

Memorandum

Date: September 12, 2024

To: West Linn Planning Commission

From: Darren Wyss, Planning Manager

Subject: Draft CFEC Parking Reform Code Amendments

At its September 18, 2024 meeting, the Planning Commission (PC) will hold its second work session to review the proposed draft code amendments intended to remove parking mandates and comply with the [Climate Friendly and Equitable Communities \(CFEC\)](#) parking reform rules. At its first [work session to review the draft code on August 21, 2024](#), the PC requested staff bring back information on two code related topics and correct one typo. The PC also recommended the City perform an audit after a few years of no parking mandates to ensure that the intent of the CFEC program

1. Clarify whether removing “Attic spaces and unfinished basements shall not count for the purpose of determining parking requirements” from the CDC Chapter 2 definition of floor area will impact maximum parking amounts or floor area ratio (FAR) calculations.
2. Add maximum parking amounts for areas outside of Metro 2040 Town Centers and most frequent transit corridors for compliance with the [Metro Regional Transportation Function Plan](#).
3. Correct typo in CDC Chapter 46.090(A) to “Metro 2040 Town Center Boundaries”.

The City will need to adopt parking related code amendments by the end of calendar year 2024 and received grant funds from the Department of Land Conservation and Development for consultant assistance in drafting the code amendments.

Goals of the meeting:

1. Review information requested at 8/21 work session.
2. Ask clarifying questions on proposed draft code amendments.
3. Request additional information if needed.
4. Recommend code language changes.
5. Find consensus to bring draft code amendments to public hearing on October 2, 2024.

Attached materials:

1. Draft CFEC Code Amendment Package
2. Metro Regional Transportation Functional Plan Maximum Parking Table

3. Consultant memo outlining the Oregon Administrative Rules (OAR) that apply after the removing all parking mandates and a matrix that compares the OAR requirements with existing West Linn Community Development Code requirements.

Information Requested at the August 21, 2024 Work Session

1. Clarify whether removing “Attic spaces and unfinished basements shall not count for the purpose of determining parking requirements” from the CDC Chapter 2 definition of floor area will impact maximum parking amounts or floor area ratio (FAR) calculations.

Staff Response: Staff recommends leaving the above statement in the definition and adding “maximum” so it reads:

*Floor area. The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. Attic spaces and unfinished basements shall not count for the purpose of determining **maximum** parking requirements.*

Staff believe that by retaining the language, and clarifying it only applies to maximum parking ratios, will comply with OARs and help to eliminate any confusion during the process of calculating maximum parking ratios as part of a development application.

Staff does not believe this amendment will have any impact on calculating floor area ratio (FAR) as that definition identifies applicable exemptions from the FAR for areas of a structure.

Floor area ratio (FAR). The FAR is that percentage of the total lot size that can be built as habitable space. A FAR of 0.45 means that the square footage of the lot is multiplied by 0.45 to yield the total habitable square footage of the house including accessory dwelling units. For example, on a 10,000-square-foot lot, an FAR of 0.45 will allow a 4,500-square-foot house ($10,000 \times 0.45 = 4,500$). The FAR does not include or apply to attached garages. The FAR does not apply to detached garages, accessory dwelling units and accessory structures. The FAR does not include basement areas that average less than 50 percent of the basement perimeter exposed above grade. Uninhabitable space such as crawlspaces, attics, and spaces designed under the Flood Management Area Permit program to allow the passage of floodwaters are also exempt.

The question was also asked if FAR applies to both commercial and residential development in West Linn. The following table lists the City’s zoning districts and whether FAR applies.

ZONING DISTRICT	FAR MAXIMUM APPLIED?
All residential zones	Yes
Mixed-use zone	Yes
Campus Industrial	Yes
Willamette Falls Drive Commercial Design District	No
General Industrial	No
Office Business Center	No
General Commercial	No
Neighborhood Commercial	No

2. Add maximum parking amounts for areas outside of Metro 2040 Town Centers and most frequent transit corridors for compliance with the Metro Regional Transportation Function Plan.

Staff Response:

The City currently allows a maximum parking amount that equates to 10 percent above the minimum required parking. The [CFEC administrative rules \(OAR 660-012-0415\)](#) set parking maximums for some types of development within Metro Town Centers and most frequent transit corridors, while the Metro Regional Transportation Functional Plan establishes maximums for other land uses within and outside of Town Centers (see Attachment 2).

To ensure the community is best served by proposed parking maximums, staff performed an analysis to compare current City parking maximums with the amounts found in Metro/OAR maximum standards. The tables below show this comparison and have recommended maximums that are reflected in the proposed code amendment package. Some things to consider:

1. A few Metro categories did not have corresponding City standards, so staff recommends using the Metro maximums.
2. Neither the OARs or Metro establish a multi-family maximum outside Town Centers/frequent transit corridors, so staff recommends using the average of one/two/three bedroom units to establish the maximum.
3. The City’s parking maximums are lower than permitted by Metro, so staff recommends maintaining the lower maximums as there is no evidence this has created an issue in the community. Staff will perform an audit after two-years and if the data shows the maximums should be increased, the adjustments can be made.
4. OAR 660-012-0415 requires a maximum of 5 spaces per 1,000 sq. ft. for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses. This category will be used to capture uses that don’t align with other listed uses.

City of West Linn Multi-Family Residential Parking

Unit Type	Existing Community Development Code Requirements				Proposed	
	Minimum Parking	Visitor Parking	Total	Maximum (10% Above Minimum)	Town Center Transit Corridor	Remainder of City
Studio	1.00	0.33	1.33	1.46	1.20	1.50
1 bdrm	1.25	0.33	1.58	1.74		
2 bdrm	1.50	0.33	1.83	2.01	2.00	2.10
3+ bdrm	1.75	0.33	2.08	2.29		

*Per OAR 660-012-0415

2.01 = Avg.
Max of 1/2/3

City of West Linn Commercial/Industrial Parking

Use Type	Existing Community Development Code Requirements		Metro Regional Transportation Functional Plan Maximums		Proposed Requirements	
	Minimum per 1,000 sq. ft.	Maximum (10% Above Minimum)	Town Center Transit Corridor Maximum	Remainder of City	Town Center Transit Corridor Maximum	Remainder of City
General Office	2.70	2.97	3.40	4.10	3.00	3.00
Warehouse > 150,000 sq. ft	n/a	n/a	0.40	0.50	0.40	0.50
College/High School*	0.20	0.22	0.30	0.30	0.30	0.30
Tennis/Racquetball Court	n/a	n/a	1.30	1.50	1.30	1.50
Sports Club/Rec Facility**	4.35	4.79	5.40	6.50	4.80	4.80
Retail/Commercial	4.17	4.59	5.10	6.20	4.60	4.60
Bank w/Drive In	2.70	2.97	5.40	6.50	3.00	3.00
Movie Theater	n/a	n/a	0.40	0.50	0.40	0.50
Fast Food w/Drive In	10.00	11.00	12.40	14.90	11.00	11.00
Other Restaurants	10.00	11.00	19.10	23.00	11.00	11.00
Place of Worship***	4.00	4.40	0.60	0.80	0.60	0.80
Medical/Dental Clinic	4.00	4.40	4.90	5.90	4.40	4.40

*spaces/# students and staff)

** health club in CDC

*** spaces/seats

The schedule to get the code amendments adopted by the end of calendar year deadline:

Meeting Date	Meeting Focus
Sept. 18, 2024	Planning Commission Work Session #2
Oct. 2/16, 2024	Planning Commission Public Hearing
Oct. 21, 2024	City Council Work Session
Nov. 4, 2024	City Council Work Session (if needed)
Nov. 11, 2024 or Dec. 9, 2024	City Council Public Hearing

Previous Policy Discussions

The PC, acting as the City Council appointed working group, held two work sessions ([first work session was on April 3, 2024](#) and [second work session was on June 5, 2024](#)) to discuss the policy choices (see background information below) the City must make regarding parking reform as part of the required implementation of the [Climate Friendly and Equitable Communities \(CFEC\) rules](#). The primary policy decision the City must make is to either eliminate all parking mandates in the community or implement a series of regulations/programs to meet the CFEC rules.

