

### Sections:

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### **33.808.010 Purpose**

The purpose of Central City Parking Review is to allow for parking that supports Central City development, and is consistent with the goals and policies of the Central City 2035 Plan and ~~Central City Transportation Management Plan~~. The approval criteria ensure that the demand for parking will be managed, and the negative effects of parking minimized, while still providing sufficient parking to meet the goals of the City for the Plan District.

### **33.808.020 Organization Of This Chapter**

This chapter contains approval criteria for all Central City Parking Reviews (CCPR). The criteria in Section 33.808.100 apply to all CCPRs ~~except Conversion of Surface Parking Lots, which is addressed in Section 33.808.300.~~

### ~~**33.808.030 Automatic Central City Parking Review Status**~~

- ~~**A. Purpose.** With adoption of the Central City Transportation Management Plan in 1995, the regulations for parking in the Central City Plan District were significantly revised. To simplify and streamline regulations for parking that existed when the regulations changed, most parking in the plan district is automatically given Central City Parking Review (CCPR) status. Some surface lots have to apply to convert to CCPR status.~~
- ~~**B. Parking that automatically receives Central City Parking Review Status.** Parking in the Central City plan district that was legally operating on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, is considered an approved CCPR, and may continue to operate, subject to the regulations of Sections 33.510.261 through .267.~~

~~However, parking in the Core Area of the plan district in a surface lot that received a revocable permit or a conditional use that required periodic reapplication, and was operating on January 8, 1996 must apply for Central City Parking Review. See Subsection 33.510.263.K.~~

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## Commentary

**33.808.040 Review Procedures.** One main goal of these code revisions is to streamline and simplify the regulations. Preservation Parking is processed through a Type 1x procedure. The Type 1x review procedure is necessary to track which buildings are using their Preservation Parking entitlement and where that entitlement is being built. Visitor Parking and changes to existing parking are processed through a Type 2 Procedure.

The previous zoning code language regulated Preservation Parking differently if it was built off-site vs. on-site. The new code does not make this distinction.

The "CCTMP hot spot area map" references parts of downtown that had frequent carbon monoxide violations. The last violation was August 31, 1987, so this requirement is deleted.

### 33.808.040 Review Procedures

- A. **Type ~~IIH~~**. Except as specified in Subsection B., requests for Central City Parking Review are processed through a Type ~~IIH~~ procedure.
- B. **Type ~~IXH~~**. ~~In the South Waterfront subdistrict, r~~Requests for Preservation Parking supplemental growth parking as specified in ~~33.510.267.A.3.b.~~ are processed through a Type ~~IXH~~ procedure.

### 33.808.050 Loss of Central City Parking Review Status

If the site of a Central City Parking Review is not used for parking for 3 continuous years, the Central City Parking Review rights are lost. Any new parking on the site will be subject to current regulations, and will be reviewed as a new use. Parking spaces in surface parking lots occupied by vending carts are still considered to be parking spaces.

### 33.808.100 ~~General~~ Approval Criteria for Central City Parking Review

The request will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A. The proposal will not by itself, or in combination with other parking facilities in the area, significantly lessen the overall desired character of the area. The desired character of the area is determined by City-adopted area, neighborhood, or development plans; by Comprehensive Plan designations and zoning, and by allowed densities.
- ~~B. The transportation system is capable of safely supporting the proposed facility in addition to the existing uses in the area. Evaluation is based on the transportation impact analysis and includes factors such as street capacity and level of service, on street parking impacts, access requirements, impacts on transit operations and movement, impacts on the immediate and adjacent neighborhoods, and pedestrian and bicycle safety.~~
- ~~C. The parking facility is in conformance with the street classifications of the Central City Plan District and the Central City Transportation Management System Plan.~~
- ~~D. If the proposal will generate more than 100 vehicle trips during the peak hour commute; and is Growth Parking or is Preservation Parking where the parking area is created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building: The Transportation Management Plan includes measures to increase the number of trips taken by alternatives to the single-occupant vehicle during the peak hour commute.~~
- ~~E. If the site is in the RX zone, the parking will not by itself or in combination with other nearby parking, decrease the desirability of the area for the retention of existing housing or the development of new housing.~~
- ~~F. If the site is within the areas shown on the "CCTMP Hot Spot Area Map," the carbon monoxide hot spot analysis meets Federal air quality standards, as determined by the Portland Office of Transportation and Oregon Department of Environmental Quality. The map is maintained by the Parking Manager.~~

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## Commentary

B. These requirements are intended to ensure that the parking is available for the buildings that have the entitlement.

C. These requirements are intended to ensure that Visitor Parking is use primarily for short-term parking needs.

**BG.** If the proposal is for Preservation Parking, and the parking is not under the same ownership as the buildings for which the parking is provided, criteria BG.1 through and B.3G-2, below, apply. If the proposal is to convert Visitor Parking to Preservation Parking, criteria BG.1 through B.4G-3, below, apply.

