

Amendments To Central City Plan District (Chapter 33.510)

Parking Regulations

Commentary

A. The purpose of the Central City Transportation Management Plan (CCTMP) is to improve air quality, increase the use of alternative modes, encourage the development of jobs and living in the Central City, and reduce the demand for parking without negatively affecting development opportunities. The CCTMP was developed in response to the Central City Plan and the need to update the Downtown Parking and Circulation Policy (DPCP) to address issues such as the need for parking to support existing office buildings. These provisions in the Zoning Code implement the CCTMP and help achieve its goals and purposes.

B. Parking is regulated differently in the Central City Plan District than in other parts of the City. This subsection describes the six types of parking and have been derived from the policies of the CCTMP. Basically, Growth, Preservation, and Residential/Hotel Parking are types that are based on building area of either new development (Growth and most Residential/Hotel) or existing development (Preservation and some Residential/Hotel). Visitor and Undedicated General Parking are not based on building area or specific development. The CCTMP policy provides circumstances when Visitor Parking is desirable— when there is significant demand. Conversely, the policy generally prohibits new Undedicated General Parking; it is generally allowed for parking that already exists. RX Zone Parking is another type created to deal with certain existing situations in the RX (Downtown Residential) zone in the Core Area and will be used to "grandfather" those situations.

The creation of these parking types follows the CCTMP policies which call for linking parking to the development of new floor area (i.e., Growth Parking) [Policy 4.3, Parking Ratios for New Development]; providing parking for existing buildings in some cases (i.e., Preservation Parking) [Policies 4.4, Management of Parking Associated With Existing Buildings and 4.5, Parking For Buildings With Less Than the Allotted Ratio]; promoting short-term parking (i.e., Visitor Parking [Policy 4.6, Parking Not In Conjunction With Specific Development]; and providing for parking for residential uses (i.e., Residential/Hotel Parking [Policy 4.8, Residential Parking].

It is anticipated that some proposals for parking structures will be for mixed types of parking such as a structure to provide both Preservation and Visitor Parking. This is allowed, but each

type must meet the code standards or approval criteria that apply to that particular type of parking.

B.4. Undedicated General Parking is defined essentially by what it isn't. It is usually used for long-term commuter parking but can generally be operated for any parking use at the parking owner's discretion.

Parking and Access

33.510.261 Parking

A. Purpose.

The parking and access regulations implement the Central City Transportation Management Plan by managing the supply of off-street parking to improve mobility, promote the use of alternative modes, support existing and new economic development, maintain air quality, and enhance the urban form of the Central City.

B. Description of types of parking.

In the Central City Plan District, there are six types of parking. While a proposal may include several types of parking (for example, a garage may include both some Growth Parking and some Preservation Parking), each type of parking is an exclusive category. The same spaces can be more than one type of parking, such as both Growth Parking and Visitor Parking, if the regulations for both types are met.

1. **Growth Parking.** Growth Parking is created in conjunction with additions of floor area. Floor area is added either as part of new development or adding floor area to existing development. Parking for floor area that will be in residential or hotel use is not Growth Parking; it is Residential/Hotel Parking (see Paragraph B.5, below).

In the case of new development, the land use or building permit for the parking must be requested by the time the foundation is complete. If the parking is requested after the foundation is complete, it will be Preservation Parking.

In the case of additions of floor area to existing development, the land use or building permit for the parking must be requested by the time the building permit for the new floor area is issued. If it is requested after the building permit for the new floor area is issued, it will be Preservation Parking.

The ratios for Growth Parking are based on the needs of both employees and those who come to the building for other reasons, such as customers and clients.

2. **Preservation Parking.** Preservation Parking is created to serve existing, older buildings in non-residential/non-hotel uses. For residential and hotel uses, see Paragraph B.5, below. The ratios for Preservation Parking are based on the needs

of both employees and those who come to the building for other reasons, such as customers and clients.

3. Visitor Parking. Visitor Parking is created to serve shoppers, tourists, and other such visitors who make occasional trips to the area. It is not associated with particular development.
4. Undedicated General Parking. Undedicated General Parking is all parking, other than Visitor Parking, that is not associated with particular development.
5. Residential/Hotel Parking. Residential/Hotel Parking is created in conjunction with dwelling units or hotel rooms.
6. RX Zone Parking. RX Zone Parking is parking on a surface lot zoned RX that was operating as parking accessory to nonresidential uses on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory.

Commentary

C. This Subsection is mostly explanatory rather than regulatory. It provides a "road map" to the regulations by alerting readers to some of the aspects of the regulations and giving an overview of the organization of the regulations

In the DPCP most parking is subject to conditional use review which is a type of land use review. In the CCTMP the conditional use review for parking has been replaced with a new land use review: Central City Parking Review (CCPR). As the name implies, the new review focuses on the special parking considerations in the Central City area and is one of the tools for implementing the CCTMP policies.

"New vs. Existing" Issue. The zoning code is written to apply to development proposals (i.e. new development or alterations to existing development). It is written in the present tense, so phrases such as "Undedicated General Parking is prohibited" mean "proposals for new Undedicated General Parking will not be accepted," not that we are shutting down existing, legal, Undedicated General Parking. There has been some discussion of using the words "new" or "newly developed" in situations such as this. However, the City Attorney has advised us that unless we use such phrasing throughout the code, we are creating a host of legal problems and conflicts that would nearly invalidate our code.

Rather than trying to make extensive revisions to the entire code, this language calls out the rules that apply to existing parking in special sections. For example, in the Core, the special regulations for existing parking are in Subsections H. through L.

- C. Organization of parking regulations in the plan district.** This subsection describes the organization of parking regulations that follow, and provides a framework for understanding. See the sections that follow for the specific regulations described below.

There are six different kinds of parking. These are described in Subsection 33.510.261.B, above. Generally, Growth, Preservation, and Residential/Hotel Parking are allocated based on floor area of buildings or dwelling units. Visitor Parking may be located where demand is shown. Generally, RX Zone and Undedicated General Parking are "conversion categories;" they cover some existing parking.

Each type of parking is regulated differently. For some types of parking, we do not limit who may park there, even though the parking may have been created in conjunction with a particular development. There are some limitations, however, particularly for Preservation and Residential/Hotel Parking. Visitor Parking includes some operation limits: it is for short-term parking. There are some restrictions on how Undedicated General Parking may operate, depending on the zone and subdistrict. Other than these specific regulations, Undedicated General Parking is free to operate in any way the owner chooses.

Map 510-8 shows the subdistricts of the Central City plan district and the parking sectors. Downtown, the University District, and some areas north of Burnside are called the Core Area. The regulations vary in different areas. In the Core Area, there are maximums for all parking. In Lloyd, Goose Hollow, and parts of Central Eastside, there are maximums only for parking created in conjunction with office uses. There are no maximums in the other areas. There are other differences among the areas.

Section 33.510.261 applies to all areas, while Sections 33.510.263 through .267 each apply to a different area. The regulations for each area are organized in the same way: A subsection on each type of parking, then a subsection that applies to all types of parking, and then one or more subsections with special regulations for surface parking lots that existed on January 8, 1996.

The two development types of parking—surface lots and structured parking—are regulated differently. There are also some special regulations affecting location of parking; for example, surface parking is not permitted next to a light rail line, and access near light rail is allowed only under certain circumstances. Depending on the zone and the area, there are other regulations about location of parking, access, landscaping, and other elements.

Commentary

To determine whether a particular proposal is allowed, prohibited, or requires a Central City Parking Review, you need to look at all of the regulations that apply to the proposal. For example, while the number of spaces may be allowed, the access might require review; or the number of spaces may be allowed, but only in a structure, not a surface lot.

In addition to Central City Parking Review, some proposals may need adjustments. The approval criteria for adjustments (in Chapter 33.805) require analysis of the purpose of the regulation. The purpose of each regulation in Sections 33.510.261 through 33.510.267 is in the Central City Transportation Management Plan Policy.

D. The Core area is the area currently covered by the DPCP. It and the other areas are shown on Map 510-8.

E. This regulation addresses the rare situations when sites are split by boundary lines. It says that except for parking ratios, parking is regulated by the code that applies to the portion of the site where the parking is located. This is the same rule that applies to all zoning regulations in the City. This subsection also provides an exception for parking under bridges. Parking may be requested under the Broadway or Marquam bridges, both of which are boundaries for the Core Area.

Commentary

D. Where these regulations apply. The regulations of Sections 33.510.261 through 33.510.267 apply to all parking in the plan district. The regulations of Sections 33.510.263 through .267 each apply to a different area. Where there is more than one type of parking included in a proposal, each type of parking must meet the regulations in the appropriate Subsection.

E. Sites split by subdistrict or parking sector boundaries. Where the site of a parking lot or structure is split by subdistrict or parking sector boundaries, and the regulations in the two areas differ, the following applies:

1. Generally. If the site is split by the boundary of a subdistrict or parking sector, the following applies:

a. For Growth, Preservation, and Residential/Hotel Parking:

- (1) Except as provided in Subparagraph E.1.a (2), below, the portion of the site that contains the parking is subject to the regulations of that parking sector; and
- (2) The maximum ratio, if any, is based on the regulations that apply to the site of the use the parking will be serving.

b. For all other parking: The more restrictive regulations apply.

2. Under bridges. If the site is split by the boundary of the Core Area, and all or a portion of the parking is under a bridge, the following applies:

a. For Growth, Preservation, and Residential/Hotel Parking:

- (1) If the use the parking will be serving is in the Core Area, the regulations of the appropriate Core sector apply to the parking.
- (2) If the use the parking will be serving is outside the Core Area, the regulations of the appropriate sector outside the Core apply to the parking.

- b. For all other parking: The more restrictive regulations apply.

Commentary

33.510.263 Parking in the Core Area. This section applies in the Core area, currently regulated by the Downtown Parking and Circulation Policy (DPCP).

A. Growth Parking is parking associated with new development.

A.1. This paragraph explains which regulations have to be considered in order to determine whether a proposal is allowed, prohibited, or subject to Central City Parking Review. The code uses "allowed" to mean that a proposal is reviewed against standard, nondiscretionary requirements and does not have to go through a discretionary land use review. "Prohibited" means no exceptions to the rule are allowed. "Central City Parking Review" is a new type of discretionary land use review.

33.510.263 Parking in the Core Area

The regulations of this Section apply in the Core area shown on Map 510-8.

A. Growth Parking. The regulations of this Subsection apply to Growth Parking.

Adjustments to the regulations of this Subsection are prohibited, except as specified in Paragraphs A.7 and A.9, below.

1. To determine whether Growth Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):

a. Determine the use or uses the parking will be created in conjunction with.

b. Determine whether the use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use where the parking is proposed. Find the appropriate line on Table 510-1.

c. Based on the regulations of this Subsection and those in Subsection G, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-1.

(1) If all aspects of a proposal are allowed, then the parking is allowed.

(2) If all aspects of a proposal are allowed or have been approved through an adjustment, then the parking is allowed.

(3) If any aspect of a proposal requires CCPR, then the parking is subject to CCPR.

(4) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-1 Relationships Among Use Regulations for Growth Parking			
If the use is:	And if the parking is:		
	Allowed	Subject to CCPR	Prohibited

Commentary

Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

A.2 &3 Small amounts of parking are allowed for new development because of their minimal impact and to support desirable development in the Core area.

A.4. Growth Parking is generally allowed as long as it is within the ratios and meets the other nondiscretionary standards listed here and in Subsection G.

A.6. The maximum ratios were established in the DPCP and modified based on existing transit service, existing and allowed land uses and densities. The ratios are intended to encourage a wide range of uses and residential developments to ensure a diverse and viable Central City core. [Objectives 4.3.2 and 4.3.5 of Policy 4.3, Parking Ratios for New Development]

Commentary

2. Up to 20 parking spaces on a surface parking lot is an allowed use where the parking is adjacent to the building and the total number of parking spaces—of any type—on the site is less than 21.
3. Up to 20 spaces in a structure is an allowed use.
4. More than 20 parking spaces is an allowed use where the following are met:
 - a. The parking is in a structure;
 - b. Carpool parking.
 - (1) Five spaces or five percent of the parking spaces, 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.
 - (3) Signs must be posted indicating these spaces are reserved for carpool use before 9:00 AM on weekdays.
5. Parking that is not an allowed use under Paragraphs A.2, A.3, and A.4, above, and is not otherwise prohibited, is subject to CCPR.
6. Maximum ratios. Parking is limited to the maximum ratios in Table 510-2. Where there is more than one use, the amount of parking allowed is calculated based on the net building area of each use.

Table 510-2. The unshaded Table 510-2 will take effect along with the other regulations. The ratios in this version are from the Downtown Parking and Circulation Policy. The shaded Table will take effect after EPA approval.

Commentary

Table 510-2 In the Core Area Growth Parking: Maximum Number of Parking Spaces Per 1,000 Square Feet of Net Building Area					
	District/Sector (See Map 510-8):				
	Downtown 2, 3-1	Downtown 3-2, 4; River District 5-2	River District 3, 5-1; University District 1-2	Downtown 1, 5, 6-1 University District 1-1; River District 4	Downtown 6-2
Use:					
Office	0.7	0.8	0.9	1.0	*
Retail Sales and Service, except theaters, hotels, motels	1.0				
Medical Centers	1.5				
Schools, Colleges	1.0				
Manufacturing and Production, Warehouse and Freight Movement, Wholesale Sales, Industrial Service	0.7				
Community Service, Religious Institutions, Theaters, Other Uses	0.25				
Hotels, Motels	See Subsection 33.510.263.E				
Residential					

***Ratio for office for Sector Downtown 6-2 is 2.0 for the first 150,000 square feet of floor area built, and 1.0 for anything over 150,000 square feet.**

Commentary

**Table 510-2
In the Core Area
Growth Parking :
Maximum Number of Parking Spaces Per 1,000 Square Feet of Net Building Area**

	District/Sector (See Map 510-8):				
	Downtown 2, 3	Downtown 4	Downtown 1, 5; University District	River District 5	River District 3, 4; Downtown 6
Use:					
Office	0.7	0.8	1.0	1.5	2.0
Retail Sales and Service, except theaters, hotels, motels	1.0	1.0	1.0	1.5	2.0
Medical Centers	1.5	1.5	1.5	1.5	2.0
Schools, Colleges	1.0	1.0	1.0	1.5	2.0
Manufacturing and Production, Warehouse and Freight Movement, Wholesale Sales, Industrial Service	0.7				
Community Service, Religious Institutions, Theaters, Other Uses	0.25				
Hotels, Motels	See Subsection 33.510.263.E				
Residential					

A.7.a. Lower ratios are established for these uses because the peak hours of use are weekends or evenings when more on-street and structured parking is available, or because the number of visitors to the site is low. Additional parking for daytime use by patrons is determined on a case by case basis and is based on an analysis of demand and availability of parking in the area through the adjustment process. Parking for evening use by patrons will only be approved if existing daytime parking is unavailable or insufficient for the need. [Objective 4.3.7 of Policy 4.3, Parking Ratios for New Development.]

NOTE: Adjustments to the maximum ratio for supermarkets and anchor retail will be allowed only after EPA approval. The shaded paragraphs—A.7.b and A.7.c— in the code will not take effect until then.

A.7.b Adjustments to the maximum ratio for supermarkets are allowed because the supermarket may have unusual parking demands and because its peak hours of use coincide with the peak hours of demand of other uses. [Objective 4.3.7 of Policy 4.3, Parking Ratios for New Development.]

A.7.c Adjustments to the maximum ratio for anchor retail are allowed because the parking demand is higher for a concentration of retail activity than for individual retail uses. Additional parking may be approved up to the 1.5 ratio only if additional short-term parking is not available in the area and only if the parking is made available to the general public for short-term parking.

A.7.d Adjustments to other maximum ratios are prohibited to insure that air quality is maintained and so that parking does not become a dominant feature of the Core Area.

A.8. Operation. CCTMP Policies 4.3 and 4.4 present a new approach to managing parking resources. Where the amount of parking is limited through ratios and where parking is typically paid for, parking should be managed to maximize its utilization. To implement this policy, the code specifies that, where the policy is applicable, the parking owner can decide how to best use the parking. For example, the parking could be used for long-term commuter or short-term parking (which the code calls "commercial" parking), or for employee or customer parking (which the code calls "accessory" parking), or for a combination of both. The code specifies where this policy approach applies in regulations throughout this chapter titled "operation".

Growth Parking in the Core is a situation where parking should be managed to maximize its utilization as explained above. [Policies 4.3, Parking Ratios for New Development, and 4.4, Management of Parking Associated With Existing Buildings.]

Commentary

7. Adjustments to the maximum ratios.
 - a. Adjustments to the maximum ratios for Theaters, Religious Institutions, Community Service uses, and all other uses where the maximum ratio is 0.25, may be requested.
 - b. Adjustments to the maximum ratio for supermarkets may be requested up to 2.0 spaces per 1,000 square feet of net building area; adjustments above 2.0 are prohibited. A supermarket is a retail store with more than 20,000 square feet of net building area, selling a complete assortment of food, food preparation and wrapping materials, and household cleaning and servicing items.
 - c. Adjustments to the maximum ratio for anchor retail may be requested up to 1.5 spaces per 1,000 square feet of net building area; adjustments above 1.5 are prohibited. Anchor retail is a single structure with more than 50,000 square feet of net building area in Retail Sales and Service uses.
 - b. Adjustments to the other maximum ratios are prohibited.
8. Operation. The parking may be operated as either accessory or commercial parking, at all times.

A.9. The parking operations reports are an important part of the CCTMP. They will help us monitor the many new approaches and concepts for transportation and parking management that are embodied in the Plan. To make it as easy as possible for parking owners and operators to comply with the requirement, we have developed a standard form—just a single page—to use. The Parking Manager will fax this form to owners 30 days before the report is due. If the report is not returned to us, the Parking Manager will telephone or fax another form. If the report is still not returned, the Parking Manager may start the standard enforcement procedure, which begins with a letter to the owner requesting the report, and giving at least 30 days to comply. [III.A and III.D.3.b of the Administration Section.]

We recognize that sometimes there are special circumstances that may delay filing a report. Because of this, the Parking Manager and the enforcement staff both have the discretion to delay enforcement where there are extenuating circumstances and a reasonable effort to comply is being made.

Commentary

9. Operation reports. The requirements of this paragraph apply to all Growth Parking. For parking that is subject to CCPR, adjustments to this paragraph may be requested. For parking this is not subject to CCPR, adjustments are prohibited.
- a. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph A.9.b, below.
 - b. The applicant must provide annual operation reports to the City. The operation reports are based on a sample of four days during every 12-month reporting period, and include information on the following:
 - (1) Physical: Number of parking spaces, amount of net building area.
 - (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - Short-term
 - Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permit
 - (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

B. The need for parking for existing office buildings (or buildings being converted to office) was documented in a study done by the Portland Development Commission. The study found that 67 percent of older and historic buildings do not have any parking, that the availability and cost of parking are critical factors in the leasing of these buildings, and that the loss of surface parking lots may further decrease the viability of these buildings.

While there is a need for this type of parking, it is desirable to control the amount and configuration of the parking to maintain the integrity of the City's historic districts and urban form. [Objectives 4.5.1 and 4.5.2 of Policy 4.5, Parking for Buildings With Less Than the Allowed Ratios and III.D.4 of the Administration Section.]

Commentary

B. Preservation Parking. The regulations of this Subsection apply to Preservation Parking. Adjustments to the regulations of Subparagraph B.4.h, below may be requested. Adjustments of the other regulations of this Subsection are prohibited.