After the two work sessions, the PC found consensus to recommend removing all parking mandates in the City. Some of the basis of the recommendation included:

1. 90 percent of commercially zoned properties would be covered by no parking mandates unless the City implemented paid on-street parking districts in the Willamette and Bolton town center areas.
2. No support for paid on-street parking.
3. Feedback from commercial property owners/developers that parking would continue to be provided and they supported removing the mandates to allow market forces to dictate necessary parking amounts.
4. Two new TriMet bus routes will begin operating and if the frequency were to increase in the future, the City may be required to remove mandates within one-half mile as is the case with the current TriMet 35 route along Highway 43.
5. Ease of implementation will reduce City costs associated with new programs, regulations, and enforcement.

Staff briefed [City Council on July 15, 2024](#) regarding the PC recommendation to remove all parking mandates and received unanimous Council support to develop draft code amendments and bring them into the legislative process.

CFEC Background Information

In 2007, Oregon legislators adopted a goal to reduce Oregon’s climate pollution 75 percent by 2050. Fifteen years later, the state is far off track in meeting those goals, while also experiencing real-world impacts of increasing size, severity, and frequency of wildfires and record heat waves that impact communities.

Transportation pollution accounts for about 38 percent of Oregon’s climate pollution. On the current path, Oregon will only reduce transportation pollution by about 20 percent by 2050. In response, Governor Kate Brown issued [Executive Order No. 20-04](#) in March 2020 directing state agencies to meaningfully and urgently address climate change by developing measures to reduce Oregon’s greenhouse gas emissions.

The [Land Conservation and Development Commission \(LCDC\)](#) launched the [Climate-Friendly and Equitable Communities \(CFEC\)](#) rulemaking project in response to Governor Brown’s order. LCDC directed the [Department of Land Conservation and Development \(DLCD\)](#), Oregon’s land use planning agency, to draft changes to the state land use and transportation planning programs for communities in Oregon’s eight most populated areas. Over the course of two-years, and with the assistance of a rulemaking committee, DLCD created draft rules, which were presented to LCDC and [adopted in July 2022](#). LCDC initiated [additional rulemaking in 2023](#) in order to retain the outcomes of the program while making implementation easier for cities and counties.

The adopted rules, found in [Oregon Administrative Rules \(OAR\) Chapter 660, Division 12](#), aim to improve equity, while ensuring all Oregonians are served by a community’s transportation, housing, and planning efforts. The four primary areas of impact to the City of West Linn include:

1. Reforming parking mandates and amending parking lot design standards
2. Preparing for the electric vehicle future
3. Planning for future transportation options
4. Adopting Metro 2040 Growth Concept town center boundaries

The City of West Linn is currently implementing several of the adopted administrative rules as required and will implement the remaining rules over the next several years. More detail is provided later in this memorandum, but the most immediate actions involve reforming the City’s parking codes and implementing parking lot design and electric vehicle charging infrastructure requirements.

Staff has provided general details about areas of impact 2-4 listed above. The primary focus is on required parking reform regulations and the specific policy questions/decisions that will need to be made regarding parking reform.

Reforming parking mandates and amending parking lot design standards

Parking mandates, also known as minimum parking requirements, are a one-sized approach that often hide the costs of providing parking in other goods, such as housing and business costs. The CFEC adopted administrative rules require the City to eliminate parking mandates in

some cases and reduce them in other cases. The rules also require the City to ultimately make a policy decision to either eliminate all parking mandates for the City or eliminate/reduce them in some areas and for certain land uses, while also implementing a series of programmatic changes.

The following are required changes the City is currently implementing or will be implemented with the policy decisions via a CFEC code amendment package.

Required Changes

1. [OAR 660-012-0430](#) – Implementation began on January 1, 2023
 - Cannot require more than one parking space per unit in residential developments with more than one dwelling unit on a single legally-established property.
 - Cannot enforce parking mandates for certain development or use types (small residential units, affordable units, childcare, facilities for people with disabilities, and shelters)
2. [OAR 660-012-0440](#) – Implementation began on January 1, 2023 via staff action. CDC amendments will be included in full CFEC code amendment package.
 - Cannot enforce parking mandates within ½ mile of TriMet Bus Line 35 (Hwy 43)
3. [OAR-660-012-0410](#) – Implementation began March 31, 2023 via staff action. CDC amendments will be included in full CFEC code amendment package.
 - Electric vehicle charging conduit required to serve 40 percent of parking spaces in new multi-family or mixed-use development with more than five dwelling units
4. [OAR-660-012-0405](#) – Implementation will begin after adoption of full CFEC code amendment package.
 - Requires allowing redevelopment of parking lots for bicycle/transit use, facilitating shared parking, parking lot design changes, and adopting parking maximums
5. [OAR-660-012-0415](#) – Implementation will begin after adoption of full CFEC code amendment package.
 - Requires parking maximums in the City’s two Metro 2040 Town Centers and within the ½ mile boundary of TriMet Bus Line 35 (Hwy 43)

The following are policy decisions the City must make regarding parking mandates in the community. The primary decision the Planning Commission will need to discuss in the future, and ultimately the City Council will need to decide, is 1) To eliminate all parking mandates within the City; or 2) Implement a series of regulations/programs that will require funding and additional staff to manage. Some basic information is provided to help frame the level of effort required for the two choices. More detailed information will be provided for the policy discussion work sessions to begin in 2024.

Policy Decisions

1. [OAR-660-012-0420](#) – Either eliminate all parking mandates within the City or comply with OAR-012-0425 to 0450 regulations.
 - If mandates are eliminated, only the five required changes listed above will need compliance
 - If mandates are not eliminated, the following regulations and/or policy decisions will need to be implemented

2. [OAR-660-012-0425](#) – Requires adoption of eight specific regulations to reduce parking mandates.
 - Garage spaces, shared parking, provided off-site, solar panels, car-sharing spaces, electric vehicle charging stations, accessible dwelling units above minimum.

3. [OAR-660-012-0435](#) – Parking reform in Metro 2040 Town Centers
 - Remove all mandates within the area and within ¼ mile; or
 - Adopt parking benefit district with paid on-street parking; and
 - Require no more than ½ off-street space per dwelling unit that is not a townhouse or rowhouse; and
 - Require no mandates for commercial development

4. [OAR-660-012-0445](#) – Parking management alternative approaches requires choosing between Option A or Option B.
 - Option A: Fair Parking Policy requires implementing two of five provisions
 - 1. Multi-family residential unbundled parking (would require development of a City program and tracking system)
 - 2. Commercial unbundled parking (would require development of a City program and tracking system)
 - 3. Flexible commute benefit program for 50+ employee businesses that provide free or subsidized parking (would require development of a City program and tracking system)
 - 4. Revenue tax on commercial parking lots (would require development of a City program and tracking system)
 - 5. Parking mandate no higher than ½ space per multi-family unit, including visitor parking

 - Option B: Reduced parking regulations including all of the following:
 - Repeal parking mandates within 1/2 miles of Metro 2040 Town Centers
 - Repeal parking mandates for mixed-use developments
 - Repeal parking mandates for group quarters (dorms, retirement homes, care facilities, etc.)
 - Repeal parking mandates for studio and one-bedroom apartments, and condos in multi-unit housing developments
 - Repeal of parking mandates for a change of use or redevelopment of a two-plus year vacant building
 - Repeal of additional parking requirements for change of use or redevelopment when at least 50 percent of building floor area is retained

- Repeal parking mandates for expansion of existing building by less than 30 percent
- Repeal parking mandates for historic properties/buildings
- Repeal parking mandates for commercial properties with less than 10 employees on site or less than 3,000 sq. ft. floor space
- Repeal parking mandates for developments build under the Oregon Residential Reach Code
- Repeal parking mandates for LEED certified buildings
- Repeal parking mandates for schools
- Repeal parking mandates for bars and taverns
- Implement at least one pricing mechanism (would require development of a City program and tracking system):
 - 1. Designate at least one residential parking district where on-street parking is by paid permits, meters, or other payments
 - 2. Multi-family housing units be unbundled from parking upon lease renewal or sale

A proposed CFEC code amendment package will be determined by the policy decisions made during the work session discussions with the Planning Commission and Council. The Department of Land Conservation and Development (DLCD) has also distributed informational and implementation documents for use by communities required to follow the CFEC rules. Some of the parking related documents are linked below.