1. The agreements between the garage operator and the owners of the buildings for which the parking is provided are for at least 10 years; and
  2. For initial approval, the agreements cover 100 percent of the Preservation Parking.
  3. There must be a Parking Management Plan that includes measures to ensure that:
    - a. The parking is used primarily for commitments of at least 10 years to buildings that have fewer than 0.7 parking spaces per 1,000 square feet of net building area for commercial uses, 0.5 spaces per dwelling unit for residential uses, and 0.5 spaces per hotel room for hotel uses. All parking available to each building approved through previous Preservation Parking agreements are counted toward this total.
    - b. Other uses of the parking will occur only when the spaces are not used by the contracted parkers.
- ~~43.~~ The parking demand analysis shows there is not a need for Visitor Parking at this location.

**CH.** If the proposal is for Visitor Parking, the parking demand analysis shows a need for this parking at this location. The analysis must show the following criteria are met:

1. At least 65 percent of the short term parking demand is from uses within 750 feet of the parking structure or lot; and
  2. At least one of the following is met:
    - a. There is a cumulative increase in short-term parking demand due to an overall increase in activity associated with existing or new retail or other visitor-related uses; or
    - b. The parking will serve major new attractions or retail development, or
    - c. There has been a significant loss of on-street parking due to recent public works projects, or
    - d. There has been a significant loss of short-term parking spaces.
  3. There must be a parking management plan that includes measures to ensure that the parking will be primarily used for short-term parking.
- ~~43.~~ If the site is in an I zone, all of the following are met:
- a. The parking will primarily serve industrial firms;
  - b. The parking facility will not have significant adverse effects on nearby industrial firms; and

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## Commentary

**33.808.100.I.** The previous code regulated Preservation Parking in the core area differently than outside. The new code does not make that distinction. The new code also eliminates the Preservation Pool/Reserve and prohibits Preservation and Visitor Parking on surface lots.

- c. The parking facility will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes.
- 5. The transportation system is capable of safely supporting the proposed facility in addition to the existing uses in the area. Evaluation is based on the transportation impact analysis and includes factors such as street capacity and level of service, on-street parking impacts, access requirements, impacts on transit operations and movement, impacts on the immediate and adjacent neighborhoods, and pedestrian and bicycle safety.
- 6. The parking facility is in conformance with the street classifications of the Central City Plan District and the Central City Transportation Management System Plan.

~~I. If the site is in the Core Area:~~

- ~~1. If the proposal is for Growth, Visitor, or Residential/Hotel Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking.~~
- ~~2. If the proposal is for Preservation Parking:
 
  - ~~a. There are adequate spaces in the Replacement Reserve or Pool, which are administered by the Parking Manager; and~~
  - ~~b. The Parking Management Plan includes measures to ensure that:
 
    - ~~(1) The parking is used primarily for commitments of at least 10 years to buildings that have less than 0.7 parking spaces per 1,000 square feet of net building area and~~
    - ~~(2) Other uses of the parking will occur only when the spaces are not used by the contracted parkers.~~~~~~
- ~~3. If the proposal is for Growth or Visitor Parking on a surface parking lot:
 
  - ~~a. It will be an interim use only, as documented by the phased development plan;~~
  - ~~b. The phased development plan ensures that the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and~~
  - ~~c. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking.~~~~
- ~~4. If the proposal is for Residential/Hotel Parking on a surface parking lot, and the parking will serve a residential use, either I.4.a or I.4.b, below, apply.~~

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## Commentary

5. This paragraph is being removed because parking access CCPR requirements are eliminated. The parking code (33.510.261) has been updated to identify streets where parking access and loading is prohibited and streets where an adjustment is required.

The language in paragraph 5 has been used to create a new purpose statement in 33.510.261 I.6 Parking and Loading access restricted streets.