1. To determine whether Preservation Parking is subject to Central City Parking Review (CCPR) or prohibited:
 - a. Determine the use or uses the parking will be created to serve.
 - b. Determine whether the use the parking will serve is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-3.
 - c. Based on the regulations of this Subsection and those in Subsection G, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-3.
 - (1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR. If the parking is not otherwise prohibited, it is subject to CCPR.
 - (2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-3		
Relationships Among Use Regulations for Preservation Parking		
If the parking is created in conjunction with a use that is:	And if the parking is:	
	Allowed or Subject to CCPR	Prohibited
Allowed, Nonconforming,	The parking is subject to	The parking is prohibited

or a Conditional Use	CCPR	
Prohibited	The parking is prohibited	The parking is prohibited

Commentary

B.2 The Parking Manager maintains the Preservation Parking Eligibility List, a list of buildings that have less than 0.7 parking spaces per 1,000 square feet of net building area. The Administration Section of the CCTMP describes how buildings move on and off the list.

B.3. If Preservation Parking is created through internal conversion of the building it will serve, it is treated as if it were associated with a new building (i.e. Growth Parking). The ratios for Growth Parking apply. The only differences are that it must be on the Preservation Parking Eligibility List, it will go through CCPR, and the amount of parking will be deducted from the Parking Pool but not the Reserve. (See VI.D.1 of the Administration Section of the Policy for more explanation of the Pool and Reserve.)

B.4. Preservation Parking that is not created through internal conversion is limited to a ratio of 0.7 spaces per 1000 square feet of floor area. Such parking is also limited to the use categories that, for new development, have ratios of at least 0.7. The other uses--such as theaters--may create additional short-term parking through the provisions for Visitor Parking. [Objective 4.5.2 of Policy 4.5, Parking For Buildings With Less Than the Allotted Ratio.]

2. Eligibility for Preservation Parking. Only buildings on the Preservation Parking Eligibility List, maintained by the Parking Manager, may apply for Preservation Parking. Preservation Parking for buildings not on the Preservation Parking Eligibility List is prohibited.
3. Parking created within or under the building. If 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 parking is regulated the same as Growth Parking, except that it is subject to CCPR.
4. Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the following must be met:
 - a. Maximum ratio. Parking is limited to a maximum ratio of 0.7 spaces per 1,000 square feet of net building area.
 - b. Preservation Parking will be allowed based on net building area of only the uses listed below. Preservation Parking for uses not listed below is prohibited. (Note: For Residential/Hotel Parking, see Subsection E, below.)
 - (1) Office;
 - (2) Retail Sales and Service, except theaters and hotels;
 - (3) Medical Centers;
 - (4) Schools, Colleges; and
 - (5) Manufacturing and Production, Warehouse and Freight Movement, Wholesale Sales, Industrial Service.
 - c. Common ownership. If the parking is based on the floor area of buildings under the same ownership as the parking, the following must be met:
 - (1) The owner must specify what buildings the parking is based on. When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and

Commentary

- (2) The owner must have a signed agreement with the Parking Manager that the parking will be primarily for those buildings for at least 10 years.

B.4.d. Where we require an agreement between a building owner and a garage owner, or between a building owner and the Parking Manager, authorized agents may sign on behalf of the building owner. In such cases, the agent—for example, a management company or tenant of the building—will sign an affidavit stating that they have the owner's authority to commit the building for the length of time of the agreement.

While contracts must cover the initial 10 years of operation of a Preservation Parking facility, the contracts may contain provisions that allow for early termination. If an agreement is changed during the initial 10 years, it may not cover less than the remainder of the initial 10 years.

If an agreement is terminated during this period, the building that contracted for the parking will not be go back on the Preservation Parking Eligibility List until either:

- Another building on the List contracts for those spaces for the remainder of the initial 10 years period; or
- The parking receives a CCPR to convert to another type of parking.

Preservation Parking may be converted to other types of parking within the initial 10-year period.

B.4.e. Preservation Parking must be in a structure. [Policy 4.4 Management of Parking Associated With Existing Buildings].

Commentary

d. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:

(1) For initial approval, the following must be met:

- There must be agreements between the owner of the parking and the owners of buildings for which the parking will be provided. The agreements must cover 100 percent of the Preservation Parking, and be for at least 10 years from the date the garage begins operation.

When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and

- The applicant must have a signed agreement with the Parking Manager to:

—Notify the Parking Manager in writing of any of the changes listed in this Subparagraph; and

—Provide written documentation that the changes comply with the regulations of this Chapter.

(2) Changes in existing agreements. Changes in existing agreements between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met. The length of the agreements will not be decreased to cover less than the initial 10-year period from the date the garage begins operation.

(3) New agreements. New agreements between the owner of the parking and the owners of buildings for which the parking will be provided are allowed only where the buildings are on the Preservation Parking Eligibility List, and where the regulations of this Chapter are still met. The agreements must, at a minimum, cover the initial 10-year period from the date the garage begins operation.

- (4) Conversion. Conversion of Preservation Parking to Growth, Visitor, or Residential/Hotel Parking is a CCPR. Conversions to other types of parking are prohibited.
 - (5) Where an agreement between the owner of the parking and the owners of buildings is terminated, changes will not be made to the Preservation Parking Eligibility List until a new use or new agreement has been approved for the spaces covered by the agreement.
- e. The parking must be in a structure; parking that is not in a structure is prohibited.

Commentary

B.4.f. In order to provide flexibility to the owners of this type of parking, these regulations allow other uses of the parking during times when a contracted building does not need all of their accessory parking, or when not all of the parking is contracted for. [Objectives 4.5.1 and 4.5.2 of Policy 4.5, Parking for Buildings With Less Than the Allowed Ratios.]

f. Operation. Preservation Parking may be operated as either accessory or commercial parking, with the following limitations. These limitations apply on weekdays between 7:00 AM and 6:00 PM. Parking spaces may be used only as follows:

- (1) Where the parking is based on the floor area of buildings under the same ownership as the parking, the parking may be used by tenants of those buildings.
- (2) Leased to buildings or tenants of buildings as described in Subparagraph B.4.d, above
- (3) Rented, on a monthly basis only, to the following. Sale of other monthly permits is prohibited:

- Individual tenants of buildings on the Preservation Parking Eligibility List. The Parking Manager maintains this list; or

- Residents of the Central City plan district.

- (4) For long-term daily parking. "Early bird" discounts are prohibited.

- (5) For short-term parking.

- g. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Subparagraph B.4.h, below.

- h. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:

- (1) Physical: Number of parking spaces, amount of net building area.

- (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:

- Short-term

- Leased to buildings or tenants of buildings as described in Subparagraph B.4.d, above

- Used by tenants of the buildings described in Subparagraph B.4.c, above

Commentary

- Monthly permits to individual tenants of buildings on the Preservation Parking Eligibility List
 - Monthly permits to residents of the Central City plan district
 - Carpool monthly permits for tenants of buildings as described in Subparagraph B.4.d, above; tenants of the buildings described in Subparagraph B.4.c, above; or individual tenants of buildings on the Preservation Parking Eligibility List
 - Long-term daily (four or more hours) and monthly permit (other than those listed above)
- (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

C. Visitor Parking provides for short-term parking needs, such as for retail shoppers, tourists, clients and visitors to ensure the continued economic vitality and development of the Central City. [Policy 4.6 Parking Not in Conjunction With Specific Development.]

Commentary

C. Visitor Parking. The regulations of this Subsection apply to Visitor Parking. Adjustments to the regulations of Paragraphs C.5 and C.6, below may be requested. Adjustments of the other regulations of this Subsection are prohibited.

1. To determine whether Visitor Parking is subject to Central City Parking Review (CCPR) or prohibited:
 - a. Determine the zone where the parking will be located. Then find the appropriate line on Table 510-4.
 - b. Based on the regulations of this Subsection and those in Subsection G, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-4.
 - (1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR.

(2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-4		
Relationships Among Regulations for Visitor Parking		
If the zone is:	And if the parking is:	
	Allowed or Subject to CCPR	Prohibited
I, EX, EG, CX, CS, CG, or RX	The parking is subject to CCPR	The parking is prohibited
All other zones	The parking is prohibited	The parking is prohibited

2. Maximum ratios. There are no maximum ratios. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria.
3. The parking must be in a structure, unless it is part of an approved phased development plan.
4. Operation. Visitor Parking is operated as commercial parking, except that sale of monthly permits and "early bird" discounts are prohibited. Limitations on operation apply on weekdays between 7:00 AM and 6:00 PM.
5. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph C.6, below.

Commentary

D. Undedicated General Parking is prohibited to limit new commuter parking (except carpools) to ensure that air quality is maintained. [Policy 4.6, Parking Not In Conjunction With Specific Development.]

See discussion of "New vs. Existing" Issue on Page 6.

6. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:
 - a. Physical: Number of parking spaces
 - b. Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - (1) Short-term
 - (2) Long-term daily (four or more hours)
 - c. Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

D. Undedicated General Parking. Undedicated General Parking is prohibited.

Commentary

E.2. A minimal amount of Residential/Hotel Parking should be provided for residential uses in Downtown and the University District because of the lack of on-street parking and the loss of surface parking lots over time as development occurs. It is not the intent of the parking minimum to discourage certain housing types, such as SROs, which are usually small in size, and which typically rent to persons who do not own cars. Adjustments are allowed from this minimum for other residential uses which would have tenants without cars. If adjustments are approved for this type of development, a demand management plan may be required to ensure that alternative transportation services are available to tenants. [Objective 4.8.1 of Policy 4.8, Residential Parking.]

E. Residential/Hotel Parking. The regulations of this Subsection apply to Residential/Hotel Parking. Adjustments to the regulations in Paragraphs E.1 and E.3 through E.10, below, are prohibited.

1. To determine whether Residential/Hotel Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):
 - a. Determine whether the residential or hotel use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-5.
 - b. Based on the regulations of this Subsection and those in Subsection G, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-5.

Table 510-5 Relationships Among Use Regulations for Residential/Hotel Parking			
If the residential or hotel use is:	And if the parking is:		
	Allowed	Subject to CCPR	Prohibited
Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

Commentary

2. Minimum required parking. The minimum required parking for residential uses in Downtown Sectors 1 through 5 and the University District Subdistrict is 1 space for every 8 dwelling units larger than 250 square feet in area. There are no other minimum parking requirements.

E.3. The maximum ratios are established by Objectives 4.3.5 and 4.3.6 of Policy 4.3, Parking Ratios for New Development. The unshaded Paragraph 3 will take effect along with the other regulations. The ratios are from the Downtown Parking and Circulation Policy. The shaded Paragraph 3—and the higher ratios will take effect after EPA approval.

Commentary

3. Maximum ratios. Parking is limited to the maximum ratios of this Paragraph. The maximum parking ratios in all sectors are:
- a. Dwelling units. The maximum parking ratio is 1.2 parking spaces for each dwelling unit.
 - b. New hotel rooms. The maximum parking ratio is 1.0 parking spaces for each new hotel room created.
 - c. Existing hotels. The maximum parking ratio for existing hotels is 0.7 spaces for each 1,000 square feet of floor area.

3. Maximum ratios. Parking is limited to the maximum ratios of this Paragraph.
- a. Dwelling units. The maximum parking ratio for dwelling units are in Table 510-6.
 - b. New hotel rooms. The maximum parking ratio in all sectors is 1.0 parking spaces for each new hotel room created.
 - c. Existing hotels. The maximum parking ratio in all sectors for existing hotels is 0.7 spaces for each 1,000 square feet of floor area.

Table 510-6 In the Core Area Residential Parking: Maximum Number of Parking Spaces For Each Dwelling Unit		
District/Sector (See Map 510-8):		
Downtown 1, 2, 3, 4, 5; University District	River District 5	River District 3, 4; Downtown 6
1.35 per dwelling unit	1.5 per dwelling unit	1.7 per dwelling unit

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4. Parking is allowed when new dwelling units and hotel rooms are created.

a. Dwelling units are created:

- (1) As part of new development;
- (2) By adding net building area to existing development that increases the number of dwelling units;
- (3) By conversion of existing net building area from non-residential to residential uses; and
- (4) By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex.

Commentary

- b. Hotel rooms are created:
 - (1) As part of new development;
 - (2) By adding net building area to existing development that increases the number of hotel rooms;
 - (3) By conversion of existing net building area from non-hotel to hotel uses; and
 - (4) By increasing the number of hotel rooms within existing net building area already in hotel use, for example, by converting a 10-room hotel to 20-room hotel.
- 5. Parking for existing dwelling units. Parking for existing dwelling units is subject to CCPR if the parking area is created through internal conversion of the building, by excavating under the building, or by adding gross building area to the building. Parking for existing dwelling units where the parking area is not created in this manner is prohibited.
- 6. Parking for existing hotel rooms. Parking for existing hotel rooms is allowed.
- 7. Operation.
 - a. Residential.
 - (1) Parking spaces created to meet minimum parking requirements for residential uses may be used only for residential uses of the units the parking was created in conjunction with. This limitation applies at all hours.
 - (2) Parking created to serve residential uses, in excess of minimum parking requirements, may be offered only on a monthly basis and only to residents of the plan district. This limitation applies at all hours.
 - b. Hotel. Parking created to serve hotel uses must be accessory. These limitations apply on weekdays between 7:00 AM and 6:00 PM.

Commentary

8. Parking structures. Parking that is in a structure is allowed.

E.9.c. This provision supports higher-density residential projects by allowing surface lots where structured parking may be prohibitive or impossible. [Objective 4.8.4 of Policy 4.8, Residential Parking.]

Objective 4.7.5 of Policy 4.7, Surface Parking, calls for the development of a design guideline to ensure that large amounts of surface parking are "broken up" and visually separated. Where the surface parking area on a site is larger than 40,000 square feet, the parking lot should be visually separated into areas no larger than 40,000 square feet to break up the large expanse of paved area. A design guideline is being developed to implement this requirement for visual separation. Until the guideline is adopted, staff will consider Objectives 4.7.5 and 4.7.6 as part of design review of large parking lots. [Objectives 4.7.5 and 4.7.6 of Policy 4.7, Surface Parking]

Commentary

9. Surface parking for residential uses. Where a development includes any residential uses, and some or all of the parking will be on a surface lot, the developer may choose one of the following three options. Other surface parking is prohibited.

a. Up to 20 parking spaces is an allowed use, where the following are met:

- (1) The parking is adjacent to the building occupied by the residential units it is created in conjunction with; and
- (2) The total number of parking spaces—of any type—on the site is less than 21.

Where the provisions of this Subparagraph are not met, the parking is subject to CCPR under the provisions of either Subparagraph E.9.b or c, below.

b. More than 20 spaces is subject to CCPR where:

- (1) The total surface parking area on the site is 40,000 square feet or less; and
- (2) The parking is an interim use, as part of a phased development plan.

c. More than 20 spaces as a permanent use, and more than 40,000 square feet of surface parking area on a site, may be approved through CCPR if the following are met:

- (1) There is no more than 1 surface space for each 1,000 square feet of site area, not including streets;
- (2) The surface parking is serving the residential uses only; and
- (3) The project creates more than 50 dwelling units per acre, not including streets.

10. Surface parking for hotels.

a. Up to 20 parking spaces is an allowed use, where the following are met:

- (1) The parking is adjacent to the building occupied by the hotel rooms it is created in conjunction with; and
- (2) The total number of parking spaces—of any type—on the site is less than 21.

Where the provisions of this Subparagraph are not met, the parking is subject to CCPR under the provisions of either Subparagraph E.10.b, below.

b. More than 20 spaces is subject to CCPR where:

- (1) The total surface parking area on the site is 40,000 square feet or less; and
- (2) The parking is an interim use, as part of a phased development plan.

Commentary

F. These regulations deal with existing parking that is accessory to nonresidential uses in the RX (Downtown Residential) zone. They ensure that the character and viability of the area for residential use are maintained while also allowing for some flexibility in the use of this type of existing parking. [Objective 4.8.2 of Policy 4.8, Residential Parking.]

F. RX Zone Parking. The regulations of this Subsection apply to RX Zone Parking. Adjustments to the regulations of this Subsection are prohibited.

1. Operation. RX Zone Parking must be accessory to uses in the portion of the Core Area zoned RX. This limitation applies on weekdays between 7:00 AM and 6:00 PM. The uses to which the parking is accessory may change without review, but they must be uses in the portion of the Core Area zoned RX.
2. Commercial parking is prohibited.

Commentary

G.3. Often, the amount of parking and its configuration are slightly modified in the final construction phase (The number of parking spaces cannot exceed the maximum ratios or exceed any specific amount approved in a CCPR, but spaces may be reduced.) This "as built" information will allow the Parking Manager to maintain accurate records and inventories of parking in the Central City. [III.A.4 and III.D.3.a of the Administration Section.]

G.4.a.(1) Large expanses of surface parking area—larger than a typical block—are prohibited in the Core because of their interruption of the urban fabric of the Core and their negative effect on the vitality and pedestrian environment of the area. [Objective 4.7.6 of Policy 4.7, Surface Parking].

G.4.a.(2) This regulation is in the zoning code now.

G.4.b. Most new surface lots—and some existing surface lots—will be reviewed every 5 years for compliance with conditions, and—if they have a phased building plan— for reasonable progress on the phased plan. The approval criteria are in Chapter 33.808, Central City Parking Review. [Objective 4.7.6 of Policy 4.7, Surface Parking and III.D.2.a of the Administration Section.]

To help ensure timely applications for these renewals, the operations report form will include a reminder about the deadline for application (See Commentary for A.9).

There has been some concern about how lack of compliance will be treated in this process: If there is a violation, will the lot simply be shut down, or will the applicant have the opportunity to correct the violation in a timely manner?

The procedure for the five-year renewals involves an application, followed by a public hearing. If applicants are aware of violations at the time of application, they can request a delay from staff to allow time for compliance. It is the Bureau's practice to grant such delays for a reasonable amount of time. Planning staff publishes a report and recommendation before the hearing; it is our practice to try to resolve any problems that would result in a negative recommendation. In any case, this would serve as additional notice of deficiencies. If Bureau staff is unwilling to grant a delay, the applicant has recourse before the Land Use Hearings Officer, who can also authorize a delay. Ultimately, the City Council could, upon appeal, also grant the delay.

In other words, the applicant will have sufficient opportunity to correct any deficiencies before an extreme enforcement measure—such as closure of the parking lot—would be implemented.

Commentary

G. All parking. The regulations of this Subsection apply to all parking.

1. Minimum required parking. There are no minimum parking requirements in the Core area, except for some residential developments, as specified in Subsection E, above.
2. The applicant has a signed agreement with the Parking Manager to provide the information specified in Paragraph G.3, below.
3. The applicant will provide the following information within 30 days of the date the parking begins operation:
 - a. The number of parking spaces constructed; and
 - b. An as-built plan of the parking area, showing the configuration of the parking spaces. At least one copy of the plan must be 8-1/2" x 11" and suitable for microfilming.
4. Surface parking lots.
 - a. Surface parking lots are prohibited as follows:
 - (1) Parking on surface lots where the total surface parking area on the site is larger than 40,000 square feet in area is prohibited, except for some residential developments, as specified in Subsection E, above.
 - (2) Surface parking is prohibited on the portion of a site within 100 feet of a light rail alignment.
 - b. Renewal of Central City Parking Review (CCPR) permits for surface parking lots. All CCPR permits for surface parking lots approved after (the effective date of this regulation) must be renewed every 5 years. This includes surface parking lots approved under 33.510.263.H, Special Regulations for Existing Surface Parking Lots. CCPR permits for surface parking lots approved under 33.510.263.E.8.c, which allows permanent surface parking lots for Residential/Hotel Parking, are exempt from this renewal requirement.