[DLCD Parking Reform Summary](#)

[DLCD What Happens When Parking Mandates are Reduced?](#)

[DLCD Welcome to Parking Reform Webinar \(Presentation .pdf\)](#)

Preparing for the electric vehicle future

As of July 1, 2022, state statute and building codes require new commercial buildings, new mixed-use buildings with five or more residential units, and new multi-family residential buildings with five or more units to install conduit to support at least 20 percent of the parking spaces for electric vehicle charging.

The [CFEC rules](#) required the City to implement, on March 21, 2023, installation of conduit to support at least 40 percent of the parking spaces for electric vehicle charging. The rules apply to new mixed-use or multi-family residential building with five or more residential units. The provisions will be included in a final CFEC code amendment package.

Planning for future transportation options

The majority of [transportation related CFEC rules](#) are focused on the update or creation of transportation system plans (TSP), including how proposed projects are evaluated. The City has an adopted TSP and an update to the [2016 West Linn Transportation System Plan](#) may be necessary to comply with any new policy directives that result from [Metro's 2023 Regional Transportation Plan](#) (RTP) update. The RTP update is scheduled for adoption in December 2023.

Any necessary updates to the City's TSP would occur after adoption of the RTP and City staff would seek grant funding through the State's Transportation and Growth Management program for the work.

Adopting Metro 2040 Growth Concept Town Center boundaries

One of the primary components of the CFEC rules is the requirement to create and adopt climate friendly areas with associated zoning and development code requirements. However, the Portland Metropolitan Area is exempt from the requirements since the region has already adopted the [2040 Growth Concept](#) with associated Regional Centers, Town Centers, Corridors, Station Communities, and Main Streets where urban density growth is anticipated to occur. The CFEC rules require Metro to establish requirements for adoption of Centers by the end of calendar year 2024.

The City has two Town Center areas identified on the [2040 Growth Concept Map](#). One in the Bolton Neighborhood commercial area and the second in the Willamette Neighborhood commercial area. The City will need to adopt the two Town Center boundaries and any associated zone changes or development code updates resulting from the requirements Metro establishes for adoption of Centers. The City must complete the adoption process by the end of calendar year 2025.

If you have questions about the meeting or materials, please feel free to email or call me at dwyss@westlinnoregon.gov or 503-742-6064.

Draft West Linn CFEC Code Amendments

CHAPTER 1 GENERAL

[...]

C. No lot area, yards, other open space or ~~off-street parking~~ or loading area existing on or after the effective date of this code shall be reduced below the minimum required for it by this code. No fee conveyance of any portion of a lot or parcel, for other than a public use, shall leave a structure on the remainder of the lot with less than minimum ordinance requirements.

D. No lot area, yard, or other open space or ~~off-street parking~~ or loading area which is required by this code for one use shall be a required lot area, yard, or other open space or ~~off-street parking~~ or loading area for another use, except as provided in CDC [05.030\(A\)](#). (Ord. [1635](#) § 1, 2014; Ord. [1636](#) § 1, 2014)

CHAPTER 2 DEFINITIONS

[...]

Floor area. The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. ~~Attic spaces and unfinished basements shall not count for the purpose of determining parking requirements.~~

[...]

Nursery. The propagation of trees, shrubs, vines or flowering plants for transplanting, sale, or for grafting or budding; planting of seeds or cuttings; grafting and budding one variety on another; spraying and dusting of plants to control insects and diseases, and buying and selling the above plant stock at wholesale or retail. Seasonal labor may be employed. The term “nursery” contemplates the sale of products of the nursery. ~~The conduct of a nursery business presumes parking places for these functions.~~ However, the use does not include the business of manufacturing and selling products composed of raw materials purchased off the premises. Plant-related products manufactured elsewhere may be resold on the premises.

[...]

Parking facilities. Parking services involving garages and lots, and may exclude ~~required~~ parking lots within the same lot of record of a particular development or use.

[...]

Provision of Electric Vehicle Service Capacity. Refers to service capacity for charging electric vehicles in newly constructed buildings, consistent with ORS 455.417.

CHAPTER 22 CONDITIONAL USES

[...]

22.060 Conditional Uses

A. The following are conditional uses which may be allowed in this zone subject to the provisions of Chapter [60](#) CDC, Conditional Uses, and, in addition, the proposed use:

[...]

4. Will provide vehicular and pedestrian access, circulation, ~~parking~~ and loading areas which are compatible with similar facilities for uses on the same site or adjacent sites.

22.080 Development Standards

[...]

C. Parking and loading requirements. The provisions of Chapter [46](#) CDC shall apply, except as modified to address the following objectives:

1. Locate parking areas to maximize the potential for shared parking between on- and off-site complementary uses, as provided under Chapter [46](#) CDC.
2. Encourage the provision of priority parking spaces convenient to the building entrances for employee carpool vehicles.
3. Maximize the joint use of truck loading and maneuvering areas between on-site and adjacent off-site complementary uses.
4. Locate necessary commercial or recreational vehicle storage in areas which are generally inappropriate for permitted use parking, and buffer such areas from residential uses. ~~No parking or loading space required under Chapter [46](#) CDC shall be used for storing a commercial or recreational vehicle.~~

CHAPTER 32 WATER RESOURCE AREA PROTECTION

[...]

32.110 Hardship Provisions

[...]

F. Development allowed under subsection A of this section may use the following provisions:

[...]

2. Landscaping ~~and parking~~ requirements may be reduced for hardship properties but only if all or part of the WRA is dedicated pursuant to CDC [32.060](#)(C) or if a restrictive deed covenant is established. These reductions shall be permitted outright and, to the extent that the practices are inconsistent with other provisions or standards of the West Linn CDC, this section is given precedence so that no variance is required. The allowable reductions include:

- a. Elimination of landscaping for the parking lot interior.
- b. Elimination of the overall landscape requirement (e.g., 20 percent for commercial uses).
- c. Elimination of landscaping between parking lots and perimeter non-residential properties.
- d. Landscaping between parking lots and the adjacent right-of-way may be reduced to eight feet. This eight-foot-wide landscaped strip may be used for vegetated storm water detention or treatment.
- ~~e. A 25 percent reduction in total required parking is permitted to minimize or avoid intrusion into the WRA.~~
- ~~f. Adjacent improved street frontage with curb and sidewalk may be counted towards the parking requirement at a rate of one parking space per 20 lineal feet of street frontage adjacent to the property, subject to City Engineer approval based on the street width and classification.~~

~~g. The current compact and full sized parking mix may be modified to allow up to 100 percent compact spaces and no full sized spaces. However, any required ADA compliant spaces shall be provided.~~

CHAPTER 35 TEMPORARY STRUCTURES AND USES

[...]

35.030 Temporary Use Standards

[...]

a. The proposed site shall have adequate parking and circulation space consistent with Chapter [46](#) CDC, Off-Street Parking, Loading and Reservoir Areas; safe ingress and egress consistent with Chapter [48](#) CDC, Access, Egress and Circulation; and adequate line of sight and vision clearance per Chapter [42](#) CDC, Clear Vision Areas.

CHAPTER 36 MANUFACTURED HOMES

[...]

36.030 Manufactured Dwelling Parks Standards

[...]

5. Streets

[...]

~~d. There shall be a minimum of two off street parking spaces provided for each manufactured dwelling space.~~

CHAPTER 37 HOME OCCUPATIONS

This chapter is being updated as part of another code amendment package and all references to parking requirements will be removed.

CHAPTER 41 BUILDING HEIGHT, STRUCTURES ON STEEP LOTS, EXCEPTIONS

[...]

41.010 Front Yard Setback Exception

If the average slope of a building site is 25 percent or greater, as measured along the planes of the proposed structure, the standards in subsections A and B of this section shall be met.

A. The minimum front yard setback for the garage shall be three feet. All structures other than the garage shall meet the setback requirement of the underlying zone, or as otherwise specified in this code.

