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### **MEMORANDUM**

**TO:** Mauricio Leclerc, PBOT  
Grant Morehead, PBOT

**FROM:** Rick Williams, RWC

**DATE:** October 7, 2015 (v1)

**RE:** **Central City Transportation Plan Update – Issues and Considerations  
ENTITLEMENTS & OPERATING REQUIREMENTS**

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#### **A. BACKGROUND**

The Central City Parking Policy Update Stakeholder Advisory Committee (SAC) has met several times in the past months to review a set of issues and considerations for strategic revisions to the Central City Transportation Management Plan (CCTMP). The intent of this work is to significantly simplify the zoning code, by recalibrating parking standards to reflect 20 years of change, standardizing the parking operations for historic buildings and transfer of parking entitlements, and streamlining or eliminating requirements that can't be realistically monitored.

To date, active discussions have taken place around the issues of:

- Adjusting/"recalibrating" maximum parking ratios in all parking sectors, and
- Minimizing/eliminating the development of new surface parking lots within the Central City.

Final SAC input into these two issues will be received at the October 12, 2015 meeting of the committee.

This memorandum is intended to establish the foundation for initial discussion of two additional issues. These include:

- Parking Entitlements, and
- Minimizing operating restrictions on approved parking

The recommendations summarized here are intended to provide a foundation for understanding these new issues and for discussion at the October 12 and subsequent SAC meetings.

## A. PARKING ENTITLEMENTS

### QUESTION:

Commercial and residential buildings have an entitlement to parking based on the maximum parking ratio in place for the type of use and district in which the building is located. Should these entitlements be allowed to be carried over time?

### BENEFIT:

- Assures parking (if necessary) to commercial and residential buildings that were built without parking, particularly older and historic buildings.
- Encourages new development to consider building less parking (e.g., below ratios or no parking) as an entitlement to parking would allow for parking in the future.
- When coupled with more flexible operations allowance, encourages greater sharing of parking between owners of existing/built parking supply.

### ISSUES:

- Within the framework of the CCTMP, all commercial buildings are currently entitled to parking based on the maximum ratios in place in their specific parking sector.
- These “Preservation Buildings” maintain parking entitlement to be built at a later date (whether on/under the site) or transferred into a future new development.
- The Preservation parking code does not currently allow parking entitlements for *Residential* and *Hotel* in the Central City.
- Discussions with staff indicate that the City has not kept up with the Eligibility List or the Preservation Parking Reserve. Consideration should be given to a more efficient way to approve development of parking entitlements in the future.
- The Preservation parking code is cumbersome, nuanced in some districts and is not tracked or monitored. This creates lots of code that could be collapsed into a single Central City wide section on Entitlements that are governed by maximum ratios that allow future provision of parking to any use per an unused entitlement.

### RECOMMENDATION(S):

- Allow parking entitlements to commercial, residential and hotel uses, capped by the maximum parking ratios in place at the time the parking is built and only if the parking is built in a structure.
- Eligibility would be for any building with:
  - a. Less than 0.70 stall/1,000 SF (commercial)

b. 0.50 per unit (residential/hotel)

- Eligible entitlements can only be transferred within a parking sector, not between parking sectors.
- All existing “preservation” building entitlements will be recalibrated to new parking maximum ratios established in the CCTMP update. If code maximums are updated in the future (e.g., through periodic review), a recalibration of entitlements would occur.
- A “receiving site” of parking entitlements, would need to meet the Ground Active Floor Uses standard (33.510.225.C) regardless of where in the Central City it is constructed (i.e., no parking allowed at the ground level).
- Eliminate Eligibility List and Preservation Parking Reserve.
- Retain existing requirement that Preservation Parking must be primarily available to the tenants of the Preservation building for a minimum of 10 years. Otherwise, the parking may be operated as commercial parking.

## **B. MINIMIZE OPERATING RESTRICTIONS ON APPROVED PARKING**

### *QUESTION:*

Should parking operating restrictions on approved parking be relaxed where maximum parking ratios are in place and parking is provided in a structure?

### *BENEFITS:*

- Eliminates restrictions (in current code) that are generally unenforceable.
- Encourages shared use of currently underutilized built parking.
- Large sections of the code that characterize parking restrictions by unique Central City parking sector could be eliminated with a standardized Central City approach.
- Entire code sections on reporting and monitoring (semi-annually) as current conditions of use would be eliminated.
- Transitions City Parking Manager from role of enforcement/regulation to facilitator and information resource.

### *ISSUES:*

- The CCTMP code is highly nuanced in how new parking (a) is approved and (b) is allowed to operate once it is approved.
- Parking approved for Office or Retail use is unrestricted in its operations (i.e., “Growth Parking”).

- Parking approved for Residential, Hotel or Preservation parking comes with a wide range of restrictions on its operation. Residential, with a few exceptions, is restricted to accessory uses all days, all hours. Hotel is limited to hotel uses only Monday through Friday between the hours of 7AM and 6PM and Preservation Parking is limited to building types to which it can sell monthly parking.
- With all the nuances and “restrictions” imposed, once new parking has been approved, there are really no mechanisms in place within the City (enforcement) that actually tracks, reports and monitors the operating restrictions that were placed on the new parking once it clears the development review process.

*RECOMMENDATION(S):*

- Eliminate or relax “accessory” restrictions on all parking approved (a) in commercial, employment, mixed use and industrial zones, (b) under a maximum ratio and (c) built in a structure. All parking approved under this format will be considered Commercial Parking.
- Eliminate reporting requirements for all parking approved under a maximum ratio and in a structure. The City Parking Manager will be empowered to request information and/or access to the facility in return for the elimination of current reporting requirements.