The renewal is a Type III process; the criteria are in Section 33.808.200, Renewal of Surface Parking Lots in the Central City Plan District. The owner must apply for the renewal within 4-1/2 years of the date of final approval of either the initial approval or the last renewal. If application is not made by that date, the Planning Director may initiate reconsideration as set out in Section 33.700.040, Reconsideration of Land Use Approvals.

- c. Redevelopment of surface parking lots. When development occurs that removes parking spaces in surface lots, the parking spaces will automatically be added to the Parking Reserve except as provided in Subparagraph G.4.d, below.

Commentary

G.4.d. This regulation clarifies that when surface spaces are removed due to development as part of a phased building plan, the spaces will not be added to the Reserve. (See III.D.4 of the Administration Section of the Policy for more explanation of the Reserve.)

G.5.a. and b. The location of parking structures is restricted from the Transit Mall in the area of the Central City with the highest floor area ratios in order to attract the highest density to this area. The structures are prohibited on the blocks between the two mall streets. CCPR approval is required to allow structures within 100' from Fifth and Sixth Avenues. They may be approved where the development provides multiple levels of non-parking activities and where the access will not have a major impact on pedestrian, bicycle, auto, or bus traffic. [Objective 4.10.4 of Policy 4.10, Compatibility of Parking Structures With Central City Character]

G.5.c. The location of parking structures is restricted from the Light Rail "couplet" in order to increase transit ridership, maximize development between adjoining light rail lines, provide a pleasing pedestrian environment and moderate potential conflicts with motor vehicles. [Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

G.5.d. The size of free-standing parking structures in historic districts is limited in order to ensure compatibility with the scale of nearby historic buildings. [Objective 4.10.1 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

G.5.e. and f. Street frontage walls of parking structures. These regulations are in the Zoning Code now. The only change is in f; the current regulations allow landscaping to the L2 standard, (3 1/2 " high vegetative screen) while these regulations require an L3 standard (6' high vegetative screen).

- d. Parking spaces removed from a surface parking lot will not automatically be added to the Parking Reserve if:
 - (1) The parking lot is part of an approved phased development plan;
 - (2) The parking spaces are Growth Parking; and
 - (3) The parking spaces will be replaced in a structure within the area covered by the phased development plan.
 - e. Parking spaces removed from a surface lot that meet all elements of Subparagraph G.4.d, above may be replaced in a structure within the area covered by the phased development plan; they will still be considered Growth Parking, and so will not be subject to the reduced ratio for Preservation Parking.
5. Parking structures. Where parking occupies more than 50 percent of the gross building area of a structure:
- a. The structure may not be on any block bounded by both Fifth and Sixth Avenues between NW Glisan and SW Mill Streets. Location on these blocks is prohibited.
 - b. The site of the structure must be at least 100 feet from Fifth and Sixth Avenues between NW Glisan and SW Mill Streets. Proposals for structures within 100 feet of Fifth and Sixth Avenues between NW Glisan and SW Mill Streets must have their location approved through Central City Parking Review; an adjustment is not necessary.
 - c. The structure may not be on any block bounded by both SW Morrison and SW Yamhill Streets between SW First and SW Eighteenth Avenues. Location on these blocks is prohibited.
 - d. If the site is within a historic design district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.
 - e. Street frontage in the Downtown and University District subdistricts. Within the Downtown and University District subdistricts, 50 percent of the street frontage wall must be developed for Retail Sales And Service or Office uses. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to Retail Sales And Service or Office uses. The area designed to accommodate Retail Sales And

Commentary

Service or Office uses must meet the standards of Section 33.510.225, Required Retail Opportunity Areas.

- f. Street frontage in other subdistricts. In Parking Sectors RD 3, 4, and 5, structures must comply with either the standard of Subparagraph G.5.e, above or the structure must be set back at least 5 feet and landscaped to at least the L3 standard of Chapter 33.248, Landscaping and Screening. If the structure complies with the landscaped setback standard, it is exempt from the ground floor windows standard of Section 33.510.220.

On sites subject to the required building lines or required retail opportunity standards of Sections 33.510.215 and 33.510.225, the standard of Subparagraph G.5.e, above, must be met; the landscaped setback standard may not be used.

G.6. Parking Access. Managing the location of driveways is important to enhancing the efficiency and safety for the multiple transportation elements (transit, cars, bikes and pedestrians) on the streets shown on Map 510-9 and near light rail alignments. The DPCP has identified streets for restricted parking access and this concept is expanded throughout the Central City. Adjustments for access to non-light rail streets are allowed if it can be demonstrated that access from other streets can not be made or that access onto restricted streets will result in fewer conflicts with alternative modes. The current code prohibits new parking access within 75 feet of a light rail alignment; this language allows such access only if approved through CCPR. In the Core, the CCPR approval criteria for such requests call for development that provides multiple levels of non-parking activities and where the access will not have a major impact on pedestrian, bicycle, auto, or light rail traffic. [Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

Commentary

6. Parking access
 - a. Parking access near or on a light rail alignment. Motor vehicle access to any parking area or structure is not allowed within 75 feet of a light rail alignment, unless the access is approved through Central City Parking Review.
 - b. Parking access on the Transit Mall. Motor vehicle access to any parking area or structure is prohibited on Fifth and Sixth Avenues between NW Glisan and SW Mill Streets.
 - c. Parking access on other streets. Motor vehicle access to any parking area or structure is not allowed on the streets shown on Map 510-9.
7. Changes from one type of parking to another.
 - a. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Preservation Parking requires a CCPR. All current regulations will apply.
 - b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.
8. Bicycle parking. Bicycle parking as required by Chapter 33.266, Parking and Loading, must be provided.

H. This Subsection deals with parking existing when CCTMP takes effect. It clarifies what the basic rules will be, such as what happens if parking spaces are removed or there is a request to add spaces, and which proposed changes need to be reviewed and which don't.

Where a parking lot does not meet a development standard, such as landscaping, it may be nonconforming development. Existing surface parking lots are not nonconforming uses; provisions that have been in the Zoning Code for many years gave automatic conditional use status to those lots.

H.2: In some cases, there is more than one parking lot on a site. For example, there can be two lots, each with a conditional use approval; or one lot with a conditional use approval and one that is "grandfathered"—that has never operated under a conditional use or revocable permit. These lots could be separated by buildings, or could be adjacent, and appear to be a single parking area.

In such cases, the two parking lots are regulated independently of each other, (with the exception of some landscaping requirements—see Subsection L). For example, if the west half of a block has a lot that has never operated under a conditional use or revocable permit that required periodic reapplication, and the east half currently has a conditional use that does require 3-year renewals, the west half will be subject to Subsection J, while the east half will be subject to Subsection K.

H.3.f. Whether Design Review is required—and at what level—depends on the type of development and the dollar amount spent. These thresholds are in the design guidelines for each district.

H. Special regulations for existing parking.

1. 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 Core Area is automatically given Central City Parking Review (CCPR) status. Some surface lots have to apply to convert to CCPR status.

The purpose of the special regulations for some existing surface parking lots is to convert surface parking lots approved under the Downtown Plan and Downtown Parking and Circulation Policy to be consistent with the approaches of the CCTMP. These regulations focus more on physical improvements than operational elements. In addition, a CCPR approval under this process, by superceding previous approvals and conditions of Conditional Uses, Downtown Development Reviews, and Revocable Permits for parking on the parking lot—will simplify future reviews and provide more flexibility for the operators on how the parking may be managed and used. The new CCPR does not automatically supercede other types of approvals such as design review and adjustments.

2. Where these regulations apply. The regulations of Subsections H through L apply to all parking that legally existed on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later. The regulations also apply to all parking where a complete application was received before January 8, 1996, or parking that received either a land use or building permit before January 8, 1996.
3. Changes. Changes to parking regulated by this Subsection are regulated as follows.
 - a. Changes that would be prohibited if requested for new parking are prohibited.
 - b. Changes from one type of parking to another are processed as if they were new parking, except that changing from Preservation to any other type of parking requires a CCPR. For example, changing Growth Parking to Preservation

Parking requires a CCPR, and changing Preservation Parking to Growth Parking requires a CCPR. All current regulations will apply.

- c. Changes in conditions of approval requires CCPR.
 - d. An increase in the number of spaces requires CCPR for the additional spaces only.
 - e. A decrease in the number of spaces by reconfiguration is allowed without review. Replacement of those spaces is allowed, but the number of spaces on the site may not exceed the number for the site in the Central City Plan District Parking Inventory.
 - f. Reconfiguration that does not change the number of spaces is allowed without CCPR, but may require design review.

Commentary

I. This Subsection indicates the way existing parking structures will be "switched over" to the new CCTMP Zoning regulations.

- g. Placing vending carts in surface parking lots is allowed without CCPR review, but design review may be required. Spaces occupied by such carts are not considered a decrease in spaces. The spaces may be returned to parking use without review.
- h. Physical changes to the site, such as an increase in the amount of landscaping or addition of other pedestrian amenities, is allowed without CCPR review, but design review may be required. This does not include an increase in the number of spaces, or any changes that violate conditions of approval or current regulations. Those changes require CCPR review.

I. The regulations of this subsection apply to parking in a structure.

1. In the CX and EX zones:

- a. Parking that was operating on January 1, 1995, and has never operated under a conditional use is subject to the following:
 - (1) If the parking was legally operating as Commercial Parking or as accessory to uses other than hotel or residential, it is Undedicated General Parking.
 - (2) If the parking was legally operating as accessory to hotel or residential uses, it is Residential/Hotel Parking.
- b. Parking that received a conditional use and was operating on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, is subject to the following:
 - (1) All previous conditions of approval continue to apply.
 - (2) If the parking was last approved as accessory parking for uses other than hotel or residential, it is Growth Parking.
 - (3) If the parking was last approved as accessory parking for hotel or residential uses, it is Residential/Hotel Parking.

Commentary

- (4) If the parking was last approved as short-term commercial parking, it is Visitor Parking.
- (5) If the parking was last approved as long-term commercial parking, it is Undedicated General Parking.

2. In the RX zone:

- a. If the parking was last approved as commercial parking, it is Undedicated General parking.
- b. If the parking was last approved as accessory to residential or hotel uses, it is Residential/Hotel Parking.
- c. If the parking was last approved as accessory to non-residential, non-hotel uses, it is RX Zone Parking.

J. This Subsection deals with the oldest existing surface lots—those that existed before the requirement for surface parking to be reapproved every 3 years. In order to improve the pedestrian environment, some landscaping will be required but only to lots that abut existing but newer, "conditional use" surface parking lots.

These parking lots may remain without review. Changes may require review; the circumstances are set out in Paragraph H.3, above.

J.1. This allows "maximum" utilization. [Objective 4.7.8 of Policy 4.7, Surface Parking.]

K. In the current code, surface parking lots operating under a conditional use approval go through a Type III conditional use process every 3 years. This reapplication requirement was first instituted in 1979. These proposed regulations create a special process to “convert” those lots into the new CCTMP system. They will go through a one-time Type III CCPR review to "switch over", and thereafter will be reviewed every 5 years as provided for in G.4.b., above.

The 3-year conditional use reapplication process was suspended in 1994 pending completion of the CCTMP project and the creation of the "switch over" process. (Ordinance 168008, passed by City Council in August, 1994) The "switch over" review will begin with a notice to affected parking owners informing them of the need to apply for the review. The intent of the review is not to remove existing parking lots; it is to remove outdated conditions, and clarify the status of the lots in the new CCTMP regulations.

If the owner does not apply within the six-month time period, The Planning Director may take steps to enforce compliance. The standard enforcement procedure begins with a letter to the owner requesting the application, and giving at least 30 days to comply.

We recognize that sometimes there are special circumstances that may delay filing an application. Because of this, the Planning Director and the enforcement staff both have the discretion to delay enforcement where there are extenuating circumstances and a reasonable effort to comply is being made.

Although the "switch over" will be a discretionary review, the approval criteria (in Chapter 33.808) refer to very specific regulations (listed in K.4. 5. and 6.) that provide certainty to all parties. These regulations provide that:

- ° The lots can operate as Undedicated General Parking except as limited below,
 - ° 15% of the spaces must be offered at discounted carpool rates.
 - ° If the lot is attended, then short-term parking must be offered,

Commentary

° The lots must be landscaped according to one of three options, with other variations allowed through design review.

Where only a portion of a surface lot is operating under a conditional use or revocable permit, the regulations of this subsection apply only to that portion, not the entire lot.

J. The regulations of this subsection apply to parking in a surface lot that was operating on January 1, 1995, and has never operated under a conditional use that required periodic reapplication.

1. In the CX and EX zones, the parking is Undedicated General Parking.
2. Parking in the RX zone is subject to the following:
 - a. If the parking was operating as commercial parking on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory, it is Undedicated General Parking.
 - b. If the parking was operating as accessory parking on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory, it is RX Zone Parking.
3. In all zones, no additional landscaping is required, unless the parking lot abuts a parking lot regulated by Subsection K, below. If the parking lot abuts such a parking lot, the regulations of Subsection L, below must be met:

K. The regulations of this subsection apply to parking in a surface lot that received a revocable permit or a conditional use that required periodic reapplication, and was operating on January 8, 1996.

1. Review required. All parking lots are subject to Central City Parking Review (CCPR).
2. Application for Central City Parking Review.
 - a. The Parking Manager will mail notice to all owners of these parking lots. The notice will be mailed on or before January 8, 1996. The notice will inform the owner of the deadline for their application, as specified in Subparagraph K.2.b, below.
 - b. A complete application must be received by (six months after effective date of the regulations) or six months after the notice in Subparagraph K.2.a, above, is mailed, whichever is later. If a complete application is not received by this date, the Planning Director may initiate enforcement proceedings.

Commentary

K.4.b.(1) Carpool spaces do not have to be individually signed or reserved. This requirement is that a certain percentage of the spaces be offered for sale.

c. In addition to the standard application requirements of Section 33.730.060, the following is required:

- (1) Additional information necessary to show the approval criteria are met;
- (2) A signed agreement between the applicant and the Parking Manager to provide the information specified in Subparagraph K.6.a, below.
- (3) A landscape/screening plan for the parking lot.
 - If the landscape/screening plan is not implementing one of the landscape/screening options of Paragraph K.7, below, an application for Design Review must be submitted along with the application for CCPR.
 - If the landscape plan is implementing landscaping/screening Option 1, as set out in Subparagraph K.7.a below, the application must include a written statement as to how the landscape plan meets prior conditions.

d. The Central City Parking Review is processed through a Type III procedure. Approval criteria are in Section 33.808.300.

3. Approval of Central City Parking Review supercedes previous approvals and conditions of Conditional Uses, Downtown Development Reviews, and Revocable Permits for parking on the parking lot. It does not automatically supercede other types of approvals, such as design review or adjustments.

4. Regulations in the CX, EX, and OS zones. In the CX, EX, and OS zones, the following regulations apply.

a. All parking is Undedicated General Parking, subject to the limitations and regulations of this Paragraph.

b. Carpool parking.

- (1) Monthly carpool parking must be offered. If the parking lot has an attendant at any time between 7:00 and 10:00 AM on weekdays, 15 percent of the parking spaces must be offered to carpools. If the parking

Commentary

lot does not have an attendant at any time between 7:00 and 10:00 AM on weekdays, 20 percent of the parking spaces must be offered to carpools.

K.4.b.(3) The parking owner will have the discretion to give discounts larger than 10%.

K.4.c.(1) Where there is a sign at an entry, the sign must either advertise the availability of hourly parking, or include the hourly or half-hourly rate. The applicant may choose which option to sign.

Commentary

- (2) The carpool parking must be marketed by:
 - A sign at each entrance of the lot advertising the availability of carpool parking; and
 - Participation in Tri-Met's carpool program. Participation includes two elements. The owner of the parking lot must:
 - Pay a fee to Tri-Met for each carpool permit sold each month. The fee is 5.5 percent of the rate charged for the carpool permits.
 - Permit Tri-Met employees or representatives to enter the parking lot to promote carpooling to those who park there. The owner may limit this access to every six months.
- (3) Carpool permits must cost at least 10 percent less than monthly non-carpool permits on the lot.
- (4) If no permits are available for carpool parking when the Central City Parking Review approval is final, the operator of the parking lot must maintain a waiting list, and those requesting carpool permits will receive permits before any others.

c. Short-term parking.

- (1) If the parking lot has an attendant at any time between 7:00 and 10:00 AM on weekdays, short-term parking will be offered by:
 - Offering an hourly rate for parking, and
 - Where there is a sign at an entry, the sign must either advertise the availability of hourly parking, or include the initial hourly or half-hourly rate. The size of lettering for the time increment will be at least 40 percent of the size of the lettering for the rate.
- (2) If the parking lot does not have an attendant at any time between 7:00 and 10:00 AM on weekdays, no short-term parking is required.

5. Regulations in the RX zone. In the RX zone, the following regulations apply.
 - a. All parking that was operating as commercial parking on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory, is Undedicated General Parking, subject to the limitations and regulations of this Subparagraph.
 - (1) Where the most recent land use approval for the parking was a conditional use permit, It will be subject to the regulations and procedures for the CX, EX, and OS zones in Paragraph K.4, above.

Commentary

(2) Where the most recent land use approval for the parking was a revocable permit, it will be converted to Undedicated General Parking subject to the following limitations:

- Parking for residents will be offered. Parking will be offered to residents of buildings in the portion of the Core Area zoned RX.
- Parking for these residents will be offered on a monthly basis, and cost no more than any other monthly parking permit for the lot.
- The availability of parking for residents will be included on a sign at each entrance of the lot.
- If no permits are available for parking for these residents when the Central City Parking Review approval is final, the operator of the parking lot will maintain a waiting list, and those residents requesting permits will receive permits before any others.

b. Parking that was operating as parking accessory to residential uses on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory, is Residential/Hotel Parking. It will be subject to the same regulations as other Residential/Hotel Parking in the Core Area.

c. Parking that was operating as parking accessory to non-residential uses on December 16, 1994, as shown in the RX Zone Surface Parking Use and Landscaping Inventory, is RX Zone Parking.

6. Regulations in all zones.

a. The applicant must provide operations reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:

(1) Physical: Number of parking spaces.

(2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:

- Short-term

Commentary

- Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permit
 - If the parking spaces are in the RX zone, monthly permit for a resident of the RX zone
- (3) For RX Zone Parking, what uses the parking was accessory to during the preceding six months.
- (4) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

K.6.d. Where there are several options among objective standards, the choice is the applicant's.

K.7. Landscaping/screening options: In developing the landscaping/screening options for this Subsection, the Planning Bureau has been discussing the potential advantages of replacing design review for parking lot landscaping with several well-crafted, nondiscretionary landscaping and screening options. These discussions are still in preliminary stages and if pursued, will be go through a public review process with full public notification, separately from the CCTMP process.

Commentary

- b. After Central City Parking Review approval is received, the parking is subject to the 5-year renewal requirements of Subparagraph 33.263.G.4.b, above.
- c. Wheel stops. Wheel stops are required adjacent to perimeter screening and landscaping. The wheel stops must be at least 3-1/2 feet from the center line of the tree trunks and hedges or fence or wall in the perimeter landscaping and screening.
- d. Landscaping.
 - (1) All parking lots must either meet one of the landscaping and screening standards in Paragraph K.7, below, or obtain approval of an alternative landscaping and screening design through the Design Review process. The applicant may choose one of these options. The application for Design Review must be submitted with the application for Central City Parking Review.