J. The previous code regulated Preservation Parking in the core area differently than outside. The new code does not make that distinction.

- a. If the total surface parking area on the site is 40,000 square feet or less and the parking is an interim use, the criteria of Paragraph I.3, above, are met; or
  - b. If the total surface parking area on the site is more than 40,000 square feet or the parking is not an interim use, the Parking Management Plan includes measures to ensure that the surface parking is serving only the residential uses.
5. If the proposal is for new access for motor vehicles within 75 feet of a Light Rail Alignment, but not on the alignment itself, criteria I.5.a through I.5.c, below, apply. If the proposal is for new access for motor vehicles on a Light Rail Alignment, criteria I.5.a through I.5.e, below, apply.
- a. There will not be a significant adverse impact on transit operations;
  - b. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
  - c. There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact. On blocks where stations are located, the pedestrian environment on both sides of the streets will be considered and protected;
  - d. Motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail alignment;
  - e. The development includes at least 0.8 FAR of retail, office, hotel or residential development in the same structure and on the same block as the parking. The retail, office, hotel or residential development must be on multiple levels. For purposes of this paragraph, net building area will be counted towards this requirement if any portion of the floor to be counted is at or above any adjacent grade.
6. If the proposal is for a parking structure—a building where parking occupies more than 50 percent of the gross building area—within 100 feet of Fifth and Sixth Avenues between NW Glisan and SW Mill Streets:
- a. There will not be a significant adverse impact on the overall pedestrian environment and safety;
  - b. There will not be a significant adverse impact on vehicle operation and safety, and
  - c. The development includes at least 0.8 FAR of retail, office, hotel or residential development in the same structure and on the same block as the parking. The retail, office, hotel or residential development must be on multiple levels. For purposes of this paragraph, net building area will be counted towards this requirement if any portion of the floor to be counted is at or above any adjacent grade.

J. If the site is outside the Core Area:

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## Commentary

- 1.—If the proposal is for Growth or Visitor Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking.
  - 2.—If the proposal is for new access for motor vehicles within 75 feet of a Light Rail Alignment, but not on the alignment itself, criteria J.2.a through J.2.c, below, apply. If the proposal is for new access for motor vehicles on a Light Rail Alignment, criteria J.2.a through J.2.d, below, apply.
    - a.—There will not be a significant adverse impact on transit operations;
    - b.—There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
    - c.—There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact. On blocks where stations are located, the pedestrian environment on both sides of the streets will be considered and protected; and
    - d.—Motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail alignment.
- K.—**If the site is in the Lloyd District Subdistrict, Goose Hollow Subdistrict, Central Eastside Subdistrict, Lower Albina Subdistrict or River District Sectors 1 or 2:
- 1.—If the proposal is for Growth or Visitor Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. In addition:
    - a.—If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking; and
    - b.—If the proposal is for Growth Parking to serve office uses, and there are more than 60 spaces included that will serve non-office uses: The parking management plan ensures that there is operational or physical separation of the office and non-office parking, so that the office users do not have access to the non-office parking.
  - 2.—If the proposal is for Preservation Parking, the parking management plan includes measures to ensure that:
    - a.—If the parking will serve office uses, the parking is used primarily for buildings that have less than the maximum ratio allowed for the parking sector, and

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## Commentary

~~b.— If the parking will serve both office and non-office uses, and there are more than 60 spaces included that will serve non-office uses: The parking management plan ensures that there is operational or physical separation of the office and non-office parking, so that the office users do not have access to the non-office parking; and~~

~~c.— Other uses of the parking will occur only when the building contracting for the parking does not need the spaces.~~

~~3.— If the proposal is for Growth or Preservation Parking for non-office uses, and there will be more than 60 spaces on the site:~~

~~a.— There will not be a significant adverse impact on transit operations;~~

~~b.— There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation; and~~

~~c.— There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact.~~

~~4.— If:~~

~~a.— The site is in a C, E, OS, or R zone;~~

~~b.— The proposal is for Growth, Preservation, Visitor, or Residential/Hotel Parking; and~~

~~c.— The site is in the Lloyd District Subdistrict, Goose Hollow Subdistrict, or Central Eastside Sectors 2 or 3, and the proposal is for a surface parking lot where the total surface parking area on the site is larger than 40,000 square feet in area; or~~

