

New Apartments and Parking
Amendments to the Portland Zoning Code
April 10, 2013

At its Thursday, April 10, 2013 session, City Council voted on several amendments to the Portland Zoning Code parking requirements for multi-dwelling development. Code amendments include:

1. **Require parking** for multi-dwelling development in the CM, CS, RX, CX, and CO1 zones using a tiered approach. *This requires parking in these zones if the site has more than 30 units, with a graduated number of spaces.*¹ (ATTACHMENT A)
2. **Require parking** for multi-dwelling development within 500 feet of transit and within 1,500 feet of light rail stations using the tiered approach. *This requires parking near transit if the site has more than 30 units, with a graduated number of spaces.*² (ATTACHMENT A)
3. Allow parking for **carsharing and bike share facilities** to substitute for some required parking. *This will keep the substitutions currently in the Code, such as providing extra bicycle parking, or motorcycle parking, and add two more options.* (ATTACHMENT A)
4. **Cap** the amount of required parking that may be reduced using **exceptions at 50 percent**. *This limits the amount of required parking that may be reduced by providing certain amenities.* (ATTACHMENT A)
5. Allow required parking for nonresidential uses to be located within **500 feet of the site**. *This increases the current Code requirement from 300 feet to 500 feet.* (ATTACHMENT B)
6. Allow **joint use** of required residential parking spaces when analysis shows peak parking times occur at different times. *The Code currently allows nonresidential uses to pursue joint use parking agreements. This will allow parking required for residential uses to also be used for joint use parking.* (ATTACHMENT B)
7. Require an onsite **loading space** for multi-dwelling buildings with more than 40 units. *This will reduce the threshold that triggers an onsite loading space for multi-dwelling buildings from those with more than 50 units, to those with more than 40 units.* (RECOMMENDED DRAFT PAGE 29)

¹ Parking regulations in a plan district or overlay zone (e.g. Central City, Gateway and Northwest plan districts) supersede minimum parking requirements.

² Parking regulations in a plan district or overlay zone (e.g. Central City, Gateway and Northwest plan districts) supersede minimum parking requirements.

8. Define size requirements for **long-term bicycle parking**. *This will keep size requirements currently in the Code for short-term bicycle parking and add the same size requirement for long-term bicycle parking.* (RECOMMENDED DRAFT PAGES 25 AND 27)
9. Add language to the **purpose statement** for Minimum Required Parking. The purpose statement language reflects Council's discussion and a new sentence added at the hearing. (ATTACHMENT C)
10. Add language to clarify that the **Transit Street Main Entrance Requirement** applies only to nonresidential uses on the ground floor of a building. *This clarifies the intent of these development standards in various locations throughout the Code.* (ATTACHMENT D)

Further evaluation

City Council asked for further analysis of the following:

1. How minimum parking requirements for multi-dwelling development could impact historic buildings and affordable housing projects.
2. Applicability of parking permit programs for inner neighborhoods such as Richmond.

ATTACHMENT A

Amendments

Revised minimum parking standards close to transit (**amend. #7, 8**)

Amended description/requirements on frequent transit (**amend. #9**)

Maximum number of parking spaces reduced through exceptions (**amend. #10**)

This set of code provisions reflects the following requested amendments:

- *Minimum parking for sites well-served by transit. References to the Tri-Met frequent transit service map are removed, and the existing language referring to 20-minute frequency is retained. The provision allows an additional distance to 1500 feet from transit stations, which are defined as light rail stations. The new range of parking requirements are incorporated into the requirements for Household Living uses.*
- *The remaining exceptions to minimum parking requirements are incorporated into their own subsection, and a maximum reduction of 50% of the minimum parking required is applied to the cumulative set of exceptions.*
- *Table 266-1 is amended to include the range of parking requirements for Household Living uses in the CM, CS, RX, CX, CO1 zones.*

33.266.110 Minimum Parking Requirements

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 Subsection D or other portions of the City Code.
2. Joint use parking. **SEE ATTACHMENT B:**

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. 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.
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. 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 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> Household Living: <u>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.

ATTACHMENT B

Amendment: *The PSC had recommended to allow residential parking to be located off-site and extended the distance for all off-site parking to within 500 feet of the site. Additionally, they recommended allowing joint use of parking areas for both residential and non-residential uses, provided the parking was in a zone that allowed the related use. The City Council voted to remove the option to allow residential parking to off-site (but did not change the distance amendment), and kept the option for joint use parking agreements to include residential development. The code referencing the “proximity of parking to use” is returned to its current format. (amend. #11)*

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. No Change.

B. Minimum number of parking spaces required.

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.

ATTACHMENT C

Amendment: Expand Purpose statement for Minimum Required Parking Spaces *(includes language discussed during City Council hearing)*. **(amend. #12)**

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.

ATTACHMENT D

Amendment: Clarification of Main Entrance Requirements (**amend. #13**)

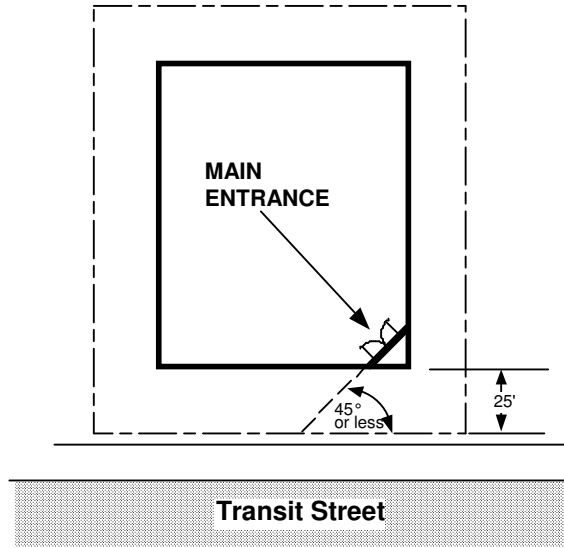
Note: This series of amendments, moved to approval by City Council, clarifies that the main entrance requirements throughout the Zoning Code are intended to apply to only to ground floor non-residential tenant spaces. A recent LUBA case indicated that this intent was not clear. Revisions are proposed within the Commercial and Employment base zones, the Main St Overlay zone for Division St, and the Gateway and East Corridor plan districts (which have slightly different regulations that do not distinguish between residential and non-residential).

COMMERCIAL ZONES

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 140-6
Transit Street Main Entrance

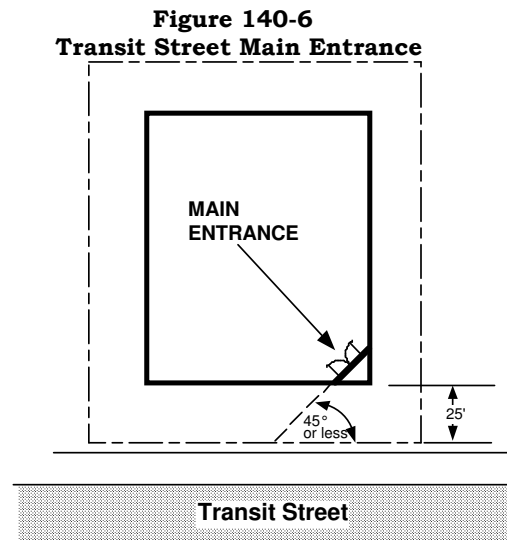


EMPLOYMENT AND INDUSTRIAL ZONES

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.



Division Street Regulations

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.]

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.

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.