The standard must be met within 9 months of the final approval of the Central City Parking Review unless there is an approved development for the site. If an alternative design is approved through the Design Review process, the landscaping and screening must be installed within 9 months of the final Design Review approval, unless there is an approved development for the site. Approved development means a project approved through design review.

- 7. Special landscaping and screening standards.
 - a. Landscaping/screening Option 1; Prior conditions. Install the landscaping and screening required by the previous land use approvals. No additional landscaping and screening will be required except where the previous approvals required no landscaping or screening. In that case, the standard of either Subparagraph K.7.b or K.7.c, below must be met.
 - b. Landscaping/screening Option 2; Narrow hedge. Install the following hedge and trees:

- (1) A hedge along all street lot lines, except where there is a driveway. The hedge must consist of plants that:
 - Completely fill the area between the street lot line and a line at least 3 feet in from the lot line;
 - Are at least 3 and no more than 3-1/2 feet in height; and
- Form a continuous screen at least 95 percent opaque year-round.

The hedge may be interrupted by trees; the gap in the hedge may be up to 2-1/2 feet wide.

Commentary

K.7.c. Landscaping/screening Option 3: Urban Fence. The idea behind the Urban Fence option is to provide an alternative that takes up a minimal amount of room on a site, but that provides a quality pedestrian environment along the adjacent sidewalk, and that is appropriate in a very urban setting. This option includes a wrought iron style fence such as those along the Transit Mall north of W. Burnside St. Unlike these lots along the North Transit Mall, trees are required along the perimeter of the lot (in addition to the fence), as well as some interior trees.

(2) Trees along all street lot lines, as follows:

- Number: At least one tree for every 30 feet of street property line, including driveways.
- Location: The trees must:
 - Be within 3 feet of the street property line;
 - Be no more than 30 feet from each other, except where a driveway is wider than 30 feet. Where the driveway is wider than 30 feet, the trees must be as close as possible to the edges of the driveway.
- Type:
 - If there are street trees adjacent to the street property line, the trees must be one or more of the types listed in Subparagraph K.7.d, below.
 - If there are not street trees adjacent to the street property line, the trees must be one or more of the types listed in Subparagraph K.7.e, below.

(3) Trees within the parking area, as follows:

- Number: At least one tree for every 5,000 square feet of parking area.
- Location: The trees must:
 - Be at least 10 feet from the street property line; and
 - Be at least 25 feet from each other.
- Type: The trees must be one or more of the types listed in Subparagraph K.7.e, below.

c. Landscaping/screening Option 3; Urban fence. Install the following fence and trees:

- (1) A fence along all street lot lines, except where there is a driveway. The fence must:
- Be at least 4 and no more than 6 feet in height;
 - Include vertical elements, such as pickets, that are:
 - At least 1 inch wide; and
 - No more than 6 inches apart, on center;
 - Be made of wrought iron or similar metal; and
 - Be black or a dark color.

The fence may be interrupted by trees; the gap in the fence may be up to 2-1/2 feet wide.

Commentary

Commentary

(2) Trees along all street lot lines, as follows:

- Number: At least one tree for every 30 feet of street property line, including driveways.
- Location: The trees must:
 - Be within 3 feet of the street property line;
 - Be no more than 30 feet from each other, except where a driveway is wider than 30 feet. Where the driveway is wider than 30 feet, the trees must be as close as possible to the edges of the driveway;
- Type:
 - If there are street trees adjacent to the street property line, the trees must be one or more of the types listed in Subparagraph K.7.d, below.

—If there are not street trees adjacent to the street property line, the trees must be one or more of the types listed in Subparagraph K.7.e, below.

(3) Trees within the parking area, as follows:

- Number: At least one tree for every 5,000 square feet of parking area.
- Location: The trees must:
 - Be at least 10 feet from the street property line; and
 - Be at least 25 feet from each other;
- Type: The trees must be one or more of the types listed in Subparagraph K.7.e, below.

d. Small and columnar trees. The following trees have minimal "litter," and have a branching structure that will not interfere with street trees.

- Glorybower tree
- Newport Plum
- Flowering Ash
- Capital Pear
- Lavalle Hawthorn
- Armstrong Red Maple
- Tschonoskii Crabapple
- Crimson Sentry Norway Maple
- Columnar Norway Maple

e. Large trees. The following trees have minimal "litter," and are taller and wider than the trees in Subparagraph K.7.d, above.

- Scarlet Oak
 - Emerald Queen Norway Maple
 - Green Beech
 - Copper Beech
 - Crimson King Norway Maple
 - Yellowwood
 - Katsura
 - Urbanite Ash
 - Zelcova
 - Royal Burgundy Cherry
8. Special landscaping and screening standards for sites where a surface parking lot regulated by Subsection J, above, abuts a surface parking lot regulated by this Subsection. Where a surface parking lot regulated by Subsection J, above, abuts a surface parking lot regulated by this Subsection, the regulations of Subsection L, below must be met.

Commentary

- L. Where there are several options among objective standards, the choice is the applicant's.

L. The regulations of this Subsection apply to sites where a surface parking lot regulated by Subsection J, above, abuts a surface parking lot regulated by Subsection K, above. One of the standards of this Subsection must be met or approval of an alternative landscaping and screening design must be obtained through the Design Review process. The applicant may choose one of these options.

1. Where landscaping and screening required by the previous land use approvals on the portion of the lot regulated by Subsection K included a hedge, either standard a or b, below, must be met:
 - a. Install the landscaping and screening required by the previous land use approvals on the portion regulated by Subsection K, and, on the portion regulated by Subsection J either:
 - (1) Install landscaping and screening to meet the standards of K.7.b(1) and (2), above; or
 - (2) Where a hedge was previously required on the portion of the lot regulated by Subsection J, install the hedge and add trees to the hedge to meet the standards of K.7.b(2).
 - b. Install landscaping and screening on the portion of the lot regulated by Subsection K to meet the standard of Subparagraph K.7.c, above, and install landscaping and screening on the balance of the parking lot to meet the standards of K.7.c(1) and (2), above.
2. Where the previous land use approvals on the portion of the lot regulated by Subsection K required no landscaping or screening, the standard of either Subparagraph K.7.b or K.7.c, above must be met for the portion of the lot regulated by Subsection K, and the standards of either K.7.b(1) and (2) or K.7.c(1) and (2) must be met for the balance of the lot.

Commentary

33.510.264 Lloyd.

One of the biggest differences between the regulations for the Core and the Lloyd District is that in Lloyd, office uses are the only uses with parking ratios. For this reason, the regulations for each type of parking (Growth, Preservation, etc.) need to indicate the rules in three different situations: The rules for office uses (They have parking ratios), the rules for other uses (that don't have parking ratios) and the rules for developments that contain both office and nonoffice uses.

The proposed regulations include no minimum parking requirement in the Lloyd District. The CX, EX, and RX zones which cover much of the Central City plan district outside the Core do not currently have parking minimums. Other zones in the Central City, including RH, R1, C, EG, and the I zones do have parking minimums in the current code. The removal of parking minimums from the rest of the Central City recognizes that accessory parking will be provided based on market factors rather than on minimums which are more reflective of development needs outside the Central City. [Policy 4.3, Parking Ratios for New Development.]

33.510.264 Parking in Lloyd District

The regulations of this Section apply in the Lloyd District, shown on Map 510-8.

A. Growth Parking. The regulations of this Subsection apply to Growth Parking. Adjustments to the regulations of Paragraphs A.1 through A.5 are prohibited.

1. To determine whether Growth Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):

- a. Determine the use or uses the parking will be created in conjunction with.
- b. Determine whether the use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use where the parking is proposed. Find the appropriate line on Table 510-7.
- c. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-7.
 - (1) If all aspects of a proposal are allowed, then the parking is allowed.
 - (2) If all aspects of a proposal are allowed or have been approved through an adjustment, then the parking is allowed.
 - (3) If any aspect of a proposal requires CCPR, then the parking is subject to CCPR.
 - (4) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-7 Relationships Among Use Regulations for Growth Parking			
If the <u>use</u> is:	And if the <u>parking</u> is:		
	Allowed	Subject to CCPR	Prohibited

Commentary

Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

A.2.a. The parking ratio for office uses was determined based on existing transit service, existing and allowed land uses and densities. [Objective 4.3.2 of Policy 4.3, Parking Ratios for New Development.]

A.2.b. Growth Parking is generally allowed as long as it is within the ratios and meets the other nondiscretionary standards listed here and in Subsection F.

A.2.c. Because office uses have ratios, and in the Lloyd District, office parking is typically paid parking, the parking should be managed to maximize its utilization as explained in the commentary for 33.510.263.A.8, above.

A.3.b. The 60 space threshold for CCPR review was chosen because it is approximately the amount of parking that would take up 1/2 block of surface parking. These relatively small amounts of parking for new development are allowed because of their minimal impact and to support desirable development, particularly small and mixed-use projects. Larger mixed-use projects may also have a positive benefit by reducing trip numbers and lengths, but the amount of parking should be reviewed to minimize impacts and to support demand management efforts. [Policy 4.3, Parking Ratios for New Development.]

A.3.c. Because these uses don't have ratios, the operation of the parking needs to be limited to accessory parking so that it is not used for long-term commuter parking or other types of parking discouraged in the CCTMP policy. (See the commentary for 33.510.263.A.8, above for more explanation.)

A.4. Where there is mixed office and nonoffice development, the rules are a combination of the regulations for the two types of situations.

Commentary

2. Office uses. Parking created in conjunction with office uses is regulated as follows:
 - a. Maximum ratio. Parking is limited to a maximum ratio of 2.0 parking spaces per 1,000 square feet of net building area in office use.
 - b. Allowed. Growth Parking for office uses is an allowed use.
 - c. Operation. The parking may be operated as either accessory or commercial parking, at all times.
3. Uses other than office. Parking created in conjunction with uses other than office is regulated as follows:
 - a. Maximum ratio. There is no maximum ratio.
 - b. Review required. Up to 60 parking spaces is an allowed use where the total number of parking spaces on the site is less than 61. More than 60 spaces is subject to CCPR.
 - c. Operation. The parking must be accessory. These limitations apply on weekdays between 7:00 AM and 6:00 PM.
4. Mixed office and other uses. Parking created in conjunction with both office and non-office uses is regulated as follows:
 - a. Maximum ratio. Parking for the office uses is limited to a maximum ratio of 2.0 parking spaces per 1,000 square feet of net building area in office use. There is no maximum ratio for the other uses.
 - b. Review required. Review is required as follows:
 - (1) Where parking for all uses is limited to a maximum ratio of 2.0 parking spaces per 1,000 square feet of net building area, the parking is an allowed use.
 - (2) Up to 60 spaces for all the non-office uses on the site are an allowed use.
 - (3) Where there are more than 60 spaces on the site for non-office uses, and the amount of parking for the non-office uses exceeds 2.0 parking spaces

per 1,000 square feet of net building area, the parking is subject to CCPR.

c. Operation.

- (1) Parking that is an allowed use under Subparagraph A.4.b, above, may be operated as either accessory or commercial parking, at all times.
- (2) Parking that is subject to CCPR under the provisions of Subparagraph A.4.b, may operate as accessory parking. The parking spaces that are created in conjunction with the office uses may be operated as either accessory or commercial parking. The parking spaces that are created in conjunction with the non-office uses must be operated as accessory parking. These limitations apply on weekdays between 7:00 AM and 6:00 PM.

Commentary

A.6. The parking operations reports are an important part of the CCTMP. They will help us monitor the many new approaches and concepts for transportation and parking management that are embodied in the Plan. To make it as easy as possible for parking owners and operators to comply with the requirement, we have developed a standard form—just a single page—to use. The parking Manager will fax this form to owners 30 days before the report is due. [III.A.4 and III.D.3.b of the Administration Section.]

5. Parking that is not an allowed use under Paragraphs A.2, A.3, and A.4, above, and is not otherwise prohibited, is subject to CCPR.
6. Operation reports. The requirements of this paragraph apply to Growth Parking where there are more than 60 parking spaces on the site.
 - a. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph A.6.b, below.
 - b. The applicant must provide annual operation reports to the City. The operation reports are based on a sample of four days during every 12-month reporting period, and include information on the following:
 - (1) Physical: Number of parking spaces, amount of net building area.
 - (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - Short-term
 - Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permit
 - Spaces used as accessory parking.
 - (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

Commentary

B.2 The Parking Manager maintains the Preservation Parking Eligibility List, a list of buildings that have less than 2.0 parking spaces per 1,000 square feet of net building area in office use. The Administration Section of the CCTMP describes how buildings move on and off the list.

B.3. The regulations for Preservation Parking for office uses in the Lloyd District are similar to the regulations for Preservation Parking in the Core. One difference is that they get the same parking ratio as for Growth-Office parking. [Objective 4.5.3 of Policy 4.5, Parking For Buildings With Less Than the Allotted Ratio.]

B. Preservation Parking. The regulations of this Subsection apply to Preservation Parking. Adjustments to the regulations of Paragraphs B.1 through B.4 are prohibited.

1. To determine whether Preservation Parking is subject to Central City Parking Review (CCPR) or prohibited:

a. Determine the use or uses the parking will be created to serve.

b. Determine whether the use the parking will serve is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-8.

c. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-8.

(1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR. If the parking is not otherwise prohibited, it is subject to CCPR.

(2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-8 Relationships Among Use Regulations for Preservation Parking		
If the parking is created in conjunction with a <u>use</u> that is:	And if the <u>parking</u> is:	
	Allowed or Subject to CCPR	Prohibited
Allowed, Nonconforming, or a Conditional Use	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited

Commentary

2. Office uses. Parking created to serve existing office uses is regulated as follows:
 - a. Eligibility for Preservation Parking. Only buildings on the Preservation Parking Eligibility List, maintained by the Parking Manager, may apply for Preservation Parking. Preservation Parking for buildings not on the Preservation Parking Eligibility List is prohibited.
 - b. Maximum ratio. Parking is limited to a maximum ratios of 2.0 parking spaces per 1,000 square feet of net building area in office use.
- c. Review required. Preservation Parking for office uses is subject to CCPR.

Commentary

d. Common ownership. If the parking will be based on the floor area of buildings under the same ownership as the parking, the following must be met:

- (1) The owner must specify what buildings the parking is based on. When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and
- (2) The owner must have a signed agreement with the Parking Manager that the parking will be primarily for those buildings for at least 10 years.

e. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:

(1) For initial approval, the following must be met:

- There must be agreements between the owner of the parking and the owners of buildings for which the parking will be provided. The agreements must cover 100 percent of the Preservation Parking, and be for at least 10 years from the date the garage begins operation.

When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and

- The applicant must have a signed agreement with the Parking Manager to:

- Notify the Parking Manager in writing of any of the changes listed in this Subparagraph; and

- Provide written documentation that the changes comply with the regulations of this Chapter.

- (2) Changes in existing agreements. Changes in existing agreements between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met.

The length of the agreements will not be decreased to cover less than the initial 10-year period from the date the garage begins operation.

- (3) New agreements. New agreements between the owner of the parking and the owners of buildings for which the parking will be provided are allowed only where the buildings are on the Preservation Parking Eligibility List, and where the regulations of this Chapter are still met. The agreements must, at a minimum, cover the initial 10-year period from the date the garage begins operation.
- (4) Conversion. Conversion of Preservation Parking to Growth, Visitor, or Residential/Hotel Parking is a CCPR. Conversions to other types of parking are prohibited.
- (5) Where an agreement between the owner of the parking and the owners of buildings is terminated, changes will not be made to the Preservation Parking Eligibility List until a new use or new agreement has been approved for the spaces covered by the agreement.

Commentary

B.3. and 4. The regulations for Preservation Parking for nonoffice and mixed developments are similar to those for Growth Parking. [Objective 4.5.3 of Policy 4.5, Parking for Buildings with Less Than the Allowed Ratios.]

f. Operation.

- (1) Parking created within or under the building. If 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 parking may be operated as either accessory or commercial parking, at all times.
- (2) Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as either accessory or commercial parking, with the following limitations. These limitations apply on weekdays between 7:00 AM and 6:00 PM. Parking spaces may be used only as follows:
 - Where the parking is based on the floor area of buildings under the same ownership as the parking, the parking may be used by tenants of those buildings.
 - Leased to buildings or tenants of buildings as described in Subparagraph B.2.e, above.
 - Rented, on a monthly basis only, to the following. Sale of other monthly permits is prohibited:
 - Individual tenants of buildings on the Preservation Parking Eligibility List. The Parking Manager maintains this list; or

— Residents of the Central City plan district.

- For long-term daily parking. "Early bird" discounts are prohibited.
 - For short-term parking.

3. Uses other than office. Parking created to serve existing uses other than office is regulated as follows:

a. Eligibility for Preservation Parking. All buildings may apply for Preservation Parking.

Commentary

- b. Maximum ratio. There is no maximum ratio.
 - c. Review required. Up to 60 parking spaces is an allowed use where the total number of parking spaces on the site is less than 61. More than 60 spaces is subject to CCPR.
 - d. Operation. The parking must be accessory parking. This limitation applies on weekdays between 7:00 AM and 6:00 PM.

Commentary

4. Mixed office and other uses. Parking created to serve both existing office and non-office uses is regulated as follows:
 - a. Eligibility for Preservation Parking. Only buildings on the Preservation Parking Eligibility List, maintained by the Parking Manager, may apply for Preservation Parking. Preservation Parking for buildings not on the Preservation Parking Eligibility List is prohibited.
 - b. Maximum ratio. Parking for the office uses is limited to a maximum ratio of 2.0 parking spaces per 1,000 square feet of net building area in office use. There is no maximum ratio for the other uses.
 - c. Review required. Preservation Parking is subject to CCPR.
 - d. Common ownership. If the parking will be based on the floor area of buildings under the same ownership as the parking, the following must be met:
 - (1) The owner must specify what buildings the parking is based on. When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and
 - (2) The owner must have a signed agreement with the Parking Manager that the parking will be primarily for those buildings for at least 10 years.
 - e. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:
 - (1) For initial approval, the following must be met:
 - There must be agreements between the owner of the parking and the owners of buildings for which the parking will be provided. The agreements must cover 100 percent of the Preservation Parking, and be for at least 10 years from the date the garage begins operation.

When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and

- The applicant must have a signed agreement with the Parking Manager to:

- Notify the Parking Manager in writing of any of the changes listed in this Subparagraph; and

- Provide written documentation that the changes comply with the regulations of this Chapter.

Commentary

B.4.e. Because office uses have ratios, and in the Lloyd District, office parking is typically paid parking, the parking should be managed to maximize its utilization as explained in the commentary for 33.510.263.A.8, above.

- (2) Changes in existing agreements. Changes in existing agreements between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met. The length of the agreements will not be decreased to cover less than the initial 10-year period from the date the garage begins operation.
- (3) New agreements. New agreements between the owner of the parking and the owners of buildings for which the parking will be provided are allowed only where the buildings are on the Preservation Parking Eligibility List, and where the regulations of this Chapter are still met. The agreements must, at a minimum, cover the initial 10-year period from the date the garage begins operation.
- (4) Conversion. Conversion of Preservation Parking to Growth, Visitor, or Residential/Hotel Parking is a CCPR. Conversions to other types of parking are prohibited.
- (5) Where an agreement between the owner of the parking and the owners of buildings is terminated, changes will not be made to the Preservation Parking Eligibility List until a new use or new agreement has been approved for the spaces covered by the agreement.

f. Operation.