B. When a garage is situated less than 20 feet from the front property line or less than 15 feet from a side property line facing a street, the following ~~siting~~ conditions shall apply:

1. The garage shall be ~~set parallel~~ **positioned so the doors are perpendicular** to the street (i.e., **facing sideways, not directly onto the street** ~~the garage doors shall be perpendicularly oriented to~~

the street), and at least two off-street parking spaces shall be provided as specified in Chapter 46 CDC (i.e., paved).

2. If the lot width prohibits the garage with doors perpendicular to the street parallel siting required above, an applicant may request an exception as part of a discretionary review, and the garage may be positioned with sited perpendicular to the street (i.e., the garage door or doors facing directly onto the street), provided, in addition to the garage parking space(s), two off-street parking spaces are provided on site.

CHAPTER 46 OFF-STREET PARKING, LOADING AND RESERVOIR AREAS

46.020 Applicability and General Provisions

A. At the time a structure is erected or enlarged, or the use of a structure or unit of land is changed within any zone, ~~parking spaces~~, loading areas and reservoir areas shall be provided in accordance with the requirements of this chapter unless other requirements are otherwise established as a part of the development approval process.

[...]

C. No building or other permit shall be issued until plans are approved that show the property that is and will remain available for exclusive use as ~~off-street parking and~~ loading space as required by this chapter.

D. ~~Required p~~arking spaces and loading areas shall be improved to the standards contained in this chapter and shall be available for use at the time of the final building inspection except as provided in CDC [46.150](#).

46.030 Submittal Requirements

For any application requiring design review approval, which includes parking areas, the applicant shall submit, within the design review package, a plan drawn to scale showing all the elements necessary to indicate that the requirements of Chapter [55](#) CDC are met and it shall include but not be limited to:

[...]

L. A tree canopy plan developed in coordination with the local electric utility, including pre-design, design, and building and maintenance phases that includes:

- 1. Confirmation, such as a signature or email, from electric utility showing they reviewed and support the plan.
- 2. Site plan depicting canopy coverage at maturity to meet CDC 46.150(G).
- 3. Planting specifications to meet CDC 46.150(G).
- 4. Narrative responses to show compliance with CDC 46.150(G).

M. Narrative responses and site plan depicting location of required electric vehicle charging conduit per CDC 46.150(H).

46.050 Joint Use of a Parking Area

A. Joint use of ~~required~~ parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of ~~required~~ parking spaces is allowed if the following documentation is submitted in writing to the Planning Director as part of a building or zoning permit application or land use review:

1. The names and addresses of the owners or tenants that are sharing the parking and the uses at those locations;
2. The location and number of parking spaces that are being shared.
3. An analysis showing that the peak parking times of the uses occur at different times ~~and that the parking area will be large enough for the anticipated demands of both uses;~~ and
4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for all uses.

B. If a joint use arrangement is subsequently terminated, the requirements of this chapter will apply to each use separately.

46.060 Storage in Parking and Loading Areas Prohibited

~~Required~~ parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees only, and the ~~required~~ parking spaces shall not be used for storage of vehicles or materials or for the parking of trucks connected with the business or use with the exception of small (under one-ton) delivery trucks or cars.

46.070 Maximum Distance Allowed Between Parking Area and Use

[...]

~~B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions.~~ **Parking areas must provide the following, wherever applicable:**

- ~~1. Shared parking areas for commercial uses which require with more than 40 parking spaces may provide for the spaces in excess of the required 40 spaces up to a distance of 300 feet from the entryway to the commercial building or use.~~
- ~~2. Industrial and manufacturing uses which require in with an excess of 40 spaces may locate the required spaces in excess of the 40 spaces up to a distance of 300 feet from the entryway to the building.~~
- ~~3.~~ **1.** Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.
- ~~4.~~ **2.** Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for ~~required~~ parking spaces, the applicant shall ensure that an attendant will always be present when the lot is in operation. The requirements for ~~minimum or~~ maximum spaces and all parking area development standards continue to apply for stacked parking.
- ~~5.~~ **3.** All disabled parking shall be placed closest to building entrances than all other parking. Appropriate ADA curb cuts and ramps to go from the parking lot to the ADA-accessible entrance shall be provided unless exempted by ADA code.

46.080 ~~Computation of required Parking Spaces and Loading Area~~

- ~~A. Where several uses occupy a single structure or unit of land, a combination of uses is included in one business, or a combination of uses in the same or separate buildings share a common parking area as in the case of a shopping center, the total off-street parking spaces and loading area shall be the sum of the requirements of the several uses, computed separately. For example, parking for an auto sales and repair business would be calculated using the “retail bulky” calculation for the sales area and the “service and repair” calculation for the repair area. In another example, parking for a shopping center with a grocery store, a restaurant, and a medical office would be calculated using the “general retail store” calculation for the grocery store, the “restaurant” calculation for the restaurant, and the “medical/dental clinics” calculation for the medical office. The total number of required parking spaces may be reduced by up to 10 percent to account for cross patronage (when a customer visits several commercial establishments during one visit to the commercial center) of adjacent businesses or services in a commercial center with five or more separate commercial establishments.~~
- ~~B. To calculate building square footage as a basis for determining how many parking spaces are needed, the area measured shall be gross floor area under the roof measured from the faces of the structure, including all habitable floors and excluding only space devoted to covered off-street parking or loading.~~
- ~~C. Where employees are specified, the employees counted are the persons who work on the premises including proprietors, executives, professional people, production, sales, and distribution employees, during the largest shift.~~
- ~~D. Fractional space requirements shall be counted as a whole space.~~
- ~~E. On-street parking along the immediate property frontage(s) may be counted toward the minimum parking requirement with approval from the City Engineer.~~
- ~~F. When an office or commercial development is proposed which has yet to identify its tenants, the parking requirement shall be based upon the “office” or “general retail” categories, respectively.~~
- ~~G. As permitted uses are replaced with new permitted uses within an existing commercial or business center, modification of the number of parking spaces relative to the new mix of uses is not required unless other modifications of the site which require design review approval pursuant to Chapter 55 CDC are proposed.~~

46.090 ~~Minimum Off-Street Parking Space Requirements~~

- ~~A. Residential parking space requirements.~~
 - ~~- 1. Single family residences (attached or detached). 1 space for each dwelling unit; may or may not be in garage or carport.~~
 - ~~- 2. Two family residences and duplexes. 1 space for each dwelling unit; may or may not be in garage or carport.~~
 - ~~- 3. Triplexes. 1 space for each dwelling unit; may or may not be in garage or carport.~~

For lots or parcels less than 3,000 square feet: 1 space in total;
For lots or parcels greater than or equal to 3,000 square feet but less than 5,000 square feet: 2 spaces in total;
For lots or parcels greater than or equal to 5,000 square feet: 3 spaces in total.
Stacking one car behind the other is permitted only when the parking spaces are allocated to specific dwelling units and the driveway width allows for the interior vehicle to maneuver around the other parked vehicles.

4. Quadplexes:

1 space for each dwelling unit; may or may not be in garage or carport.
For lots or parcels of less than 3,000 square feet: 1 space in total;
For lots or parcels greater than or equal to 3,000 square feet but less than 5,000 square feet: 3 spaces in total;
For lots or parcels greater than or equal to 5,000 square feet but less than 7,000 square feet: 3 spaces in total; and
For lots or parcels greater than or equal to 7,000 square feet: 4 spaces in total.
Stacking one car behind the other is permitted only when the parking spaces are allocated to specific dwelling units and the driveway width allows for the interior vehicle to maneuver around the other parked vehicles.

5. Townhouses:

1 space per townhouse dwelling unit.
Stacking one car behind the other is permitted only when the parking spaces are allocated to specific dwelling units and the driveway width allows for the interior vehicle to maneuver around the other parked vehicles.

6. Cottage cluster:

1 space per dwelling unit or cottage in the cluster.
Stacking one car behind the other is permitted only when the parking spaces are allocated to specific dwelling units and the driveway width allows for the interior

vehicle to maneuver around the other parked vehicles.

