO2, CG, EG, I	Minimum is Standard A in Table 266-2. Maximum is Standard B in Table 266-2.
EX	Minimum – None, except: Household Living: minimum of 0 for 1 to 3 units, 1 per 2 units for four+ units, and SROs exempt... Maximum is Standard A in Table 266-2, except: 1) Retail, personal service, repair-oriented - Maximum is 1 per 200 sq. ft. of floor area. 2) Restaurants and bars - Maximum is 1 per 75 sq. ft. of floor area. 3) General office – Maximum is 1 per 400 sq. ft. of floor area. 4) Medical/Dental office – Maximum is 1 per 330 sq. ft. of floor area.
CN1	Minimum – None. Maximum of 1 space per 2,500 sq. ft. of site area.
CM, CS, RX, CX, CO1	Minimum – None, <u>except:</u> <u>Household Living: minimum of 0 for 1 to 30 units, 0.2 per unit for 31-40 units, 0.25 per unit for 41-50 units, and 0.33 per unit for 51+ units</u> Maximum is Standard B in Table 266-2.

[1] Regulations in a plan district or overlay zone may supersede the standards of this table.

Bicycle Parking

33.266.220 Bicycle Parking Standards

Issues related to bicycle parking have come up during review of permits for multi-dwelling developments that are built with no automobile parking.

- A. **Short-term bicycle parking.** Currently the short-term bicycle parking regulations include a specific dimension (2-feet by 6-feet) for each bicycle space. This ensures that racks are installed with adequate spacing. A less specific requirement is currently in the standards for all bike parking, which requires that a bike rack be sufficiently spaced to hold a bike six feet long. Staff with Bureau of Development Services (BDS) have asked for more consistency in the two sections. The 2-foot by 6-foot dimension better ensures that enough room is reserved for the storage of each bike. This amendment removes the standard from the short-term bicycle parking standards, and adds the specific requirement to the standards for all bike parking.

Bicycle Parking**33.266.220 Bicycle Parking Standards****A. Short-term bicycle parking.**

1. Purpose. Short-term bicycle parking encourages shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Short-term bicycle parking should serve the main entrance of a building and should be visible to pedestrians and bicyclists.
2. Standards. Required short-term bicycle parking must meet the following standards:
 - a. Short-term bicycle parking must be provided in lockers or racks that meet the standards of Subsection 33.266.220.C.
 - b. Location. **(No change)**
 - ~~c. Standards for short term bicycle parking. Each required short term bicycle parking space must be at least 2 feet by 6 feet. See figure 266-11.~~
 - ~~d.~~ **Bicycle Parking Fund. (No change)**

B. Long-term bicycle parking. (No change)

C. Standards for all bicycle parking.

4. Parking and maneuvering areas. This provision is not changing but is shown here for information.

C. Standards for all bicycle parking.

1. Purpose. These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.
2. Bicycle lockers. Where required bicycle parking is provided in lockers, the lockers must be securely anchored.
3. Bicycle racks. The Office of Transportation maintains a handbook of racks and siting guidelines that meet the standards of this paragraph. Required bicycle parking may be provided in floor, wall, or ceiling racks. Where required bicycle parking is provided in racks, the racks must meet the following standards:
 - a. The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
 - b. A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components (See Figure 266-11); and
 - c. The rack must be securely anchored.
4. Parking and maneuvering areas.
 - a. Each required bicycle parking space must be accessible without moving another bicycle;
 - b. There must be an aisle at least 5 feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way; and
 - c. The area devoted to bicycle parking must be hard surfaced.
- 5-7. (No Change)

Loading

33.266.310 Loading Standards

- C. **Number of loading spaces.** Current regulations do not require a loading space for multi-dwelling buildings with 50 or fewer units in the building. The lack of loading spaces, along with the lack of parking, has been part of the concerns raised by those living near developments proposed without parking.

This amendment lowers the threshold that triggers a loading space for multi-dwelling development from 51 units to 41 units. Providing a loading space is easier with development that is already triggering a curb-cut, driveway, and set of parking spaces.

Loading

33.266.310 Loading Standards

- A. Purpose.** A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.
- B. Where these regulations apply.** The regulations of this section apply to all required and non required loading areas.
- C. Number of loading spaces.**
 - 1. Buildings where all of the floor area is in Household Living uses must meet the standards of this Paragraph.
 - a. One loading space meeting Standard B is required where there are more than ~~54~~ dwelling units in the building and the site abuts a street that is not a streetcar alignment or light rail alignment.
 - b. One loading space meeting Standard B is required where there are more than 20 dwelling units in a building located on a site whose only street frontage is on a streetcar alignment or light rail alignment.
 - c. One loading space meeting Standard A or two loading spaces meeting Standard B are required when there are more than 100 dwelling units in the building.
 - 2. Buildings where any of the floor area is in uses other than Household Living must meet the standards of this Paragraph.
 - a. Buildings with any amount of floor area in Household Living and with less than 20,000 square feet of floor area in uses other than Household Living are subject to the standards in C.1. above.
 - b. One loading space meeting Standard A is required for buildings with at least 20,000 and up to 50,000 square feet of floor area in uses other than Household Living.
 - c. Two loading spaces meeting Standard A are required for buildings with more than 50,000 square feet of floor area in uses other than Household Living.