- (1) Office uses. Parking created to serve office uses must be operated as follows:
 - Parking created within or under the building. If 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 parking may be operated as either accessory or commercial parking, at all times.

Commentary

- Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as either accessory or commercial parking, with the following limitations. These limitations apply on weekdays between 7:00 AM and 6:00 PM. Parking spaces may be used only as follows:

- Where the parking is based on the floor area of buildings under the same ownership as the parking, the parking may be used by tenants of those buildings.

- Leased to buildings or tenants of buildings as described in Paragraph B.4.e, above.

- Rented, on a monthly basis only, to the following. Sale of other monthly permits is prohibited:

- ◊ Individual tenants of buildings on the Preservation Parking Eligibility List. The Parking Manager maintains this list; or

- ◊ Residents of the Central City plan district.

- For long-term daily parking. "Early bird" discounts are prohibited.

- For short-term parking.

- (2) Non-office uses. Parking created to serve non-office uses must be operated as follows:

- Parking created within or under the building. If 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 parking may be operated as either accessory or commercial parking.

- Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as accessory parking. It may be

Commentary

operated as commercial parking, with the limitations specified for office uses in (1), above, if the following are met. If the following are not met, it must be operated as accessory parking on weekdays between 7:00 AM and 6:00 PM:

- There are no more than 60 spaces on the site for non-office uses, or
- The amount of parking for the non-office uses does not exceed 2.0 spaces per 1,000 square feet of net building area.

Commentary

5. Operation reports. The requirements of this paragraph apply to Preservation Parking where there are more than 60 parking spaces on the site.
 - a. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph B.5.b, below.
 - b. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every 6-month reporting period, and include information on the following:
 - (1) Physical: Number of parking spaces, amount of net building area.
 - (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - Used by tenants of the buildings described in Subparagraph B.4.d, above
 - Leased to buildings as described in Subparagraph B.4.e, above
 - Short-term
 - Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permits for tenants of buildings as described in Subparagraph B.4.d, above; tenants of the buildings described in Subparagraph B.4.e, above; or individual tenants of buildings on the Preservation Parking Eligibility List
 - Accessory parking and commercial parking
 - Rented to individual tenants buildings on the Preservation Parking Eligibility List.
 - Rented to residents of the Central City Plan District
 - (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

C. The provisions for Visitor Parking are basically the same in all sectors of the CCTMP. [Policy 4.6 Parking Not in Conjunction With Specific Development.] One difference is the size of surface parking allowed. [Objective 4.7.6 of Policy 4.7, Surface Parking.]

Commentary

C. Visitor Parking. The regulations of this Subsection apply to Visitor Parking. Adjustments to the regulations of this Subsection are prohibited.

1. To determine whether Visitor Parking is subject to Central City Parking Review (CCPR) or prohibited:

a. Determine the zone where the parking will be located. Then find the appropriate line on Table 510-9.

b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-9.

(1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR.

(2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-9 Relationships Among Regulations for Visitor Parking		
If the zone is:	And if the parking is:	
	Allowed or Subject to CCPR	Prohibited
I, EX, EG, CX, CS, CG, or RX	The parking is subject to CCPR	The parking is prohibited
All other zones	The parking is prohibited	The parking is prohibited

2. Maximum ratios. There are no maximum ratios. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria.
3. Review required. All Visitor Parking is subject to CCPR.
4. Operation. Visitor Parking is operated as commercial parking, except that sale of monthly permits and "early bird" discounts are prohibited. Limitations on operation apply on weekdays between 7:00 AM and 6:00 PM.
5. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph C.6, below.

Commentary

D. Undedicated General Parking is prohibited to limit new commuter parking other than carpools to ensure that air quality is maintained. [Policy 4.6, Parking Not In Conjunction With Specific Development.]

6. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:
 - a. Physical: Number of parking spaces
 - b. Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - (1) Short-term
 - (2) Long-term daily (four or more hours)
 - c. Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

D. Undedicated General Parking. Undedicated General Parking is prohibited.

E. Residential/Hotel Parking. The regulations of this Subsection apply to Residential/Hotel Parking.

1. To determine whether Residential/Hotel Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):
 - a. Determine whether the residential use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-10.
 - b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-10.

Table 510-10 Relationships Among Use Regulations for Residential/Hotel Parking	
If the residential or hotel use is:	And if the parking is:

Commentary

	Allowed	Subject to CCPR	Prohibited
Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

F.3. Often, the amount of parking and its configuration are slightly modified in the final construction phase (The number of parking spaces cannot exceed the maximum ratios or exceed any specific amount approved in a CCPR, but spaces may be reduced.) This "as built" information will allow the Parking Manager to maintain accurate records and inventories of parking in the Central City. [III.A.4 and III.D.3.a of the Administration Section.]

F.4. Large expanses of surface parking area—larger than a typical block—are reviewed because of their interruption of the urban fabric and their negative effect on the vitality and pedestrian environment of the area. Surface parking lots that are more than 40,000 square feet in area must demonstrate that they are an interim use of the land by submitting a phased building plan showing how they will eventually develop the site. [Objective 4.7.6 of Policy 4.7, Surface Parking].

Commentary

2. Minimum required parking. There is no minimum parking requirement.
3. Maximum ratios. There are no maximum ratios.
4. Allowed. Residential/Hotel Parking is an allowed use.
5. Mixed residential and other uses. Where there is another type of parking included in the same project as Residential/Hotel Parking, each type of parking must meet the regulations for that type of parking.
6. Operation.
 - a. Residential. Parking spaces created to serve residential uses must be accessory at all hours.
 - b. Hotel. Parking created to serve hotel uses must be accessory. These limitations apply on weekdays between 7:00 AM and 6:00 PM.

F. All parking. The regulations of this Subsection apply to all parking.

1. Minimum required parking. There are no minimum parking requirements.
2. The applicant has a signed agreement with the Parking Manager to provide the information specified in Paragraph F.3, below.
3. The applicant will provide the following information within 30 days of the date the parking begins operation:
 - a. The number of parking spaces constructed; and
 - b. An as-built plan of the parking area, showing the configuration of the parking spaces. At least one copy of the plan must be 8-1/2" x 11" and suitable for microfilming.
4. Surface parking lots.
 - a. Parking on surface lots where the total surface parking area on the site is up to 40,000 square feet in area is allowed. Parking on surface lots where the total surface parking area on the site is larger than 40,000 square feet in area is subject to CCPR.

- b. Surface parking is prohibited on the portion of a site within 100 feet of a light rail alignment.
- c. Renewal of Central City Parking Review (CCPR) permits for surface parking lots. All CCPR permits for surface parking lots where the total surface parking area on the site is larger than 40,000 square feet in area, approved after (the effective date of this regulation) must be renewed every 5 years.

The renewal is a Type III process; the criteria are in Section 33.808.200, Renewal of Surface Parking Lots in the Central City Plan District. The owner must apply for the renewal within 4-1/2 years of the date of final approval of either the initial approval or the last renewal. If application is not made by that date, the Planning Director may initiate reconsideration as set out in Section 33.700.040, Reconsideration of Land Use Approvals.

- d. Redevelopment of surface parking lots. When development occurs that removes parking spaces in surface lots, the parking spaces will automatically be added to the Parking Reserve except as provided in Subparagraph F.4.e, below.

Commentary

F.4.e. This regulation clarifies that when surface spaces are removed due to development as part of a phased building plan, the spaces will not be added to the Reserve. (See III.D.4 of the Administration Section of the Policy for more explanation of the Reserve.)

e. Parking spaces removed from a surface parking lot will not automatically be added to the Parking Reserve if:

- (1) The parking lot is part of an approved phased development plan;
- (2) The parking spaces are Growth Parking; and
- (3) The parking spaces will be replaced in a structure within the area covered by the phased development plan.

f. Parking spaces removed from a surface lot that meet all elements of Subparagraph F.4.e, above may be replaced in a structure within the area covered by the phased development plan; they will still be considered Growth Parking, and so will not be subject to the reduced ratio for Preservation Parking.

Commentary

F.5.a. The size of free-standing parking structures in historic districts is limited in order to ensure compatibility with the scale of nearby historic buildings. [Objective 4.10.1 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

F.5.b. Street frontage These regulations are in the Zoning Code now. The only change is in (2); the current regulations allow landscaping to the L2 standard, (3 1/2 " high vegetative screen) while these regulations require an L3 standard (6' high vegetative screen)

F.6. Parking Access. Managing the location of driveways is important to enhancing the efficiency and safety for the multiple transportation elements (transit, cars, bikes and pedestrians) on the streets shown on Map 510-9 and near light rail alignments. The DPCP has identified streets for restricted parking access and this concept is expanded throughout the Central City. Adjustments for access to non-light rail streets are allowed if it can be demonstrated that access from other streets can not be made or that access onto restricted streets will result in fewer conflicts with alternative modes. The current code prohibits new parking access within 75 feet of a light rail alignment; this language allows such access if approved through CCPR. [Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

5. Parking structures. Where parking occupies more than 50 percent of the gross building area of a structure:
 - a. If the site is within a historic design district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.
 - b. Street frontage. Street frontage walls must meet one of these standards:
 - (1) Active uses standard. Fifty percent of the street frontage wall must be developed for Retail Sales And Service or Office uses. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to Retail Sales And Service or Office uses. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Required Retail Opportunity Areas; or
 - (2) Landscape setback standard. The structure must be set back at least 5 feet and landscaped to at least the L3 standard of Chapter 33.248, Landscaping and Screening. If the structure complies with the landscaped setback standard, it is exempt from the ground floor windows standard of Section 33.510.220.

On sites subject to the required building lines or required retail opportunity standards of Sections 33.510.215 and 33.510.225, the standard of Subparagraph F.5.b(1), above, must be met; the landscaped setback standard may not be used.
6. Parking access
 - a. Parking access near or on a light rail alignment. New motor vehicle access to any parking area or structure is not allowed within 75 feet of a light rail alignment, unless the access is approved through Central City Parking Review.
 - b. Parking access on other streets. New motor vehicle access to any parking area or structure is not allowed on the streets shown on Map 510-9.
7. Changes from one type of parking to another.

Commentary

- a. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Preservation Parking requires a CCPR. All current regulations will apply.
 - b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.
8. Bicycle parking. Bicycle parking as required by Chapter 33.266, Parking and Loading, must be provided.

G. These regulations clarify what the rules will be for existing parking.

G. Special regulations for existing parking.

1. 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, the parking in the plan district is automatically given Central City Parking Review (CCPR) status.

In addition, a CCPR approval under this process, by superceding some previous land use approvals for parking for the site—Conditional uses and Revocable Permits—will simplify future reviews and provide more flexibility for the operators on how the parking may be managed and used.

2. Where these regulations apply. The regulations of this subsection apply to all parking that legally existed on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later. The regulations also apply to all parking where a complete application was received before January 8, 1996, or parking that received either a land use or building permit before January 8, 1996.
3. Changes. Changes to parking regulated by this Subsection are regulated as follows.
 - a. Changes that would be prohibited if requested for new parking are prohibited.
 - b. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Visitor Parking requires a CCPR. All current regulations will apply.
 - c. Changes in conditions of approval requires CCPR.
 - d. Where new parking would require CCPR, an increase in the number of spaces requires CCPR for the additional spaces only.

- e. A decrease in the number of spaces by redevelopment or reconfiguration is allowed without review. Replacement of those spaces will be treated as new parking.
- f. Reconfiguration that does not change the number of spaces is allowed without CCPR, but may require design review.
- g. Placing vending carts in surface parking lots is allowed without CCPR review, but design review may be required. Spaces occupied by such carts are not considered a decrease as specified in Subparagraph G.3.d, above. The spaces may be returned to parking use without review.
- h. Physical changes to the site, such as an increase in the amount of landscaping or addition of other pedestrian amenities, is allowed without CCPR review, but design review may be required. This does not include an increase in the number of spaces, or any changes that violate conditions of approval or current regulations. Those changes require CCPR review.

Commentary

4. If the parking was operating as commercial parking on January 8, 1996 or on the date when the site became part of the Central City plan district, as shown in the 1995 Inventory of Commercial Parking Outside the Core Area, it is Undedicated General Parking. All previous conditions of approval continue to apply.
5. If the parking was operating as accessory to office uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for office uses.
6. If the parking was operating as accessory to uses other than office, residential, or hotel, on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for non-office uses.
7. If the parking was operating as accessory to both office and non-office uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for both office and non-office uses.
8. If the parking was operating as accessory to residential or hotel uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Residential/Hotel Parking.

Commentary

33.510.265 Goose Hollow Subdistrict and Central Eastside Sectors 2 and 3. This area has parking ratios for office uses only. The regulations are similar to those in the Lloyd District except that there is no Parking Reserve for Preservation Parking. [Objective 4.3.2 of Policy 4.3, Parking Ratios for New Development.]

The proposed regulations include no minimum parking requirement in the Goose Hollow Subdistrict and Central Eastside Sectors 2 and 3. The CX, EX, and RX zones which cover much of the Central City plan district outside the Core do not currently have parking minimums. Other zones in the Central City, including RH, R1, C, EG, and the I zones do have parking minimums in the current code. The removal of parking minimums from the rest of the Central City recognizes that accessory parking will be provided based on market factors rather than on minimums which are more reflective of development needs outside the Central City.

33.510.265 Parking in the Goose Hollow Subdistrict and Central Eastside Sectors 2 and 3

The regulations of this Section apply in the Goose Hollow Subdistrict and Central Eastside Sectors 2 and 3, shown on Map 510-8.

A. Growth Parking. The regulations of this Subsection apply to Growth Parking. Adjustments to the regulations of Paragraphs A.1 through A.5 are prohibited.

1. To determine whether Growth Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):

a. Determine the use or uses the parking will be created in conjunction with.

b. Determine whether the use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use where the parking is proposed. Find the appropriate line on Table 510-11.

c. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-11.

(1) If all aspects of a proposal are allowed, then the parking is allowed.

(2) If all aspects of a proposal are allowed or have been approved through an adjustment, then the parking is allowed.

(3) If any aspect of a proposal requires CCPR, then the parking is subject to CCPR.

(4) If any aspect of a proposal is prohibited, then the parking is prohibited.

<p>Table 510-11 Relationships Among Use Regulations for Growth Parking</p>	
<p>If the use is:</p>	<p>And if the parking is:</p>

Commentary

	Allowed	Subject to CCPR	Prohibited
Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

A.2.a. The parking ratio for office uses was determined based on existing transit service, existing and allowed land uses and densities. [Objective 4.3.2 of Policy 4.3, Parking Ratios for New Development.]

A.2.b. Growth Parking is generally allowed as long as it is within the ratios and meets the other nondiscretionary standards listed here and in Subsection F.

A.2.c. Because office uses have ratios, the parking should be managed to maximize its utilization as explained in the commentary for 33.510.263.A.8, above.

A.3.b. The 60 space threshold for CCPR review was chosen because it is approximately the amount of parking that would take up 1/2 block of surface parking. These relatively small amounts of parking for new development are allowed because of their minimal impact and to support desirable development, particularly small and mixed-use projects. Larger mixed-use projects may also have a positive benefit by reducing trip numbers and lengths, but the amount of parking should be reviewed to minimize impacts and to support demand management efforts. [Policy 4.3, Parking Ratios for New Development.]

A.3.c. Because these uses don't have ratios, the operation of the parking needs to be limited to accessory parking so that it is not used for long-term commuter parking or other types of parking discouraged in the CCTMP policy. (See the commentary for 33.510.263.A.8, above for more explanation.)

A.4. Where there is mixed office and nonoffice development, the rules are a combination of the regulations for the two types of situations.

Commentary

2. Office uses. Parking created in conjunction with office uses is regulated as follows:
- a. Maximum ratio. Parking is limited to the maximum ratios in Table 510-12.
 - b. Allowed. Growth Parking for office uses is an allowed use.
 - c. Operation. The parking may be operated as either accessory or commercial parking, at all times.

Table 510-12 In the Goose Hollow Subdistrict and Central Eastside Sectors 2 and 3 Growth Parking: Maximum Number of Parking Spaces Per 1,000 Square Feet of Net Building Area in Office Use	
District/Sector (See Map 510-8):	
Central Eastside 2 and 3	Goose Hollow
2.5	2.0

3. Uses other than office. Parking created in conjunction with uses other than office is regulated as follows:
- a. Maximum ratio. There is no maximum ratio.

- b. Review required. Up to 60 parking spaces is an allowed use where the total number of parking spaces on the site is less than 61. More than 60 spaces is subject to CCPR.
 - c. Operation. The parking must be accessory on weekdays between 7:00 AM and 6:00 PM.
 - 4. Mixed office and other uses. Parking created in conjunction with both office and non-office uses is regulated as follows:
 - a. Maximum ratio. Parking for the office uses is limited to the maximum ratios in Table 510-12. There is no maximum ratio for the other uses.
- b. Review required. Review is required as follows:
 - (1) Where parking for all uses is limited to a the maximum ratios in Table 510-12 for all uses, the parking is an allowed use.
 - (2) Up to 60 spaces for all the non-office uses on the site are an allowed use.
 - (3) Where there are more than 60 spaces on the site for non-office uses, and the amount of parking for the non-office uses exceeds the maximum ratios in Table 510-12, the parking is subject to CCPR.

Commentary

A.6. The parking operations reports are an important part of the CCTMP. They will help us monitor the many new approaches and concepts for transportation and parking management that are embodied in the Plan. To make it as easy as possible for parking owners and operators to comply with the requirement, we have developed a standard form—just a single page—to use. The parking Manager will fax this form to owners 30 days before the report is due. [III.A.4 and III.D.3.b of the Administration Section.]

c. Operation.

- (1) Parking that is an allowed use under Subparagraph A.4.b, above, may be operated as either accessory or commercial parking at all times.
 - (2) Parking that is subject to CCPR under the provisions of Subparagraph A.4.b, may operate as accessory parking. The parking spaces that are created in conjunction with the office uses may be operated as either accessory or commercial parking at all times. The parking spaces that are created in conjunction with the non-office uses must be operated as accessory parking on weekdays between 7:00 AM and 6:00 PM.
5. Parking that is not an allowed use under Paragraphs A.2, A.3, and A.4, above, and is not otherwise prohibited, is subject to CCPR.
 6. Operation reports. The requirements of this paragraph apply to Growth Parking where there are more than 60 parking spaces on the site.
 - a. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph A.6.b, below.
 - b. The applicant must provide annual operation reports to the City. The operation reports are based on a sample of four days during every 12-month reporting period, and include information on the following:
 - (1) Physical: Number of parking spaces, amount of net building area.
 - (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - Short-term
 - Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permit
 - Spaces used as accessory parking.
 - (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

Commentary

Commentary

B. Preservation Parking. The regulations of this Subsection apply to Preservation Parking. Adjustments to the regulations of Paragraphs B.1 through B.4 are prohibited.

1. To determine whether Preservation Parking is allowed, subject to Central City Parking Review (CCPR), or prohibited:
 - a. Determine the use or uses the parking will be created to serve.
 - b. Determine whether the use the parking will serve is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-13.
 - c. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-13.
 - (1) If all aspects of a proposal are allowed, then the parking is allowed.
 - (2) If all aspects of a proposal are allowed or have been approved through an adjustment, then the parking is allowed.
 - (3) If any aspect of a proposal requires CCPR, then the parking is subject to CCPR.
 - (4) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-13 Relationships Among Use Regulations for Preservation Parking	
If the parking is created in conjunction with a use that is:	And if the parking is:

	Allowed	Subject to CCPR	Prohibited
Allowed, Nonconforming, or a Conditional Use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

Commentary

B.2. The regulations for Preservation Parking for office uses in these areas are similar to the regulations for Preservation Parking in the Core. One difference is that they get the same parking ratio as for Growth-Office parking. [Objective 4.5.3 of Policy 4.5, Parking For Buildings With Less Than the Allotted Ratio.]