- 7. Multifamily residences:
 - a. 500 square feet or less. 1 space for each unit.
 - b. 1 bedroom apartment. 1.25 spaces for each unit. Stacking one car behind the other is permitted only when the parking spaces are allocated to specific apartments.
 - c. 2 bedroom apartments. 1.5 spaces for each dwelling unit. Stacking one car behind the other is permitted only when the parking spaces are allocated to specific apartments.
 - d. 3 (or more) bedroom apartment. 1.75 spaces for each dwelling unit. Stacking one car behind the other is permitted only when the parking spaces are allocated to specific apartments.
 - e. Visitor parking for multifamily residences. 1 space for every 3 apartment units evenly distributed throughout the complex. These spaces shall be clearly identified and signed as visitor spaces only. This number may be reduced by 1 space for every 18 feet of project abutting public street frontage where on street parking is allowed.
- 8. Residential hotel, rooming and boarding houses. 1 space per 1,000 square feet of gross leasable area.
- 9. Correctional institutions. 1 space for each 3 beds or patients, plus 1 space for each 2 employees.
- 10. Manufactured/mobile home. Same as single family.
- 11. Adult foster care, residential care facility, assisted living facility. 1 space for each 3 units plus 1 space for each employee working during the time period with the greatest number of employees on site.
- B. Public and semi-public buildings/uses.
 - 1. Hospitals/nursing facilities. 1 space for each 3 beds plus 1 space per 2 employees.
 - 2. Lodge, social and civic assembly (except senior center and community center). Spaces to meet the combination of uses, [CDC 46.080\(A\)](#).
 - 3. Library. 1 space per 400 square feet of reading area, plus 1 space per 2 employees.

- 4. Religious institutions and community meeting rooms. 1 space for every 4 fixed seats or every 8 feet of bench length or every 28 square feet where no permanent seats or benches are maintained (in main auditorium, sanctuary, or place of worship).
 - 5. Museum, art gallery. 1 space for each 500 square feet of floor area, plus 1 space for each 2 employees.
 - 6. Primary school, middle school, or equivalent private or parochial school. 1 space for every employee, plus 1 space for each 1,000 square feet of floor area.
 - 7. Senior high, college, or commercial trade school, or equivalent private or parochial school. 0.2 spaces per staff and student.
 - 8. Day care, kindergarten, or pre-school facilities. 1 space per employee, plus one space for every 300 square feet of floor area.
 - 9. Youth center or community center. 1 space per 200 square feet of covered floor area and drop-off facilities where required by CDC [46.120](#).
 - 10. Passive parks, open space areas. 1 space per 5 acres to 1 space per acre unless the open space area is abutting a street with no intervening homes or land uses, and has at least 300 lineal feet of street frontage where on-street parking is allowed.
 - 11. Active parks, playgrounds. 2 to 5 spaces for each acre of active use area other than athletic fields.
 - 12. Athletic field (baseball, soccer, etc.). 40 spaces per athletic field.
 - 13. Boat ramp. 40 spaces per launch ramp (50 percent at 9' X 20'; 50 percent at 10' X 40' marked "trailers only").
 - 14. Senior center. 1 space per 150 square feet and drop-off facility per CDC [46.120](#).
 - 15. Trailhead. Four spaces (includes one handicapped space).
- C. Commercial.
- 1. Restaurants: Eating and drinking establishments.
 - - a. Cafes, diners, taverns, bars, lounges, full-service and fast food restaurants. One space for every 100 square feet of gross floor area. Restaurants with drive-through window and reservoir areas may

- - b. ~~Take-out facilities (i.e., delicatessen, coffee and pastry, pizza, Chinese food, etc.) with no more than 2 tables and 8 seats, or 12 feet of stand-up counter space, or combination thereof, so that not more than 8 persons could be accommodated at any one time.~~
 reduce their parking requirement by 5 spaces.
 One space for every 200-square feet of gross floor area. Take-out facilities with drive-through window and reservoir areas may reduce their parking requirement by 5 spaces.
- 2. ~~General retail store, except as provided below.~~
 One space for every 240 sq. ft. of gross floor area.
- 3. ~~Retail bulky (i.e., automobiles, furniture, automotive parts, appliances such as stoves, refrigerators, etc.).~~
 One space for every 300 sq. ft. of gross floor area.
- 4. ~~Service and repair shops.~~
 One space for every 500 sq. ft. of gross floor area.
- 5. ~~Professional offices, banks and savings and loans, and government offices.~~
 One space for every 370 sq. ft. of gross area.
- 6. ~~Medical/dental clinics/day surgery.~~
 One space for every 250 sq. ft. of gross floor area.
- 7. ~~Hotel, motel, tourist court, or bed and breakfast.~~
 One space for each guest room (plus parking for convention center, as appropriate).
- 8. ~~Convention, trade, or banquet center.~~
 One space per 3 persons of the maximum capacity of the convention center.
- 9. ~~Laundromat.~~
 One space per 2 washing machines.
- 10. ~~Tanning salon.~~
 One space per tanning booth/bed, plus 1 per employee.
- D. ~~Commercial recreation.~~
 - 1. ~~Auditorium, stadium, gymnasium.~~
 One space for each 4 seats, or 8 feet of bench length, or 1 space for each 40 square feet of floor area.
 - 2. ~~Bowling alley.~~
 Five spaces for each alley, plus 1 space for each 2 employees.
 - 3. ~~Pool hall or billiard hall.~~
 One space per table, plus 1 space for each 2 employees.
 - 4. ~~Dance hall or skating rink.~~
 One space for each 50 sq. ft. of gross floor area, plus space for each 2 employees.

- | | |
|--|---|
| 5. Amusement park. | One space for each 1,000 sq. ft. of gross area, plus 1 space for each 2 employees. |
| 6. Go-kart track. | One space per kart, plus one space per employee. |
| 7. Country club and golf course. | Six spaces per golf hole, and 1 space per employee on largest shift. |
| 8. Executive or 9-hole golf course. | Two spaces per golf hole, and space per employee on largest shift. |
| 9. Theater or movie house. | One space per 4 seats, or 8 feet of bench length. |
| 10. Racetrack or stadium. | One space per 6 seats, or 12 feet of bench length. |
| 11. Shooting gallery. | One space per 500 square feet of floor area, plus 1 space per 2 employees. |
| 12. Swimming pool. | One space per 100 square feet of floor area, plus 1 space per 2 employees. |
| 13. Tennis/racquetball courts. | One space per court. |
| 14. Video arcade. | One space per 240 square feet. |
| 15. Miniature golf course. | Two spaces per golf hole, plus 1 space per employee at largest shift. |
| 16. Marina boat dock. | 1.5 spaces per boat slip, plus 1 per each employee. |
| 17. Health club. | One space per 230 square feet of gross floor area. |
|
E. Industrial. | |
| 1. Manufacturing use; may include assembly and distribution. | One space per employee. (Multi-shift businesses only need to provide for peak shift number of employees on-site at one time.) |
| 2. Storage or wholesale use including personal storage facilities. | One space per employee plus one space/700 sq. ft. of patron serving area. |

A.-F. Maximum Parking. Parking spaces (except for single family attached and detached residential uses) shall not exceed the minimum required number of spaces by more than 10 percent the following amounts.

<u>Land Use</u>	<u>Metro 2040 Town Centers or within one-half mile of frequent transit corridors as defined by OAR 660-012-0440 (Spaces per 1,000 sq. ft. of gross leasable area unless otherwise stated)</u>	<u>Outside Metro 2040 Town Centers or not within one-half mile of frequent transit corridors as defined by OAR 660-012-0440 (Spaces per 1,000 sq. ft. of gross leasable area unless otherwise stated)</u>
<u>Multi-family studio unit (spaces per unit)</u>	<u>1.2</u>	<u>1.5</u>
<u>Multi-family non-studio (spaces per unit)</u>	<u>2.0</u>	<u>2.1</u>
<u>General Office (includes Office Park, "Flex-Space", Government Office & misc. Services)</u>	<u>3.0</u>	<u>3.0</u>
<u>Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)</u>	<u>0.4</u>	<u>0.5</u>
<u>Schools: College/ University & High School (spaces/# of students and staff)</u>	<u>0.3</u>	<u>0.3</u>
<u>Tennis Racquetball Court</u>	<u>1.3</u>	<u>1.5</u>
<u>Sports Club/Recreation Facilities</u>	<u>4.8</u>	<u>4.8</u>
<u>Retail/Commercial, including shopping centers</u>	<u>4.6</u>	<u>4.6</u>
<u>Bank with Drive-In</u>	<u>3.0</u>	<u>3.0</u>
<u>Movie Theater</u>	<u>0.4</u>	<u>0.5</u>
<u>Fast Food with Drive Thru</u>	<u>11.0</u>	<u>11.0</u>
<u>Other Restaurants</u>	<u>11.0</u>	<u>11.0</u>
<u>Place of Worship (spaces/seats)</u>	<u>0.6</u>	<u>0.8</u>
<u>Medical/Dental Clinic</u>	<u>4.4</u>	<u>4.4</u>
<u>Other Commercial Uses</u>	<u>5.0</u>	<u>5.0</u>

1. For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building.
2. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.
3. For land uses not listed in the table above, maximum parking will be calculated based on the most similar land use in the table.