CHAPTER 33.460
MAIN STREET CORRIDOR OVERLAY ZONE

Division Street Regulation

33.460.310 Additional Standards.

A. Reinforce the corner

2. Main entrance.

See commentary for Section 33.130.242. Division Street's regulation requires that the main entrance be within 5 feet of the façade facing Division, but otherwise the standard is similar.

**CHAPTER 33.460
MAIN STREET CORRIDOR OVERLAY ZONE**

Division Street Regulation

33.460.300 Purpose

These regulations promote development that fosters a pedestrian- and transit-oriented main street and reinforces the pattern of older industrial, commercial, and residential buildings along the street. These regulations ensure that development:

- Activates Division Street corners and enhances the pedestrian environment;
- Steps down building heights to reduce the negative impacts of larger scale buildings on the adjoining single-dwelling zones;
- Is constructed with high quality materials in combinations that are visually interesting;
- Consists of retail that primarily serves the surrounding neighborhood, is small in scale and promotes pedestrian activity; and
- Provides neighbors with the opportunity to give early input to developers on significant projects.

33.460.310 Additional Standards.

A. Reinforce the corner. This standard applies to all sites where any of the floor area on the site is in nonresidential uses. Where a site abuts both Division Street and an intersecting street:

1. Setbacks. The requirements of Subparagraph 33.130.215.C.2.e, Setbacks in a Pedestrian District must be met;
2. Main entrance. For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. The main entrance must:
 - a. Be within 5 feet of the façade facing Division Street; and
 - b. Either:
 - (1) Face Division Street; or
 - (2) Be at an angle of up to 45 degrees from Division Street, measured from the street property line.
3. Surface parking areas are not allowed within 40 feet of the corner.

B-D.[No change.]

CHAPTER 33.521
EAST CORRIDOR PLAN DISTRICT

33.521.250 Entrances

- C. **Entrances.** See commentary for Section 33.130.242. It should be noted that the entrance requirement in the East Corridor plan district applies to all buildings within the specific zones, and not just buildings with non-residential uses. The code amendment acknowledges this difference.

**CHAPTER 33.521
EAST CORRIDOR PLAN DISTRICT**

33.521.250 Entrances

- A. Purpose.** These regulations ensure that at least one of the main entrances into a building, and each tenant space in a building that faces a street, be oriented to public streets or light rail. This requirement enhances pedestrian access from the sidewalk to adjacent buildings. Together with the building design and pedestrian standards, these standards ensure that sidewalks in the plan district are convenient, active, pleasant environments with a high level of pedestrian amenities.
- B. Where these regulations apply.** In the RH, R1, and C zones, buildings must meet the standards of Subsection C., below.
- C. Entrances.** For portions of a building within the maximum building setback, at least one main entrance for each tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. Entrances that open into lobbies, reception areas, or common interior circulation space must also meet the standards of this section. The entrances must:
1. Face a public street or light rail alignment;
 2. Be within 15 feet of the public street or light rail alignment it faces;
 3. Be oriented to nearby transit facilities as follows:
 - a. If a site abuts a street containing a light rail alignment, the entrance must orient to that alignment. If the proposed building is within 100 feet of a transit station, at least one entrance must be along the first 25 feet of the wall nearest the station.
 - b. If a site abuts a transit street other than a light rail alignment, the entrance must orient to that street.
 - c. If the site abuts intersecting transit streets, the main entrance must orient to the street with the highest classification.
 - d. If the site abuts intersecting transit streets with the same classification, the entrance may be at a 45-degree angle to both streets or within 25 feet of the corner along either transit street.

**CHAPTER 33.526
GATEWAY PLAN DISTRICT**

33.526.270 Entrances

C. Entrances. *See commentary for 33.130.242 and 33.521.250.*

**CHAPTER 33.526
GATEWAY PLAN DISTRICT**

33.526.270 Entrances

- A. Purpose.** These regulations ensure that at least one main entrance into a building, and each tenant space in a building that faces a street, be oriented to public streets or the light rail alignment. This requirement enhances pedestrian access from the sidewalk to adjacent buildings. Together with the Enhanced Pedestrian Street, ground floor window, and pedestrian standards, the entrance standards ensure that the sidewalks in the plan district are convenient, active, pleasant environments with pedestrian amenities.
- B. Where these regulations apply.** In R1, RH, RX, C, and EX zones, buildings must meet the standards of Subsection C., below.
- C. Entrances.** For portions of a building within the maximum building setback, at least one main entrance for each tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. Entrances that open into lobbies, reception areas, or common interior circulation space must also meet the standards of this section. The entrances must:
1. Face a public street or light rail alignment;
 2. Be within 15 feet of the public street or light rail alignment it faces;
 3. Be oriented to nearby transit facilities as follows:
 - a. If a site abuts a light rail alignment along East Burnside Street, the main entrance must orient to that alignment. If the proposed building is within 100 feet of a transit station, at least one entrance must be along the first 25 feet of the wall nearest the station.
 - b. If a site abuts a transit street other than a light rail alignment, the entrance must orient to that street.
 - c. If the site abuts intersecting transit streets, the main entrance must orient to the street with the highest classification.
 - d. If the site abuts intersecting transit streets with the same classification, the entrance may be at a 45 degree angle to both streets or within 25 feet of the corner along either transit street.



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