2. Office uses. Parking created to serve existing office uses is regulated as follows:
 - a. Eligibility for Preservation Parking. Only buildings on the Preservation Parking Eligibility List, maintained by the Parking Manager, may apply for Preservation Parking. Preservation Parking for buildings not on the Preservation Parking Eligibility List is prohibited.
 - b. Maximum ratio. Parking is limited to the maximum ratios in Table 510-12.
 - c. Review required. Preservation Parking for office uses is allowed.
 - d. Common ownership. If the parking will be based on the floor area of buildings under the same ownership as the parking, the following must be met:
 - (1) The owner must specify what buildings the parking is based on. When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and
 - (2) The owner must have a signed agreement with the Parking Manager that the parking will be primarily for those buildings for at least 10 years.
 - e. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:
 - (1) For initial approval, the following must be met:
 - There must be agreements between the owner of the parking and the owners of buildings for which the parking will be provided. The agreements must cover 100 percent of the Preservation Parking, and be for at least 10 years from the date the garage begins operation.

When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and
 - The applicant must have a signed agreement with the Parking Manager to:

Commentary

—Notify the Parking Manager in writing of any of the changes listed in this Subparagraph; and

—Provide written documentation that the changes comply with the regulations of this Chapter.

- (2) Changes in existing agreements. Changes in existing agreements between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met. The length of the agreements will not be decreased to cover less than the initial 10-year period from the date the garage begins operation.

Commentary

- (3) New agreements. New agreements between the owner of the parking and the owners of buildings for which the parking will be provided are allowed only where the buildings are on the Preservation Parking Eligibility List, and where the regulations of this Chapter are still met. The agreements must, at a minimum, cover the initial 10-year period from the date the garage begins operation.
- (4) Conversion. Conversion of Preservation Parking to Growth, Visitor, or Residential/Hotel Parking is a CCPR. Conversions to other types of parking are prohibited.
- (5) Where an agreement between the owner of the parking and the owners of buildings is terminated, changes will not be made to the Preservation Parking Eligibility List until a new use or new agreement has been approved for the spaces covered by the agreement.

f. Operation.

- (1) Parking created within or under the building. If 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 parking may be operated as either accessory or commercial parking, at all times.
- (2) Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as either accessory or commercial parking, with the following limitations. These limitations apply on weekdays between 7:00 AM and 6:00 PM. Parking spaces may be used only as follows:
 - Where the parking is based on the floor area of buildings under the same ownership as the parking, the parking may be used by tenants of those buildings.

- Leased to buildings or tenants of buildings as described in Subparagraph B.2.e, above.

- Rented, on a monthly basis only, to the following. Sale of other monthly permits is prohibited:

- Individual tenants of buildings on the Preservation Parking Eligibility List. The Parking Manager maintains this list; or

- Residents of the Central City plan district.

- For long-term daily parking. "Early bird" discounts are prohibited.

- For short-term parking.

Commentary

B.3. The regulations for Preservation Parking for nonoffice uses are similar to those for Growth Parking. [Objective 4.5.3 of Policy 4.5, Parking for Buildings with Less Than the Allowed Ratios.]

B.4. The regulations for Preservation Parking for mixed developments are similar to those for Growth Parking. [Objective 4.5.3 of Policy 4.5, Parking for Buildings with Less Than the Allowed Ratios.]

3. Uses other than office. Parking created to serve existing uses other than office is regulated as follows:
 - a. Eligibility for Preservation Parking. All buildings may apply for Preservation Parking.
 - b. Maximum ratio. There is no maximum ratio.
 - c. Review required. Up to 60 parking spaces is an allowed use where the total number of parking spaces on the site is less than 61. More than 60 spaces is subject to CCPR.
 - d. Operation. The parking must be accessory parking on weekdays between 7:00 AM and 6:00 PM.
4. Mixed office and other uses. Parking created to serve both existing office and non-office uses is regulated as follows:
 - a. Eligibility for Preservation Parking. Only buildings on the Preservation Parking Eligibility List, maintained by the Parking Manager, may apply for Preservation Parking. Preservation Parking for buildings not on the Preservation Parking Eligibility List is prohibited.
 - b. Maximum ratio. Parking for the office uses is limited to the maximum ratios in Table 510-12. There is no maximum ratio for the other uses.
 - c. Review required. The parking is subject to CCPR.
 - d. Common ownership. If the parking will be based on the floor area of buildings under the same ownership as the parking, the following must be met:
 - (1) The owner must specify what buildings the parking is based on. When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and
 - (2) The owner must have a signed agreement with the Parking Manager that the parking will be primarily for those buildings for at least 10 years.

Commentary

Commentary

e. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:

(1) For initial approval, the following must be met:

- There must be agreements between the owner of the parking and the owners of buildings for which the parking will be provided. The agreements must cover 100 percent of the Preservation Parking, and be for at least 10 years from the date the garage begins operation.

When the parking begins operation, the buildings will be removed from the Preservation Parking Eligibility List, or have their numbers on that list adjusted to reflect the new parking; and

- The applicant must have a signed agreement with the Parking Manager to:
 - Notify the Parking Manager in writing of any of the changes listed in this Subparagraph; and
 - Provide written documentation that the changes comply with the regulations of this Chapter.

(2) Changes in existing agreements. Changes in existing agreements between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met. The length of the agreements will not be decreased to cover less than the initial 10-year period from the date the garage begins operation.

(3) New agreements. New agreements between the owner of the parking and the owners of buildings for which the parking will be provided are allowed only where the buildings are on the Preservation Parking Eligibility List, and where the regulations of this Chapter are still met.

The agreements must, at a minimum, cover the initial 10-year period from the date the garage begins operation.

- (4) Conversion. Conversion of Preservation Parking to Growth, Visitor, or Residential/Hotel Parking is a CCPR. Conversions to other types of parking are prohibited.
- (5) Where an agreement between the owner of the parking and the owners of buildings is terminated, changes will not be made to the Preservation Parking Eligibility List until a new use or new agreement has been approved for the spaces covered by the agreement.

Commentary

f. Operation.

- (1) Office uses. Parking created to serve office uses must be operated as follows:
 - Parking created within or under the building. If 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 parking may be operated as either accessory or commercial parking at all times.
 - Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as either accessory or commercial parking, with the following limitations. These limitations apply on weekdays between 7:00 AM and 6:00 PM. Parking spaces may be used only as follows:
 - Where the parking is based on the floor area of buildings under the same ownership as the parking, the parking may be used by tenants of those buildings.
 - Leased to buildings or tenants of buildings as described in Paragraph B.4.e, above.
 - Rented, on a monthly basis only, to the following. Sale of other monthly permits is prohibited:
 - ◇ Individual tenants of buildings on the Preservation Parking Eligibility List. The Parking Manager maintains this list; or
 - ◇ Residents of the Central City plan district.
 - For long-term daily parking. "Early bird" discounts are prohibited.
 - For short-term parking.
- (2) Non-office uses. Parking created to serve non-office uses must be operated as follows:
 - Parking created within or under the building. If the parking area is created through internal conversion of a building, by excavating under

Commentary

the building, or by adding gross building area to the building, the parking may be operated as either accessory or commercial parking.

- Parking that is not created within or under the building. If the parking area is not created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking may be operated as accessory parking. It may be operated as commercial parking, with the limitations specified for office uses in (1), above, if the following are met. If the following are not met, it must be operated as accessory parking on weekdays between 7:00 AM and 6:00 PM:
 - There are no more than 60 spaces on the site for non-office uses, or
 - The amount of parking for the non-office uses does not exceed the maximum ratios in Table 510-12.

Commentary

5. Operation reports. The requirements of this paragraph apply to Preservation Parking where there are more than 60 parking spaces on the site.
 - a. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph B.5.b, below.
 - b. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every 6-month reporting period, and include information on the following:
 - (1) Physical: Number of parking spaces, amount of net building area.
 - (2) Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - Used by tenants of the buildings described in Subparagraph B.2.c, above
 - Leased to buildings as described in Subparagraph B.2.d, above
 - Short-term
 - Long-term daily (four or more hours) and monthly permit (other than carpool)
 - Carpool monthly permits for tenants of buildings as described in Subparagraph B.4.d, above; tenants of the buildings described in Subparagraph B.4.c, above; or individual tenants of buildings on the Preservation Parking Eligibility List
 - Accessory parking and commercial parking
 - Rented to individual tenants of office buildings with less than the maximum ratios in Table 510-12 for all uses.
 - Rented to residents of the Central City Plan District
 - (3) Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

C. The provisions for Visitor Parking are basically the same in all sectors of the CCTMP. [Policy 4.6 Parking Not in Conjunction With Specific Development.] One difference is the size of surface parking allowed. [Objective 4.7.6 of Policy 4.7, Surface Parking.]

Commentary

C. Visitor Parking. The regulations of this Subsection apply to Visitor Parking. Adjustments to the regulations of this Subsection are prohibited.

1. To determine whether Visitor Parking is subject to Central City Parking Review (CCPR) or prohibited:
 - a. Determine the zone where the parking will be located. Then find the appropriate line on Table 510-14.
 - b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-14.
 - (1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR.
 - (2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-14 Relationships Among Regulations for Visitor Parking		
If the zone is:	And if the parking is:	
	Allowed or Subject to CCPR	Prohibited
I, EX, EG, CX, CS, CG, or RX	The parking is subject to CCPR	The parking is prohibited
All other zones	The parking is prohibited	The parking is prohibited

2. Maximum ratios. There are no maximum ratios. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria.
3. Review required. All Visitor Parking is subject to CCPR.
4. Operation. Visitor Parking is operated as commercial parking, except that sale of monthly permits and "early bird" discounts are prohibited. Limitations on operation apply on weekdays between 7:00 AM and 6:00 PM.
5. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph C.6, below.

Commentary

D. Most Undedicated General Parking is prohibited to limit new commuter parking (except carpools) to ensure that air quality is maintained. [Policy 4.6, Parking Not In Conjunction With Specific Development.] These provisions for "replacement parking" in the Goose Hollow Subdistrict only reflect regulations adopted by City Council in early 1994 as interim regulations for the Westside Light Rail Station Area Planning Program.

6. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:
 - a. Physical: Number of parking spaces
 - b. Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - (1) Short-term
 - (2) Long-term daily (four or more hours)
 - c. Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

D. Undedicated General Parking. Undedicated General Parking is prohibited, except as provided below. Adjustments to the provisions of this subsection are prohibited.

1. Purpose. Development of a light rail line may remove critically needed on- and off-street parking. Under certain circumstances, it is appropriate to provide replacement parking to mitigate this impact, and to locate it close to the light rail alignment.
2. Location. The site must be within the Goose Hollow Subdistrict. Undedicated General Parking in other subdistricts is prohibited.
3. Review required. Undedicated General Parking is subject to CCPR review.
4. Ownership. The land must be owned by the city or a public, regional transit agency.
5. Surface parking. Surface parking with 100 feet of a light rail alignment may be approved subject to CCPR.

Commentary

E. Residential/Hotel Parking. The regulations of this Subsection apply to Residential/Hotel Parking.

1. To determine whether Residential/Hotel Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):
 - a. Determine whether the residential use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-15.
 - b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-15.

Table 510-15 Relationships Among Use Regulations for Residential/Hotel Parking			
If the residential or hotel use is:	And if the parking is:		
	Allowed	Subject to CCPR	Prohibited
Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

2. Minimum required parking. There is no minimum parking requirement.

Commentary

3. Maximum ratios. There are no maximum ratios.
4. Allowed. Residential/Hotel Parking is an allowed use.
5. Mixed residential and other uses. Where there is another type of parking included in the same project as Residential/Hotel Parking, each type of parking must meet the regulations for that type of parking.
6. Operation.
 - a. Residential. Parking spaces created to serve residential uses must be accessory at all hours.
 - b. Hotel. Parking created to serve hotel uses must be accessory. These limitations apply on weekdays between 7:00 AM and 6:00 PM.

F.3. Often, the amount of parking and its configuration are slightly modified in the final construction phase (The number of parking spaces cannot exceed the maximum ratios or exceed any specific amount approved in a CCPR, but spaces may be reduced.) This "as built" information will allow the Parking Manager to maintain accurate records and inventories of parking in the Central City. [III.A.4 and III.D.3.a of the Administration Section.]

F.4. Large expanses of surface parking area—larger than a typical block—are reviewed because of their interruption of the urban fabric and their negative effect on the vitality and pedestrian environment of the area. Surface parking lots that are more than 40,000 square feet in area must demonstrate that they are an interim use of the land by submitting a phased building plan showing how they will eventually develop the site. [Objective 4.7.6 of Policy 4.7, Surface Parking].

F.5.a. The size of free-standing parking structures in historic districts is limited in order to ensure compatibility with the scale of nearby historic buildings. [Objective 4.10.1 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

Questions have been raised about regulations for required building lines in the current Zoning Code. The regulations for Required Building Lines are adjustable. Adjustments are approved if they meet approval criteria in Chapter 33.805. The major criterion is "Granting the adjustment will equally or better meet the purpose of the regulation to be modified." Objective 4.10.2 of the CCTMP includes the following explanatory language: "In the Central Eastside District, when full block development occurs between Grand and MLK, Jr., Grand should be given the higher preference in meeting this policy as it is intended to be the more important pedestrian environment because of its historic character." This language will be used in review of adjustment requests.

Commentary

F. All parking. The regulations of this Subsection apply to all parking.

1. Minimum required parking. There are no minimum parking requirements.
2. The applicant has a signed agreement with the Parking Manager to provide the information specified in Paragraph F.3, below.
3. The applicant will provide the following information within 30 days of the date the parking begins operation:
 - a. The number of parking spaces constructed; and
 - b. An as-built plan of the parking area, showing the configuration of the parking spaces. At least one copy of the plan must be 8-1/2" x 11" and suitable for microfilming.
4. Surface parking lots.
 - a. Parking on surface lots where the total surface parking area on the site is up to 40,000 square feet in area is allowed. Parking on surface lots where the total surface parking area on the site is larger than 40,000 square feet in area is subject to CCPR.
 - b. Surface parking is prohibited on the portion of a site within 100 feet of a light rail alignment, except as provided in Subsection D, above.
 - c. Renewal of Central City Parking Review (CCPR) permits for surface parking lots. All CCPR permits for surface parking lots where the total surface parking area on the site is larger than 40,000 square feet in area, approved after (the effective date of this regulation) must be renewed every 5 years. Undedicated General Parking as specified in Subsection D, above, is exempt from this requirement.

The renewal is a Type III process; the criteria are in Section 33.808.200, Renewal of Surface Parking Lots in the Central City Plan District. The owner must apply for the renewal within 4-1/2 years of the date of final approval of either the initial approval or the last renewal. If application is not made by that date, the Planning Director may initiate reconsideration as set out in Section 33.700.040, Reconsideration of Land Use Approvals.

5. Parking structures. Where parking occupies more than 50 percent of the gross building area of a structure:
 - a. If the site is within a historic design district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.

Commentary

F.5.c. Street frontage These regulations are in the Zoning Code now. The only change is in (2); the current regulations allow landscaping to the L2 standard, (3 1/2 " high vegetative screen) while these regulations require an L3 standard (6' high vegetative screen). [Policy 4.10, Compatibility of Parking Structures With Central City Character.]

F.6. Parking Access. Managing the location of driveways is important to enhancing the efficiency and safety for the multiple transportation elements (transit, cars, bikes and pedestrians) on the streets shown on Map 510-9 and near light rail alignments. The DPCP has identified streets for restricted parking access and this concept is expanded throughout the Central City. Adjustments for access to non-light rail streets are allowed if it can be demonstrated that access from other streets can not be made or that access onto restricted streets will result in fewer conflicts with alternative modes.

Adjustments are approved if they meet approval criteria in Chapter 33.805. The major criterion is 'Granting the adjustment will equally or better meet the purpose of the regulation to be modified.' Policy 2.6 of the CCTMP, Access Management to Increase Safety and Efficiency, including the following explanatory language: "Exceptions to these Parking Access Restricted Streets are based on a demonstration that there are no significant adverse traffic, transit, pedestrian, and bicycle impacts, on balance, including all adjacent streets."

The current code prohibits new parking access within 75 feet of a light rail alignment; this language allows such access if approved through CCPR. [Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

- b. The structure may not be on any block bounded by both SW Morrison and SW Yamhill Streets between SW First and SW Eighteenth Avenues. Location on these blocks is prohibited.
 - c. Street frontage. Street frontage walls must meet one of these standards:
 - (1) Active uses standard. Fifty percent of the street frontage wall must be developed for Retail Sales And Service or Office uses. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to Retail Sales And Service or Office uses. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Required Retail Opportunity Areas; or
 - (2) Landscape setback standard. The structure must be set back at least 5 feet and landscaped to at least the L3 standard of Chapter 33.248, Landscaping and Screening. If the structure complies with the landscaped setback standard, it is exempt from the ground floor windows standard of Section 33.510.220.

On sites subject to the required building lines or required retail opportunity standards of Sections 33.510.215 and 33.510.225, the standard of Subparagraph F.5.c(1), above, must be met; the landscaped setback standard may not be used.
6. Parking access
- a. Parking access near or on a light rail alignment. New motor vehicle access to any parking area or structure is not allowed within 75 feet of a light rail alignment, unless the access is approved through Central City Parking Review.
 - b. Parking access on other streets. New motor vehicle access to any parking area or structure is not allowed on the streets shown on Map 510-9.
7. Changes from one type of parking to another.

Commentary

- a. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Preservation Parking requires a CCPR. All current regulations will apply.
 - b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.
8. Bicycle parking. Bicycle parking as required by Chapter 33.266, Parking and Loading, must be provided.

G. These regulations clarify what the rules will be for existing parking.

G. Special regulations for existing parking.

1. 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, the parking in the plan district is automatically given Central City Parking Review (CCPR) status.

In addition, a CCPR approval under this process, by superceding some previous land use approvals for parking for the site—Conditional uses and Revocable Permits—will simplify future reviews and provide more flexibility for the operators on how the parking may be managed and used.

2. Where these regulations apply. The regulations of this subsection apply to all parking that legally existed on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later. The regulations also apply to all parking where a complete application was received before January 8, 1996, or parking that received either a land use or building permit before January 8, 1996.
3. Changes. Changes to parking regulated by this Subsection are regulated as follows.
 - a. Changes that would be prohibited if requested for new parking are prohibited.
 - b. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Visitor Parking requires a CCPR. All current regulations will apply.
 - c. Changes in conditions of approval requires CCPR.
 - d. Where new parking would require CCPR, an increase in the number of spaces requires CCPR for the additional spaces only.

- e. A decrease in the number of spaces by redevelopment or reconfiguration is allowed without review. Replacement of those spaces will be treated as new parking.
- f. Reconfiguration that does not change the number of spaces is allowed without CCPR, but may require design review.
- g. Placing vending carts in surface parking lots is allowed without CCPR review, but design review may be required. Spaces occupied by such carts are not considered a decrease as specified in Subparagraph G.3.d, above. The spaces may be returned to parking use without review.
- h. Physical changes to the site, such as an increase in the amount of landscaping or addition of other pedestrian amenities, is allowed without CCPR review, but design review may be required. This does not include an increase in the number of spaces, or any changes that violate conditions of approval or current regulations. Those changes require CCPR review.