~~G.—Parking reductions. An applicant may reduce parking up to 10 percent for development sites within one quarter mile of a transit corridor or within a mixed use commercial area, and up to 10 percent for commercial development sites adjacent to multifamily residential sites with the potential to accommodate more than 20 dwelling units.~~

~~B. H.~~ For office, industrial, and public uses where there are more than 20 parking spaces for employees on the site, at least 10 percent of the ~~required~~ employee parking spaces shall be reserved for carpool use before 9:00 a.m. on weekdays. The spaces will be the closest to the building entrance, except for any disabled parking and those signed for exclusive customer use. The carpool/vanpool spaces shall be clearly marked “Reserved – Carpool/Vanpool Before 9:00 a.m.”

~~C. I.~~ Existing developments along transit streets or near transit stops may ~~redevelop up to 10 percent of~~ the existing parking spaces to provide transit-oriented facilities, including bus pullouts, bus stops and shelters, park and ride stations, and other similar facilities.

~~J.—Development in water resource areas may reduce the required number of parking spaces by up to 25 percent. Adjacent improved street frontage with curb and sidewalk may also be counted towards the parking requirement at a rate of one parking space per 20 lineal feet of street frontage adjacent to the property.~~

~~46.100 Parking Requirements for Unlisted Uses~~

~~A.— Upon application and payment of fees, the decision-making authority, as provided by CDC [99.060\(B\)](#), may rule that a use not specifically listed in CDC [46.090](#) is a use similar to a listed use and that the same parking standards shall apply. The ruling on parking requirements shall be based on the requirements of Chapter [99](#) CDC and findings that:~~

- ~~1.— The use is similar to and of the same general type as a listed use;~~
- ~~2.— The use has similar intensity, density and off-site impacts as the listed use; and~~
- ~~3.— The use has similar impacts on the community facilities as the listed use.~~

~~B.— This section does not authorize the inclusion of a use in a zone where it is not listed, or a use which is specifically listed in another zone or which is of the same general type, and is similar to a use specifically listed in another zone.~~

~~46.140 Exemptions to Parking Requirements~~

~~To facilitate the design requirements of Chapter 58 CDC, properties in the Willamette Falls Drive Commercial Design District, located between 10th and 16th Streets, shall be exempt from the minimum parking and off-street loading requirements as identified in this chapter. Any off-street parking or loading spaces voluntarily provided shall be designed and installed per the dimensional standards of this code.~~

~~46.150 Design and Improvement Standards~~

~~The following standards apply to the design and improvement of areas used for vehicle parking, storage, loading, and circulation:~~

~~A. Design standards.~~

1. “One standard parking space” means a minimum for a parking stall of eight feet in width and 16 feet in length. These stalls shall be identified as “compact.” To accommodate larger cars, 50 percent of the ~~required~~ parking spaces shall have a minimum dimension of nine feet in width and 18 feet in length (nine feet by 18 feet). When multifamily parking stalls back onto a driveway, as opposed to a drive aisle within a parking lot, the stalls shall be nine feet by 20 feet. Parking for development in water resource areas may have 100 percent compact spaces.
[...]

6. Except for single-family attached and detached residences, any area intended to be used **for** ~~to meet the~~ off-street parking requirements as contained in this chapter shall have all parking spaces clearly marked using a permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety. Permeable parking surface spaces may have an alternative delineation for parking spaces.
[...]

20. Pedestrian connections through parking areas.
 - a. Pedestrian walkways shall be provided in parking areas ~~having 20 or more spaces~~ **that are larger than ½ acre. The pedestrian walkways or sidewalks should provide access to building entrances, existing or planned pedestrian facilities in the public right-of-way, and to accessible parking spaces.**
 - b. Walkways or sidewalks shall be constructed through parking lots where such parking lots lie between major buildings/activity areas (an example in multifamily housing: between recreation center, swimming pool, manager’s office, park or open space areas, parking lots, etc.) within a development and adjacent streets or adjacent transit stops. **The walkways or sidewalks should also provide access to building entrances, existing or planned pedestrian facilities in the public rights-of-way, and to accessible parking spaces.**

B. Accessible parking standards for persons with disabilities. If any parking is provided for the public or visitors, or both, the needs of the people with disabilities shall be based upon the following standards or current applicable federal standards, whichever are more stringent:

1. Minimum number of accessible parking space requirements (see following table):

MINIMUM REQUIRED NUMBER OF TOTAL PARKING SPACES	TOTAL NUMBER OF ACCESSIBLE SPACES	NUMBER OF VAN-ACCESSIBLE SPACES REQUIRED, OF TOTAL	SPACES SIGNED “WHEELCHAIR USE ONLY”
1 – 25	1	1	-
26 – 50	2	1	-
51 – 75	3	1	-
76 – 100	4	1	-
101 – 150	5	-	1
151 – 200	6	-	1
201 – 300	7	-	2

301 – 400	8	-	2
401 – 500	9	-	2
501 – 999	2 percent of total spaces	-	1 in every 6 accessible spaces or portion thereof
Over 1,000	20 spaces plus 1 for every 100 spaces, or fraction thereof, over 1,000	-	1 in every 6 spaces or portion thereof

[...]

Because the City will no longer have minimum parking requirements, the City should consider other development incentives to promote these TDM strategies.

~~E. Office or industrial developments shall be allowed a 10 percent reduction in the number of required parking spaces when the property owner agrees to a demand management program that includes three or more of the following measures:~~

- ~~1. Designate a transportation coordinator responsible for promoting public transit and ride sharing among employees.~~
- ~~2. Participate in region wide ride matching program at the site.~~
- ~~3. Provide free transit passes to employees.~~
- ~~4. Provide showers and lockers for employees who commute by bicycle.~~
- ~~5. Charge employees for monthly parking and provide a transportation allowance to employees equal to the parking charge.~~
- ~~6. Install office technology, floorplans, and tenant regulations which are permanent, which effectively arrange for at least 10 percent of the employees to telecommute, thereby reducing employee automobile traffic by 10 percent.~~

~~The required demand management measures shall be included as conditions of approval for the proposed project. The property owner or manager shall file an annual affidavit with the City of West Linn stating that ongoing demand management measures required as conditions of approval have not been discontinued.~~

[...]

~~E. F. (See Figures 1 and 2 below.)~~

F. The following requirements apply to any new development that includes more than one-half acre of new off-street surface parking on a lot or parcel. The new surface parking area shall be measured based on the perimeter of all new off-street parking spaces, maneuvering lanes, and maneuvering areas, including driveways and drive aisles:

- 1. Developments not required to comply with OAR 330-135-0010 (Green Energy Technology in Public Building Construction Contracts) must provide the following climate mitigation action.**

a. Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting. Trees planted or preserved to meet parking area landscaping requirements in CDC 54.020 may count toward the tree canopy cover percentage.

2. At a minimum, trees planted to meet canopy cover requirements must be planted at the standards and specifications no lower than the 2021 American National Standards Institute A300 standards.

G. New construction or redevelopment for the following uses must include provision of electric service capacity, as defined in ORS 455.417 and in this Code, for a minimum percentage of vehicle parking spaces:

- 1. Commercial buildings under private ownership 20%
- 2. Multi-family buildings (5 or more units) 40%
- 3. Mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units 40%

CHAPTER 48 ACCESS, EGRESS AND CIRCULATION

48.030 Minimum Vehicular Requirements for Residential Uses

[...]