~~d.— The site is in the Lower Albina Subdistrict; Central Eastside Sectors 1, 4, 5, or 6; or River District Sectors 1 or 2; and the total surface parking area on the site is larger than 40,000 square feet in area, or the parking area covers more than 30 percent of the site, whichever is larger;~~

~~The following must be met:~~

~~e.— The amount of parking area larger than 40,000 square feet will be an interim use only, as documented by the phased development plan;~~

~~f.— The phased development plan ensures that the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and~~

~~g.— The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking.~~

~~L.— If the site is in the Lloyd District, and the proposal is for Preservation Parking: There are adequate spaces in the Replacement Reserve, which is administered by the Parking Manager.~~

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## Commentary

**M.** If the site is in the Goose Hollow Subdistrict, and the proposal is for Undedicated General Parking:

1. The facility will provide parking primarily to those whose destination or residence is within the boundaries of the Goose Hollow Neighborhood, as shown on the most recent Neighborhood Boundaries Map published by the Office of Neighborhood Involvement. Long-term parking by others is prohibited. Short-term parking may be made available to others if it is coupled with a mechanism to ensure it is short-term parking. A parking management plan will be submitted to document how this criterion will be met;
2. The number of spaces provided is the same or less than the number of parking spaces being removed by the light rail construction;
3. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, access requirements, and neighborhood impacts;
4. The proposal will not by itself, or in combination with other parking facilities in the area, significantly affect the character of the area by discouraging housing and commercial uses which are compatible with a growing community;
5. If the proposal is for a surface parking lot, the proposed parking area will meet or exceed the landscaping and screening standards applicable to the site and for parking areas;
6. Design of the facility will provide for a safe and attractive pedestrian environment. Evaluation factors include the following: number and location of curb cuts; visibility at curb cuts; and adequate separation, landscaping, and screening between the sidewalk and surface parking areas to reduce the impact on adjacent public and private spaces; and
7. If the proposed access to the facility is within 75 of a light rail alignment, the access should be as far as possible from the light rail alignment. Access will be onto the right-of-way proposed for or containing the light rail alignment only if no other access is feasible.

**N.** If the site is in the South Waterfront subdistrict and the proposal is for surface parking:

1. If the proposal is for parking on a surface lot where the total surface parking area on the site exceeds the threshold of Paragraph N.3., below, criteria N.4.a. through N.4.c., below, apply. If the site is in an R, C, E, or OS zone; and is for Growth, Preservation, Visitor, or Residential/Hotel Parking; and is not created in conjunction with a regional attractor, criteria N.4.d. through N.4.f., below, also apply.
2. If the proposal is for Growth or Preservation parking on a surface lot, and if the proposal includes supplemental parking as specified in Subparagraph 33.510.267.A.3.b., criteria N.4.a. through N.4.f., below, apply.

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## Commentary

~~3.—Threshold: The amount of surface parking area on the site is larger than 40,000 square feet, or the parking area covers more than 30 percent of the site, whichever is larger.~~

~~4.—Approval criteria:~~

~~a.—There will not be a significant adverse impact on transit operations;~~

~~b.—There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;~~

~~c.—There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact;~~

~~d.—Interim use:~~

~~(1) If the amount of parking area exceeds the threshold in Paragraph N.3, above, the amount of parking area that exceeds the threshold will be an interim use only, as documented by the phased development plan; and~~

~~(2) If the proposal includes supplemental parking as specified in Subparagraph 33.510.267.A.3.b., the supplemental parking will be an interim use only, as documented by the phased development plan;~~

~~e.—The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking; and~~

~~f.—The phased development plan ensures:~~

~~(1) That the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and~~

~~(2) After the final phase is built, the threshold in Paragraph N.3, above, will not be exceeded.~~

~~O.—If the site is in the South Waterfront subdistrict and the proposal is for residential parking that will be operated as commercial parking, the proposal must meet the approval criteria for Visitor Parking in the South Waterfront subdistrict.~~

### **~~33.808.300 Conversion of Surface Parking Lots~~**

~~These approval criteria ensure that surface parking lots will be converted in a manner consistent with the Central City Transportation Management Plan. The review focuses more on physical improvements than operational elements, and encourages better urban design and mitigation of negative impacts. The request will be approved if the review body finds that the applicant has shown that the surface parking lot is in compliance with all of the regulations in Subsection 33.510.263.H through L of the Zoning Code.~~