Commentary

4. If the parking was operating as commercial parking on January 8, 1996 or on the date when the site became part of the Central City plan district, as shown in the 1995 Inventory of Commercial Parking Outside the Core Area, it is Undedicated General Parking. All previous conditions of approval continue to apply.
5. If the parking was operating as accessory to office uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for office uses.
6. If the parking was operating as accessory to uses other than office, residential, or hotel, on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for non-office uses.
7. If the parking was operating as accessory to both office and non-office uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Growth Parking for both office and non-office uses.
8. If the parking was operating as accessory to residential or hotel uses on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later, it is Residential/Hotel Parking.

Commentary

33.510.267 The Lower Albina Subdistrict, North Macadam Subdistrict, Central Eastside Sectors 1,4,5, and 6, and River District Sectors 1 and 2 do not have parking ratios for any uses. **Most parking is allowed unless it is proposed for a surface lot more than 40,000 sq. ft. in area.** Other distinctions are mentioned below.

The proposed regulations include no minimum parking requirement in these areas. The CX, EX, and RX zones which cover much of the Central City plan district outside the Core do not currently have parking minimums. Other zones in the Central City, including RH, R1, C, EG, and the I zones do have parking minimums in the current code. The removal of parking minimums from the rest of the Central City recognizes that accessory parking will be provided based on market factors rather than on minimums which are more reflective of development needs outside the Central City.

33.510.267 Parking in the Lower Albina Subdistrict; the North Macadam Subdistrict; Central Eastside Sectors 1, 4, 5, and 6; and River District Sectors 1 and 2.

The regulations of this Section apply the Lower Albina Subdistrict; the North Macadam Subdistrict; Central Eastside Sectors 1, 4, 5, and 6; and River District Sectors 1 and 2, shown on Map 510-8.

A. Growth Parking. The regulations of this Subsection apply to Growth Parking. Adjustments to the regulations of Paragraphs A.1. through A.4, below, are prohibited.

1. To determine whether Growth Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):

a. Determine the use or uses the parking will be created in conjunction with.

b. Determine whether the use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use where the parking is proposed. Find the appropriate line on Table 510-16.

c. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-16.

(1) If all aspects of a proposal are allowed, then the parking is allowed.

(2) If all aspects of a proposal are allowed or have been approved through an adjustment, then the parking is allowed.

(3) If any aspect of a proposal requires CCPR, then the parking is subject to CCPR.

(4) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-16		
Relationships Among Use Regulations for Growth Parking		
If the use is:	And if the parking is:	
	Allowed	Subject to CCPR
		Prohibited

Commentary

Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

A.4. Because these uses don't have ratios, the operation of the parking needs to be limited to accessory parking so that it is not used for long-term commuter parking or other types of parking discouraged in the CCTMP policy. (See the commentary for 33.510.263.A.8, above for more explanation.)

B. Because there are no ratios and no "reserve," Preservation Parking is treated the same as Growth Parking.

C. The provisions for Visitor Parking are basically the same in all sectors of the CCTMP. [Policy 4.6 Parking Not in Conjunction With Specific Development.] One difference is the size of surface parking allowed. [Objective 4.7.6 of Policy 4.7, Surface Parking.]

Commentary

2. Parking that is not an allowed use under the regulations of this chapter, and is not otherwise prohibited, is subject to CCPR.
3. Maximum ratios. There are no maximum ratios.
4. Operation. The parking must be accessory on weekdays between 7:00 AM and 6:00 PM.

B. Preservation Parking. Preservation Parking is subject to the same regulations as Growth Parking in Subsection A, above.

C. Visitor Parking. The regulations of this Subsection apply to Visitor Parking. Adjustments to the regulations of Paragraphs C.1 through C.5, below, are prohibited.

1. To determine whether Visitor Parking is subject to Central City Parking Review (CCPR) or prohibited:
 - a. Determine the zone where the parking will be located. Then find the appropriate line on Table 510-17.
 - b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-17.
 - (1) If all aspects of a proposal are allowed, have been approved through an adjustment, or are subject to CCPR, then the parking is subject to CCPR.
 - (2) If any aspect of a proposal is prohibited, then the parking is prohibited.

Table 510-17 Relationships Among Regulations for Visitor Parking	
If the zone is:	And if the parking is:

	Allowed or Subject to CCPR	Prohibited
I, EX, EG, CX, CS, CG, or RX	The parking is subject to CCPR	The parking is prohibited
All other zones	The parking is prohibited	The parking is prohibited

2. Maximum ratios. There are no maximum ratios. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria.
3. Operation. Visitor Parking is operated as commercial parking, except that sale of monthly permits and "early bird" discounts are prohibited. Limitations on operation apply on weekdays between 7:00 AM and 6:00 PM.
4. The applicant must have a signed agreement with the Parking Manager to provide the information specified in Paragraph C.5, below.

Commentary

D. Undedicated General Parking is prohibited to limit new commuter parking other than carpools to ensure that air quality is maintained. [Policy 4.6, Parking Not In Conjunction With Specific Development.]

E. The regulations for Residential/Hotel Parking are the same as the current regulations except that the minimum requirements have been deleted.

5. The applicant must provide operation reports to the City every six months. The operation reports are based on a sample of two days during every six month reporting period, and include information on the following:
 - a. Physical: Number of parking spaces
 - b. Usage: How the parking spaces were used, based on the following categories. Percentage of parking used for:
 - (1) Short-term
 - (2) Long-term daily (four or more hours)
 - c. Hours of Operation: What the hours of operation are on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.

D. Undedicated General Parking. Undedicated General Parking is prohibited.

E. Residential/Hotel Parking. The regulations of this Subsection apply to Residential/Hotel Parking. Adjustments to the regulations of this Subsection are prohibited.

1. To determine whether Residential/Hotel Parking is allowed, prohibited, or subject to Central City Parking Review (CCPR):
 - a. Determine whether the residential use the parking will be created in conjunction with is an allowed, conditional, nonconforming, or prohibited use on the property where the parking is proposed. Find the appropriate line on Table 510-18.
 - b. Based on the regulations of this Subsection and those in Subsection F, below, determine if the parking itself, or some aspect of it, is allowed, prohibited, or subject to CCPR. Find the appropriate column on Table 510-18.

Table 510-18 Relationships Among Use Regulations for Residential/Hotel Parking	
If the residential or hotel use is:	

Commentary

	And if the parking is:		
	Allowed	Subject to CCPR	Prohibited
Allowed, an expansion of a nonconforming use, or a conditional use	The parking is allowed	The parking is subject to CCPR	The parking is prohibited
Prohibited	The parking is prohibited	The parking is prohibited	The parking is prohibited

Note: Some uses require a land use review, such as a Conditional Use or Nonconforming Situation Review. Criteria for those reviews may include consideration of traffic, transportation, design, or other elements that may also be addressed in this chapter. Compliance with the regulations of this chapter does not constitute compliance with those criteria.

F.3. Often, the amount of parking and its configuration are slightly modified in the final construction phase (The number of parking spaces cannot exceed the maximum ratios or exceed any specific amount approved in a CCPR, but spaces may be reduced.) This "as built" information will allow the Parking Manager to maintain accurate records and inventories of parking in the Central City. [III.A.4 and III.D.3.a of the Administration Section.]

F.4. Large expanses of surface parking area are generally reviewed because of their interruption of the urban fabric and their negative effect on the vitality and pedestrian environment of the area. Surface parking lots that are more than 40,000 square feet and cover more than 30 percent of the site may be approved under certain circumstances [Objectives 4.7.5 and 4.7.6 of Policy 4.7, Surface Parking]:

- If the surface parking is an interim use of the land, as shown by a phased building plan, and if, after the final phase, the surface parking area will not be larger than 40,000 square feet or cover more than 30 percent of the site, whichever is larger.
- If the site is in an Industrial Zone,
- If the parking is serving a Regional Attractor.

Where the surface parking area on a site is larger than 40,000 square feet, the parking lot should be visually separated into areas no larger than 40,000 square feet to break up the large expanse of paved area. A design guideline is being developed to implement this requirement for visual separation. Until the guideline is adopted, staff will consider Objectives 4.7.5 and 4.7.6 as part of design review of large parking lots. [Objectives 4.7.5 and 4.7.6 of Policy 4.7, Surface Parking]

Commentary

2. Minimum required parking. There is no minimum parking requirement.
3. Maximum ratios. There are no maximum ratios.
4. Parking is allowed for new and existing dwelling units and hotel rooms.
5. Operation.
 - a. Residential. Parking spaces created to serve residential uses must be accessory at all hours.
 - b. Hotel. Parking created to serve hotel uses must be accessory. These limitations apply on weekdays between 7:00 AM and 6:00 PM.

F. All parking. The regulations of this Subsection apply to all parking.

1. Minimum required parking. There is no minimum parking requirement.
2. The applicant has a signed agreement with the Parking Manager to provide the information specified in Paragraph F.3, below.
3. The applicant will provide the following information within 30 days of the date the parking begins operation:
 - a. The number of parking spaces constructed; and
 - b. An as-built plan of the parking area, showing the configuration of the parking spaces. At least one copy of the plan must be 8-1/2" x 11" and suitable for microfilming.
4. Surface parking lots.
 - a. Parking on surface lots where the total surface parking area on the site is up to 40,000 square feet or where the surface parking area covers up to 30 percent of

this site—whichever is larger—is allowed. Parking on surface lots where the total surface parking area on the site is larger than 40,000 square feet and where the surface parking area covers more than 30 percent of the site is subject to CCPR.

b. Surface parking is prohibited on the portion of a site within 100 feet of a light rail alignment.

c. Renewal of Central City Parking Review (CCPR) permits for surface parking lots. All CCPR permits for surface parking lots in OS, C, E, and R zones where the total surface parking area on the site is larger than 40,000 square feet in area, approved after (the effective date of this regulation) must be renewed every 5 years. Surface parking lots created in conjunction with a regional attractor are exempt from this requirement.

The renewal is a Type III process; the criteria are in Section 33.808.200, Renewal of Surface Parking Lots in the Central City Plan District. The owner must apply for the renewal within 4-1/2 years of the date of final approval of either the initial approval or the last renewal. If application is not made by that date, the Planning Director may initiate reconsideration as set out in Section 33.700.040, Reconsideration of Land Use Approvals.

Commentary

F.5.b(1) The size of free-standing parking structures in historic districts is limited in order to ensure compatibility with the scale of nearby historic buildings. [Objective 4.10.1 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

F.5.b(2) Street frontage These regulations are in the Zoning Code now. The only change is in the second bullet; the current regulations allow landscaping to the L2 standard, (3 1/2 " high vegetative screen) while these regulations require an L3 standard (6' high vegetative screen)

F.6. Parking Access. Managing the location of driveways is important to enhancing the efficiency and safety for the multiple transportation elements (transit, cars, bikes and pedestrians) on the streets shown on Map 510-9 and near light rail alignments. The DPCP has identified streets for restricted parking access and this concept is expanded throughout the Central City. Adjustments for access to non-light rail streets are allowed if it can be demonstrated that access from other streets can not be made or that access onto restricted streets will result in fewer conflicts with alternative modes. The current code prohibits new parking access within 75 feet of a light rail alignment; this language allows such access if approved through CCPR. [Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.]

5. Parking structures.

a. Parking that is in a structure is allowed.

b. Where parking occupies more than 50 percent of the gross building area of a structure:

(1) If the site is within a historic design district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.

(2) Street frontage. Street frontage walls must meet one of these standards:

◦ Active uses standard. Fifty percent of the street frontage wall must be developed for Retail Sales And Service or Office uses. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to Retail Sales And Service or Office uses. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Required Retail Opportunity Areas; or

◦ Landscape setback standard. The structure must be set back at least 5 feet and landscaped to at least the L3 standard of Chapter 33.248, Landscaping and Screening. If the structure complies with the landscaped setback standard, it is exempt from the ground floor windows standard of Section 33.510.220.

On sites subject to the required building lines or required retail opportunity standards of Sections 33.510.215 and 33.510.225, the active uses standard, above, must be met; the landscaped setback standard may not be used.

6. Parking access

a. Parking access near or on a light rail alignment. New motor vehicle access to any parking area or structure is not allowed within 75 feet of a light rail alignment, unless the access is approved through Central City Parking Review.

Commentary

- b. Parking access on other streets. New motor vehicle access to any parking area or structure is not allowed on the streets shown on Map 510-9.
7. Changes from one type of parking to another.
- a. Changes from one type of parking to another are regulated as if they were new parking. All current regulations will apply.
 - b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.
8. Bicycle parking. Bicycle parking as required by Chapter 33.266, Parking and Loading, must be provided.

G. These regulations clarify what the rules will be for existing parking.

G. Special regulations for existing parking.

1. 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, the parking in the plan district is automatically given Central City Parking Review (CCPR) status.

In addition, a CCPR approval under this process, by superceding some previous land use approvals for parking for the site—Conditional uses and Revocable Permits—will simplify future reviews and provide more flexibility for the operators on how the parking may be managed and used.

2. Where these regulations apply. The regulations of this subsection apply to all parking that legally existed on January 8, 1996 or on the date when the site became part of the Central City plan district, whichever is later. The regulations also apply to all parking where a complete application was received before January 8, 1996, or parking that received either a land use or building permit before January 8, 1996.
3. Changes. Changes to parking regulated by this Subsection are regulated as follows.
 - a. Changes that would be prohibited if requested for new parking are prohibited.
 - b. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Visitor Parking requires a CCPR. All current regulations will apply.
 - c. Changes in conditions of approval requires CCPR.
 - d. Where new parking would require CCPR, an increase in the number of spaces requires CCPR for the additional spaces only.

- e. A decrease in the number of spaces by redevelopment or reconfiguration is allowed without review. Replacement of those spaces will be treated as new parking.
- f. Reconfiguration that does not change the number of spaces is allowed without CCPR, but may require design review.
- g. Placing vending carts in surface parking lots is allowed without CCPR review, but design review may be required. Spaces occupied by such carts are not considered a decrease as specified in Subparagraph G.3.d, above. The spaces may be returned to parking use without review.
- h. Physical changes to the site, such as an increase in the amount of landscaping or addition of other pedestrian amenities, is allowed without CCPR review, but design review may be required. This does not include an increase in the number of spaces, or any changes that violate conditions of approval or current regulations. Those changes require CCPR review.

Commentary

4. If the parking was operating as commercial parking on (the effective date of these regulations), as shown in the 1995 Inventory of Commercial Parking Outside the Core Area, it is Undedicated General Parking. All previous conditions of approval continue to apply.
5. If the parking was operating as accessory parking to uses other than residential or hotel uses, it is Growth Parking.
6. If the parking was operating as accessory parking to residential or hotel uses, it is Residential/Hotel Parking.

Commentary

New Chapter: 33.808, Central City Parking Review

Approval Criteria

Commentary

33.808.030

Some of the parking that currently exists will be given automatic CCPR status, while the surface lots that currently have to re-apply every three years will have to apply for CCPR status.

CHAPTER 33.808 CENTRAL CITY PARKING REVIEW

Sections:

- 33.808.010 Purpose
- 33.808.020 Organization Of This Chapter
- 33.808.030 Automatic Central City Parking Review Status
- 33.808.040 Review Procedures
- 33.808.050 Loss of Central City Parking Review Status
- 33.808.100 General Approval Criteria for Central City Parking Review
- 33.808.200 Renewal of Surface Parking Lots in the Central City Plan District
- 33.808.300 Conversion of Surface Parking Lots

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 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 Renewal of Surface Parking Lots, which is addressed in Section 33.808.200, and 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

Commentary

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.

33.808.040 Review Procedures.

Requests for Central City Parking Review are processed through a Type III procedure.

808.100

All of the listed criteria must be met in order for a proposal to be reviewed. This is true for all of the land use reviews in the Zoning Code. In cases where a specific criterion does not apply to a particular proposal, that criterion is met through a finding that it does not apply to the particular proposal. For example, in the case of a CCPR proposal for a Preservation Parking structure, the approval criteria that deal with Visitor Parking would be found to be "met" by a statement such as "Because the proposal is for Preservation Parking, this criterion does not apply."

A. This is similar to an existing approval criterion for commercial parking in the CX, RX and EX zones. The intent is to ensure that parking does not become a dominant feature of the Central City, but instead is only developed in locations and quantities that will support economic development of the area.

The desired character of an area is determined by City-adopted area, neighborhood, or development plans; by Comprehensive Plan designations and zoning, and by allowed densities. In the Central City plan district, each subdistrict—such as the Central Eastside—has its own description of desired character.

B. This is an existing approval criterion modified to include consideration for transit and bicycle movement.

C. This criterion is for the Core Area Maximum Parking Inventory ("The Lid"). After EPA approval, this criterion will be dropped, and the other criteria will be re-lettered.

D. The parking must conform to the Parking Access map 510-9 and the street classification maps of the CCTMP. The intent is to ensure that parking will not have a detrimental effect on alternative modes of transportation.

F. This is an existing approval criterion.

G. This codifies an existing requirement of the Oregon Department of Environmental Quality. The intent is to show that proposed parking will not have a negative impact on air quality in areas of the Central City that could exceed air quality standards.

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.

Note: Criterion C, below, is for the Core Area Maximum Parking Inventory ("The Lid"). After EPA approval, this criterion will be deleted, and the other criteria will be re-lettered.

- C. If the proposed parking is in the Core Area, and is not Residential/Hotel Parking, there are adequate spaces in the Core Area Maximum Parking Inventory, which is administered by the Parking Manager.
- D. The parking facility is in conformance with the street classifications of the Central City Plan District and the Central City Transportation Management Plan.
- E. 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.

- F. 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.
- G. 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 Department of Transportation and Oregon Department of Environmental Quality. The map is maintained by the Parking Manager.

Commentary

H.3. The intent is to ensure that parking originally approved to serve short-term parking needs is not converted or constructed to serve office buildings unless the need for the short-term parking no longer exists.

In addition, regulations in Chapter 510 prohibit conversion of Visitor Parking to Preservation Parking until it has been operating for at least 10 years. See 33.510.263.G.7., 33.510.264.F.7.b, etc.

I. A parking demand analysis is required to ensure that Visitor Parking will be viable because it is meeting a documented need for short-term parking for visitors and shoppers. The intent is to ensure that adequate, but not excessive, short-term parking is provided to support commercial uses in the Central City. [Policy 4.6, Parking Not in Conjunction With Specific Development]

- H. 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 H.1 and H.2, below, apply. If the proposal is to convert Visitor Parking to Preservation Parking, criteria H.1 through H.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. The parking demand analysis shows there is not a need for Visitor Parking at this location.

- I. 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. 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

Commentary

- c. The parking facility will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and nonindustrial uses and the effects of incremental changes.

J.1. A parking management plan is required to ensure that parking is being managed consistent with conditions of approval and the intent for which the parking was approved. The requirements of the plan will vary depending upon the type and amount of parking requested. [III.D.3 and III.D.6 of the Administration Section.]

J.2.a. A total of 4,600 spaces are available in the Replacement Pool and 750 spaces are available in the Parking Reserve. The number of spaces in both the Pool and Reserve will be reduced as new parking for existing or converted office buildings are built. The number of spaces in the Parking Reserve is increased as existing surface parking lots are redeveloped to another use. The Parking Manager administers the Parking Reserve and Parking Pool. [III.D.4 and III.D.5 of the Administration Section.]