F. Where on-site maneuvering and/or access drives are necessary to accommodate ~~required~~ parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters [46](#) and [48](#) CDC.

CHAPTER 54 LANDSCAPING

54.020 Approval Criteria

A. Tree Preservation

[...]

~~3. To encourage tree preservation in parking lots, the parking requirement may be reduced by one space for every significant tree, as defined in CDC [2.030](#), that is preserved in the parking lot area for a maximum reduction of 10 percent of the required parking.~~

CHAPTER 55 DESIGN REVIEW

[...]

55.170 Exceptions to Underlying Zone, yard, Parking, Sign Provisions, and Landscaping provisions

[...]

C. The Planning Director may grant an exception to the off-street parking dimensional ~~and minimum number of space~~ requirements in the applicable zone so long as the ~~following criteria are met:~~

- ~~1. The minor exception is not greater than 10 percent of the required parking;~~
- ~~2. The application is for a use designed for a specific purpose which is intended to be permanent in nature (for example, a nursing home) and which has a low demand for off-street parking; or~~
- ~~3. There is an opportunity for sharing parking and there is written evidence that the property owners are willing to enter into a legal agreement; or~~
- ~~4. Public transportation is available to the site reducing the standards and will not adversely affect adjoining uses, and there is a community interest in the preservation of particular natural feature(s) of the site which make it in the public interest to grant an exception to parking standards.~~

CHAPTER 56 PARKS AND NATURAL AREA DESIGN REVIEW

[...]

56.020 Applicability

[...]

C. Class I design review. The following is a non-exclusive list of Class I design review activities or facilities.

[...]

8. Ten percent additions or reduction of parking stalls ~~so long as required minimum number of spaces is still met.~~

[...]

56.100 Approval Standards – Class II Design Review

[...]

H. Public facilities.

[...]

2. Parking lots. CDC [46.090](#) explains the parking requirements for the various categories of parks and open space areas. ~~City squares, malls or plazas are exempt from the parking requirements of Chapter 46 CDC. Reduced parking requirements are explained in CDC 56.170.~~ Except for areas accommodating ADA disabled parking and ADA access, parking lots may be constructed with grasscrete.

[...]

56.170 Exceptions to Underlying Parking Provisions

The Planning Director may grant up to a 50 percent exception to the off street parking dimensional and minimum number of space requirements in the applicable zone so long as one of the following criteria is met:

- A. ~~There is an opportunity for shared parking and there is written evidence that the property owners are willing to enter into a legal agreement; or~~
- B. ~~Public transportation is available to the site reducing the standards and will not adversely affect adjoining uses, and there is a community interest in the preservation of particular natural feature(s) of the site which make it in the public interest to grant an exception to parking standards.~~

CHAPTER 75 VARIANCES AND SPECIAL WAIVERS

[...]

75.020 CLASSIFICATION OF VARIANCES

[...]

~~2. Off street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature.~~

CHAPTER 96 STREET IMPROVEMENT CONSTRUCTION

[...]

B. Street improvements for commercial construction are required when:

- 1. Construction of a new commercial structure; or
- 2. Remodel of an existing commercial structure with an increase in floor area ~~that requires additional parking;~~ or
- ~~3. Change in use that requires additional parking; or~~
- 34. Construction that increases the dwelling unit density on site; or
- 45. Construction which requires a change in type, number, or location of accessways; or
- 56. Replacement of an existing structure with an increase in floor area. ~~that requires additional parking.~~

CHAPTER 99 PROCEDURES FOR DECISION MAKING: QUASI-JUDICIAL

A. An amendment application shall be required if the Planning Director determines that the proposed revisions will change the project by a factor greater than 10 percent in a quantifiable manner (e.g., number of proposed lots, square footage of proposed buildings, ~~number of parking spaces~~, relocation of building footprints). Non-quantifiable changes shall also require an amendment if they result in significant differences between the approved project and the revised project, or if the changes call into question compliance with a relevant approval criterion.

Table 3.08-3 - Regional Parking Ratios (Parking ratios are based on spaces per 1,000 sq. ft of gross leasable area unless otherwise stated)			
Land Use	Minimum Parking Requirements (See Central City Transportation Management Plan for downtown Portland stds)	Maximum Permitted Parking - Zone A:	Maximum Permitted Parking Ratios - Zone B:
	Requirements May Not Exceed	Transit and Pedestrian Accessible Areas ¹	Rest of Region
General Office (includes Office Park, "Flex-Space", Government Office & misc. Services) (gsf)	2.7	3.4	4.1
Light Industrial Industrial Park Manufacturing (gsf)	1.6	None	None
Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)	0.3	0.4	0.5
Schools: College/ University & High School (spaces/# of students and staff)	0.2	0.3	0.3
Tennis Racquetball Court	1.0	1.3	1.5
Sports Club/Recreation Facilities	4.3	5.4	6.5
Retail/Commercial, including shopping centers	4.1	5.1	6.2
Bank with Drive-In	4.3	5.4	6.5
Movie Theater (spaces/number of seats)	0.3	0.4	0.5
Fast Food with Drive Thru	9.9	12.4	14.9
Other Restaurants	15.3	19.1	23
Place of Worship (spaces/seats)	0.5	0.6	0.8
Medical/Dental Clinic	3.9	4.9	5.9
Residential Uses			
Hotel/Motel	1	none	none
Single Family Detached	1	none	none
Residential unit, less than 500 square feet per unit, one bedroom	1	none	none
Multi-family, townhouse, one bedroom	1.25	none	none
Multi-family, townhouse, two bedroom	1.5	none	none
Multi-family, townhouse, three bedroom	1.75	none	none

¹ Ratios for uses not included in this table would be determined by cities and counties. In the event that a local government proposes a different measure, for example, spaces per seating area for a restaurant instead of gross leasable area, Metro may grant approval upon a demonstration by the local government that the parking space requirement is substantially similar to the regional standard.

(Ordinance No. 10-1241B, § 5)



memo

to **City of West Linn and DLCD**

from **Brandon Crawford, Matt Hastie, and Sun-Gyo Lee, MIG**

re **Climate Friendly and Equitable Communities (CFEC) Parking Code Review and Draft Amendments**

date **8/22/2024**

Introduction and Background

The purpose of this memo is to review the West Linn Community Development Code (CDC or “Code”) for compliance with the Climate Friendly and Equitable Communities (CFEC) parking requirements and to provide CDC amendment recommendations to help the City meet CFEC requirements. The recommended amendments will also implement the policy choices that the Planning Commission and City Council have discussed at multiple meetings and work sessions, including the decision for the City to eliminate minimum off-street parking requirements. This memo essentially combines the results of both the Code Audit and Draft Code Amendments tasks in a single memo to help accelerate our work on this task and maintain our overall project schedule.

For more background information on CFEC parking requirements and West Linn’s general approach to meet those requirements, see CFEC memos addressed to the Planning Commission (June 5, 2024). The CFEC parking Code updates are a component of the West Linn Housing Production Strategy (HPS) project, which is funded by a Department of Land Conservation and Development (DLCD) technical assistance grant to help communities promote housing production.

The CFEC parking requirements and proposed CDC amendments are summarized below.

CFEC Parking Requirement	CDC Amendment(s)
<p>Remove parking mandates – OAR 660-012-0400</p>	<p>Remove all minimum off-street parking requirements in CDC 46.090 and remove any language elsewhere in the code that implies off-street parking is a requirement for any development.</p>
<p>Parking regulation improvements – OAR 660-012-0405</p>	<p>Update applicable sections in CDC Chapter 46 to implement the following:</p> <ul style="list-style-type: none"> • Allow redevelopment of parking lots • Add “climate mitigation” requirements for parking lot development, including options for canopy cover • Amend existing pedestrian connectivity requirements for parking areas to comply

	with the CFEC pedestrian connectivity standards
Electric vehicle charging – OAR 660-012-0410	Add EV charging requirements for new commercial, multifamily, and mixed-use development.
Parking maximums – OAR 660-012-0415	Add maximum parking requirements in the City’s two Metro 2040 Town Centers and within ½ mile boundary of TriMet Bus Line 35 (Hwy 43).