J.3. The intent is to allow most types and amounts of parking on surface lots only as an interim use to support the continued vitality of the Central City. A phased building plan must show that the property owner has a viable plan for full development of the property to ensure that the surface parking lot will not be the long term use of the site. The phased building plan may be amended as part of subsequent reviews of the surface parking lot. [Objective 4.7.6 of Policy 4.7, Surface Parking.]

J.4. There may be some situations where Residential Parking in surface lots larger than 40,000 square feet is warranted. [Objective 4.8.4 of Policy 4.8, Residential Parking.]

Commentary

J. 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 1000 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.
 - 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.

Commentary

J.5. See Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character.

J.6. See Objective 4.10.4 of Policy 4.10, Compatibility of Parking Structures With Central City Character.

K.1. A parking management plan is required to ensure that parking is being managed consistent with conditions of approval and the intent for which the parking was approved. The requirements of the plan will vary depending upon the type and amount of parking requested. [III.D.3 and III.D.6 of the Administration Section.]

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

Commentary

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.

K. If the site is outside the Core Area:

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.

K.2. See Objective 4.10.5 of Policy 4.10, Compatibility of Parking Structures With Central City Character. The 0.8 FAR of non-parking uses is not required outside the Core Area.

L.1. A parking management plan is required to ensure that parking is being managed consistent with conditions of approval and the intent for which the parking was approved. The requirements of the plan will vary depending upon the type and amount of parking requested. [III.D.3 and III.D.6 of the Administration Section.]

L.2 See III.D.5 of the Administration Section.

Commentary

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 K.2.a through K.2.c, below, apply. If the proposal is for new access for motor vehicles on a Light Rail Alignment, criteria K.2.a through K.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.
- L. If the site is in the Lloyd District Subdistrict, Goose Hollow Subdistrict, or Central Eastside Sectors 2 or 3:
 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
 - 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.

Commentary

L.3 See Objective 4.3.1 of Policy 4.3, Parking Ratios for New Development.

L.4. See Objective 4.7.6 of Policy 4.7, Surface Parking.

M. See III.D.5.a of the Administration Section.

N. Most Undedicated General Parking is prohibited to limit new commuter parking (except carpools) to ensure that air quality is maintained. [Policy 4.6, Parking Not In Conjunction With Specific Development.] These provisions for "replacement parking" reflect regulations adopted by City Council in early 1994 as interim regulations for the Westside Light Rail Station Area Planning Program.

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 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;

The following must be met:

- d. The amount of parking area larger than 40,000 square feet will be an interim use only, as documented by the phased development plan;
 - e. 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
 - f. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking.
- M.** 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.

Commentary

N. 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 Associations. 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;

Commentary

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.

O. See Objective 4.3.1 of Policy 4.3, Parking Ratios for New Development, and Objective 4.7.6 of Policy 4.7, Surface Parking.

Commentary

- O.** If the site is in the Lower Albina Subdistrict; North Macadam Subdistrict; or Central Eastside Sectors 1, 4, 5, or 6; or River District Sectors 1 or 2:
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 O.2, below, criteria O.3 through O.5, below, apply. If the proposal 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 O.3 through O.8, below, apply.
 2. 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.
 3. There will not be a significant adverse impact on transit operations;
 4. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
 5. 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;
 6. The amount of parking area that exceeds the threshold in Paragraph O.2, above, will be an interim use only, as documented by the phased development plan;
 7. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking; and
8. The phased development plan ensures:
- a. 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

- b. After the final phase is built, the threshold in Paragraph O.2, above, will not be exceeded.

Commentary

808.200

This review applies only to parking lots that are required to go through a 5-year renewal process. It is just a check for compliance with conditions of previous approvals, and if there is a phased building plan, to check on reasonable progress on implementing the phasing.

808.300

This is the approval criteria for the one time "switch over" review for existing surface lots in the Core that currently have to re-apply for review every three years. To provide certainty for this review, the criteria refer back to the nondiscretionary standards in Subsections 33.510.263 H through L.

33.808.200 Renewal of Surface Parking Lots in the Central City Plan District

These approval criteria ensure that conditions of approval continue to be met and that, for those with a phased development plan, that reasonable progress towards development continues. 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 surface parking lot is in compliance with all conditions of approval and applicable provisions of the Zoning Code; and
- B. If there is an approved phased development plan for the parking lot, reasonable progress is being made towards meeting the plan.

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 that 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.

Commentary

Other Amendments to Zoning Code

The following pages include amendments to a number of different parts of the Zoning Code. Some are substantive; others are merely "housekeeping" amendments. New language is underlined; deletions are shown in ~~strikethrough~~.

Commentary

33.510.225.C.1. When the space is converted to Retail Sales and Service or Office uses, HVAC and similar things will likely run just below the supporting beams, and a slightly dropped ceiling will be put in. This will result in a typical floor-to-ceiling height of 10 to 11 feet, which is adequate.

33.510.235. This deletes the current regulations.

*Delete the Downtown Parking and Circulation Policy.
Because the Downtown Parking and Circulation Policy contains regulations that are incorporated into the Zoning Code by reference, its deletion is included here, with other amendments to the Zoning Code.*

AMEND CHAPTER 33.510, CENTRAL CITY PLAN DISTRICT

33.510.112 Commercial Parking.

Commercial Parking is subject to special regulations in Sections 33.510.261 through .267. Visitor Parking and Undedicated General Parking, as described in Section 33.510.261, are Commercial Parking. The other types of parking are accessory parking, although some of them may operate as commercial parking.

33.510.225 Required Retail Opportunity Areas

- A. Purpose. The required retail opportunity standards are intended to reinforce the continuity of retail display windows and retail stores and to help maintain a healthy retail district.
- B. Sites and development subject to the required retail opportunity areas standard.** Required retail opportunity areas are shown on Map 510-7 at the end of this chapter. On identified sites, all new development and all major remodeling projects must meet the standard below.
- C. Required opportunity area standard.** Buildings must be designed and constructed to accommodate ~~retail~~ Retail Sales And Service uses along at least 50 percent of the walls which front onto a sidewalk, plaza, or other public open space. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to Retail Sales And Service uses.

Areas designed to accommodate Retail Sales And Service uses must meet the following standards:

- _____
1. The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
- _____
2. The area must be at least 25 feet deep, measured from the street frontage wall;
- _____
3. The area may be designed to accommodate a single tenant or multiple tenants. In either case, the area must meet the standards of the Accessibility Chapter of the State of Oregon Structural Specialty Code. This code is administered by the Bureau of Buildings; and

Commentary

4. The street frontage wall must include windows and doors, or be structurally designed so doors and windows can be added when the space is converted to Retail Sales And Service uses.

~~33.510.235 Parking.~~ Delete entire section.

DELETE THE DOWNTOWN PARKING AND CIRCULATION POLICY

Demolitions.

The intent is to ensure that buildings will not be demolished in order to provide a surface parking lot, particularly in areas of high transit and pedestrian activity. [Objective 4.7.2 of Policy 4.7, Surface Parking.]

A. This standard applies now in the CX zone throughout the city.

33.700.070

D.2.f. This clarifies what is meant by terms used in these amendments, such as “up to 20 spaces.”

33.510.242 Demolitions

A. Landscaping. In R, C, and E zones, sites must be landscaped within 6 months of the demolition of buildings unless there is an approved development for the site. Approved development means a project approved through design review in design zones, and issuance of a building permit outside of design zones. The landscaping must meet at least the L1 standard of Chapter 33.258, Landscaping and Screening, except that no shrubs or trees are required.

B. Replacement of demolished ground floor area. In R, C, and E zones, if a building is demolished after September 1, 1994, the square footage of the ground floor of the demolished building must be replaced as follows. Adjustments to the requirement of this Subsection are prohibited.

1. In the Core Area, the square footage must be replaced on the same block as the demolished building. This replacement must occur before or at the same time as any other development or redevelopment on the block, other than landscaping.
2. Outside the Core Area, the square footage must be replaced on the same site as the demolished building. This replacement must occur before or at the same time as any other development or redevelopment on the site, other than landscaping.

AMEND CHAPTER 33.700, ADMINISTRATION AND ENFORCEMENT

33.700.070 General Rules for Application of the Code Language

A. through C. [No change]

D. Terms.

1. [No change]
2. Tenses and usage.
 - a. through e. [No change]

f. When used with numbers, “Up to x ,” “Not more than x ” and “a maximum of x ” all include x .

Commentary

AMEND CHAPTER 33.910, DEFINITIONS

Short term parking. Parking having a duration of four hours or less.

Long term parking. Parking having a duration of more than four hours.

Carpool. At least two people sharing a vehicle at least four days per week, generally for the purpose of commuting to work.

Block. All of the property bounded by streets, rights of way, and water features, but is not divided or separated in any way by streets, rights of way, or water features.

Floor Area. The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area includes the area devoted to structured parking that is above ground level. Floor area does not include the following:

- Areas where the elevation of the floor is 4 feet or more below the lowest elevation of an adjacent right-of way;
- Roof area;
- Roof top mechanical equipment; and
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height, for 50 percent or more of their perimeter.

Gross Building Area. The total floor area of a building, both above and below ground. Gross building area is measured from the exterior faces of a building or structure. Gross building area does not include the following:

- Roof area;
- Roof top mechanical equipment; and
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height, for 50 percent or more of their perimeter.

Net Building Area. Gross building area, excluding parking areas.

Light Rail Alignment. A street, or other public right-of-way, that has a light rail line in it, or that has been designated as a preferred alternative light rail alignment.

Preferred Alternative Light Rail Alignment. A street, or other public right-of-way, designated by City Council and the regional transit agency as a future light rail alignment after completion of a Draft Environmental Impact Statement (DEIS).

Commentary

Phased Development Plan. A phased development plan includes the following:

- A site plan showing the proposed final development of the site and phases, including the initial and interim phases.
- A written statement describing each phase, including the potential uses, and the approximate timeline for each phase of development.

Regional Attractor. A Major Event Entertainment Use, Commercial Outdoor Recreation Use, or Community Service Use with more than 100,000 square feet of net building area.

Structured and Surface Parking. These changes clarify the difference between a "true" surface parking lot—one that sits on the ground—and situations where the top of a parking structure is at grade, and so has similar appearance to a surface parking lot.

Structured Parking. The definition of Floor Area specifically excludes roof area. Rooftop parking is structured parking, but because it is not floor area, it is not included in calculations of FAR.

Commentary

Structured Parking. A covered structure or portion of a covered structure that provides parking areas for motor vehicles. Parking on top of a structure—where there is gross building area below the parking, but nothing above it—is structured parking. The structure can be the primary structure for a Commercial Parking facility or be accessory to multi-dwelling residential, commercial, employment, industrial, institutional or other structures. A structure that is accessory to a single-dwelling residential structure (including houses, attached houses, duplexes, mobile homes, or houseboats) is a garage and is not included as structured parking. See also Garage, Parking Area, and Underground Parking.

Surface Parking. A parking area for motor vehicles where there is no gross building area below the parking area and no gross building area or roof above it. Area occupied by small, permanent buildings, such as booths used by parking attendants, is not parking area. Temporary vending carts are not gross building area.

Table 266-1. This is a technical amendment, clarifying that there are no minimum parking requirements in the Central City plan district except for residential uses in part of the Core Area.

Commentary

AMEND CHAPTER 33.266, PARKING AND LOADING

Table 266-1 Required Parking Spaces By Zone (Amended by Ord. No. 167054, effective 10/25/93.)	
Zone	Requirement
OS, RF - RH, IR, CN2, CO1&2, CG, EG, I	<p><u>None required inside the Central City plan district, except for residential uses: See Chapter 33.510.</u></p> <p style="text-align: center;"><u>Outside the Central City plan district:</u> See Table 266-2</p>
EX	<p>None required inside the Central City plan district, <u>except for residential uses: See Chapter 33.510.</u> unless required by the Downtown Parking and Circulation Policy.</p> <p style="text-align: center;">Outside the Central City plan district: Minimum of 1 per 1000 sq. ft.</p> <p style="text-align: center;">Maximum of Table 266-2, except:</p> <ol style="list-style-type: none"> 1) Retail, personal service, repair-oriented have a maximum of 1 per 200 sq. ft., 2) Restaurants, etc have a maximum of 1 per 75 sq. ft., and 3) Household Living; minimum of 0 for 1 to 3 units, 1 per 2 units for four+ units, and SROs exempt.
CN1	<p>None required, except for residential uses: <u>Inside the Central City plan district, see Chapter 33.510.</u></p>

	<p><u>Outside the Central City plan district:</u> (see Table 266-2).</p> <p>Maximum of 1 space per 2,500 sq. ft. of site area.</p>
CM, CS	None required.
RX, CX	<p>None required inside the Central City plan district, <u>except for residential uses: See Chapter 33.510.</u></p> <p><u>None required outside the Central City plan district.</u></p> <p>None, unless required by the Downtown Parking and Circulation Policy</p>

33.266.130 and .140. These changes clarify that, where the top of a parking structure is at grade, the setbacks and perimeter landscaping standards for surface parking lots apply. No interior landscaping is required.

AMEND CHAPTER 33.266, PARKING AND LOADING

33.266.130 Development Standards for All Other Uses

A through D. [No change.]

E. Setbacks and perimeter landscaping for surface parking areas. The minimum required setbacks and landscaping for surface parking areas are stated in Table 266-4. The setback and landscaping requirements also apply to any portion of structured parking area where the parking area is within 4 feet of adjacent grade and there is no roof over it. The landscaping requirements also apply to parking area driveways. The setbacks apply when a parking area abuts a street or lot line. For stacked parking areas, see 33.266.140 below.

Table 266-4 Minimum Parking Area Setbacks And Perimeter Landscaping		
Location	All zones except EG2 and IG2	EG2, IG2
Lot line abutting street	5 ft. / L2 or 10 ft. / L1	10 ft. / L2 or 15 ft. / L1
Lot line abutting a C, E, or I zone lot line	5 ft. / L2 or 10 ft. / L1	5 ft. / L2 or 10 ft. / L1
Lot line abutting a OS or R zone lot line	5 ft./ L3	10 ft./ L3

F and G. [No change.]

33.266.140 Stacked Parking Areas

(Amended by Ord. No. 164014, effective 3/27/91.) Stacked parking areas must comply with all of the development standards of Section 33.266.130 above, except for those standards superceded by this section.

A and B. [No change.]

- C. Interior landscaping for surface parking areas.** The minimum interior landscaping requirement for surface parking areas is one tree per 5,000 square feet of site area. If surrounded by cement, the tree planting area must have a minimum dimension of 4 ft. If surrounded by asphalt, the tree planting area must have a minimum dimension of 3 ft. Trees must be protected from potential damage by vehicles through the use of bollards, curbs, wheel stops, or other physical barriers.

Commentary

33.815.120 The existing criteria for commercial parking in the CX, EX, and RX zones are modified below so they will apply only outside the plan district.

AMEND CHAPTER 33.815, CONDITIONAL USES

33.815.120 Commercial Parking Facilities in the RX, CX, and EX Zones, Outside the Central City Plan District

(Amended by Ord. No. 163697, effective 1/1/91.) These approval criteria provide for commercial parking facilities which support ~~Central City~~ intensive development outside the Central City Plan District. It is not intended to allow parking facilities in such quantity, concentration, or appearance that they detract from the desired commercial, employment, or residential character of the zones. The approval criteria are:

- A. The proposal will not by itself, or in combination with other commercial parking facilities in the area, significantly lessen the overall desired character of the area;
- B. The parking facility is in conformance with ~~either the Arterial Streets Classifications and Policy~~es or the Downtown Parking and Circulation Policy, depending upon location;

C through E. [No change.]

AMEND CHAPTER 33.120, MULTI-DWELLING ZONES

33.120.100 Primary Uses

(Amended by Ord. No. 167186, effective 12/31/93.)

A. **Allowed uses.** [No change.]

B. **Limited uses.** [No change.]

1 through 3. [No change.]

- 4. Commercial Parking in RX. This regulation applies to all parts of Table 120-1 that have note [4]. Outside the Central City plan district, Commercial Parking facilities in parking structures is are a conditional use. Commercial Parking facilities in surface lots is are prohibited. Within the Central City plan district, there are special regulations; See Chapter 33.510. Any ground floor retail requirements that result

Commentary

from other regulations continue to apply and are reviewed as part of the ~~conditional~~ land use review process.

Commentary

AMEND CHAPTER 33.130, COMMERCIAL ZONES

Table 130-1 Commercial Zone Primary Uses (Amended by Ord. No. 167186, effective 12/31/93.)								
Use Categories	CN1	CN2	CO1	CO2	CM	CS	CG	CX
Residential Categories	[No change.]							
Commercial Categories:								
Retail Sales And Service	[No change.]							
Office								
Quick Vehicle Servicing								
Vehicle Repair								
Commercial Parking	N	N	N	N	N	¥ L [11]	¥ L [11]	CU [11]
Self-Service Storage	[No change.]							
Commercial Outdoor Recreation								
Major Event Entertainment								
Industrial Categories	[No change.]							

Institutional Categories	[No change.]
Other Categories	[No change.]

Y = Yes, Allowed

CU = Conditional Use Review Required

L = Allowed, But Special Limitations

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.130.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

33.130.100 Primary Uses

(Amended by Ord. No. 167186, effective 12/31/93.)

A. Allowed uses. [No change.]

B. Limited uses. [No change.]

1 through 10. [No change.]

11. Commercial Parking. This regulation applies to all parts of Table 130-1 that have note [11]. Outside the Central City plan district, Commercial Parking is an allowed use in the CS and CG zones, and is a conditional use in the CX zone. Within the Central City plan district, there are special regulations; See Chapter 33.510.

Commentary

AMEND CHAPTER 33.140, EMPLOYMENT AND INDUSTRIAL ZONES

<p align="center">Table 140-1 Employment and Industrial Zone Primary Uses (Amended by Ord. No. 166920, effective 10/1/93. Amended by Ord. No. 167186, effective 12/31/93.)</p>						
Use Categories	EG1	EG2	EX	IG1	IG2	IH
Residential Categories	[No change.]					
Commercial Categories:	[No change.]					
Retail Sales And Service	[No change.]					
Office						
Quick Vehicle Servicing						
Vehicle Repair						
Commercial Parking	¥ L [13]	¥ L [13]	CU [13]	CU [13]	CU [13]	CU [13]
Self-Service Storage	[No change.]					
Commercial Outdoor Recreation						
Major Event Entertainment						
Industrial Categories	[No change.]					
Institutional Categories						

Commentary

	[No change.]
Other Categories	[No change.]

Y = Yes, Allowed

CU = Conditional Use Review Required

L = Allowed, But Special Limitations

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.140.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

3.140.100 Primary Uses

A. Allowed uses. [No change.]

B. Limited uses. [No change.]

1 through 12. [No change.]

13. Commercial Parking. This regulation applies to all parts of Table 140-1 that have note [13]. Outside the Central City plan district, Commercial Parking is an allowed use in the EG zones, and a conditional use in the EX and I zones. Within the Central City plan district, there are special regulations; See Chapter 33.510.

Maps

The maps on the following pages will be included in the Zoning Code:

510-6, Required Building Lines. This map is in the Code now, and is being amended.

510-8, Core and Parking Sectors—Interim. New map; will be in place until EPA approval.

510-8, Core and Parking Sectors—EPA. New map; will take effect after EPA approval.

510-9, Parking Access Restricted Streets. Modification of a map now in the Downtown Parking and Circulation Policy.

Ordinance and Resolution