The memo is primarily organized into two sections: the Code Review, which assesses the City’s compliance with each of the applicable CFEC parking requirements; and the Code Amendments. The Code Review identifies which specific CFEC requirements the City needs to implement, which subsequently informs the draft Code amendments. The Code amendments include the proposed updates in an underline/strikeout format (underline is new, ~~strikeout~~ is removed). The Code Amendments section includes gray commentary boxes to describe some of the updates or to discuss different implementation options for the City to consider. Note that many of the updates are intended to ensure consistency with the general policy change to remove parking mandates, and therefore many amendments include simple revisions to Code language to ensure that the Code does not suggest or imply that the City has any minimum parking requirements.

Code Review

-0405 PARKING REGULATION IMPROVEMENTS

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>(1) Cities and counties shall adopt land use regulations as provided in this section:</p> <p>(a) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;</p>	<p><u>46.070 Maximum Distance Allowed Between Parking Area and Use</u></p> <p>B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions:</p> <p>[...]</p> <p>3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.</p> <p>[...]</p>	<p>The City complies with this requirement. No updates needed.</p>

OAR Requirement/Standard	City Standards	Assessment & Recommendation
	<p><u>46.090 Minimum Off-Street Parking Requirements</u></p> <p>H. For office, industrial, and public uses where there are more than 20 parking spaces for employees on the site, at least 10 percent of the required employee parking spaces shall be reserved for carpool use before 9:00 a.m. on weekdays. The spaces will be the closest to the building entrance, except for any disabled parking and those signed for exclusive customer use. The carpool/vanpool spaces shall be clearly marked “Reserved – Carpool/Vanpool Before 9:00 a.m.”</p>	
<p>(1) (b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and</p>	<p><u>46.090 Minimum Off-Street Parking Space Requirements</u></p> <p>[...]</p> <p>I. Existing developments along transit streets or near transit stops may redevelop up to 10 percent of the existing parking spaces to provide transit-oriented facilities, including bus pullouts, bus stops and shelters, park and ride stations, and other similar facilities.</p>	<p>Because the City is repealing parking mandates, the City will comply with this rule. The City can either remove this provision or clarify that the entirety of a parking area may be redeveloped. In</p>
<p>(1) (c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.</p>	<p>N/A</p>	<p>This requirement will not apply because the City is removing minimum off-street parking requirements.</p>
<p>(2) Cities and counties shall adopt policies and land use regulations that allow and encourage the conversion of existing underused parking areas to other uses.</p>	<p>N/A</p>	<p>The City will comply with this rule by repealing all parking mandates. No changes are needed.</p>

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>(3) Cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.</p>	<p><u>46.050 Joint Use of a Parking Area</u></p> <p>A. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the Planning Director as part of a building or zoning permit application or land use review:</p> <ol style="list-style-type: none"> 1. The names and addresses of the owners or tenants that are sharing the parking and the uses at those locations; 2. The location and number of parking spaces that are being shared. 3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and 4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for all uses. <p>B. If a joint use arrangement is subsequently terminated, the requirements of this chapter will apply to each use separately.</p>	<p>The City complies with this OAR provision. In addition, the City will comply with this rule by repealing parking mandates. The City will retain this section of the CDC to ensure there is a process to provide record for shared parking agreements. Minor text amendments will be needed to remove the implication that parking is required.</p>
<p>(4) Cities and counties shall adopt land use regulations for any new development that includes more than one-half acre of new off-street surface parking on a lot or parcel as provided below. The new surface parking area shall be</p>	<p>N/A</p>	<p>Add a new section to CDC Chapter 46 that implements the option to require 40% tree canopy coverage.</p>

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>measured based on the perimeter of all new off-street parking spaces, maneuvering lanes, and maneuvering areas, including driveways and drive aisles:</p> <p>(a) Developments not required to comply with OAR 330-135-0010 must provide a climate mitigation action. Climate mitigation actions shall include at least one of the following. Cities and counties are not required to offer all these options:</p> <p>(A) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property. Panels may be located anywhere on the property. The change to this paragraph sets \$1,500 as a floor, allowing cities and counties to index it for inflation, and clarifies it just applies to off-street parking spaces.</p> <p>(B) Payment of at least \$1,500 per new off-street parking space into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;</p> <p>(C) Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting; or</p> <p>(D) A mixture of actions under paragraphs (A) through (C) the</p>		

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>city or county deems to meet the purpose of this section.</p>		
<p>(4) (b) Developments must provide tree canopy. Developments shall provide either trees along driveways or a minimum of 30 percent tree canopy coverage over new parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted must be designed to maintain a continuous canopy except when interrupted by driveways, drive aisles, and other site design considerations. Developments providing 40 percent tree canopy to comply with paragraph (a)(C) comply with this subsection.</p>	<p>N/A</p>	<p>The City will choose to require the 40% canopy cover option from paragraph (a)(C), therefore this rule does not apply.</p>
<p>(4) (c) Developments must provide pedestrian connections throughout the parking lot, connecting at minimum the following, except where not practical due to site-specific conditions.</p> <ul style="list-style-type: none"> (A) building entrances; (B) existing or planned pedestrian facilities in the adjacent public rights-of-way; (C) transit stops; and (D) accessible parking spaces. 	<p><u>46.150 Parking Design and Improvement Standards</u></p> <p>20. <u>Pedestrian connections through parking areas.</u></p> <ul style="list-style-type: none"> a. Pedestrian walkways shall be provided in parking areas having 20 or more spaces. b. Walkways or sidewalks shall be constructed through parking lots where such parking lots lie between major buildings/activity areas (an example in multifamily housing: between recreation center, swimming pool, manager’s office, park or open space areas, parking lots, etc.) within a development and adjacent streets or adjacent transit stops. c. Walkways through parking lots shall be constructed using a material that visually contrasts with the parking lot and driveway surface and that may 	<p>The City complies with these requirements in large part but should make minor amendments to clarify that pedestrian the pedestrian connections should provide access to building entrances, existing or planned pedestrian facilities in the adjacent public rights-of-way, adjacent transit stops, and accessible parking spaces.</p>

OAR Requirement/Standard	City Standards	Assessment & Recommendation
	<p>have a contrasting surface texture (surface texture shall not interfere with safe use of wheelchairs, baby carriages, shopping carts, etc.). Walkways shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of grade separation, walls, curbs, and/or landscaping.</p> <p>d. Walkways shall be a minimum of six feet wide.</p>	
<p>(4)(d) Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.</p>	<p>N/A</p>	<p>The City should include new submittal requirements under 46.030 that indicate that the City has coordinated with the electric utility provider.</p>
<p>(4)(e) In providing trees under subsections (a) and (b), the following standards shall be met. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for tree planting no lower than the 2021 American National Standards Institute A300 standards.</p>	<p>54.020 Landscaping Approval Criteria</p> <p>B. Landscaping – By type, location and amount</p> <p>3. Parking area landscaping – all uses (residential uses (non-single-family) and non-residential uses):</p> <p>a. There shall be one shade tree planted for every eight parking spaces, except as required under subsection (B)(3)(d) of this section. Shade trees are defined as medium to large trees with a canopy, at maturity, at least 40 feet in diameter. These trees shall be evenly distributed throughout the parking lot to provide shade.</p> <p>[...]</p> <p>h. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or</p>	<p>The City generally complies with this OAR requirement; however, compliance may be strengthened by requiring tree planting standards that are consistent with the 2021 American National Standards Institute A300 standards.</p>

OAR Requirement/Standard	City Standards	Assessment & Recommendation
	<p>service area or driveway is contiguous to an adjoining lot or parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:</p> <p>(1) Trees spaced as appropriate to the species, not to exceed 30 feet apart on center, on the average;</p>	
<p>(5) Cities and counties shall establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.</p>	<p>CDC 46.090 Off-Street Parking, Loading, and Reservoir Areas</p> <p>F. <u>Maximum Parking</u>: Parking spaces (except for single-family attached and detached residential uses) shall not exceed the minimum required number of spaces by more than 10 percent.</p>	<p>See the assessment and recommendation for -0415 Parking Maximums.</p>

-0410 ELECTRIC VEHICLE CHARGING

OAR Requirement/Standard	City Standards	Recommendation
<p>(1) This rule applies to cities within a metropolitan area.</p> <p>(2) Cities shall ensure new development supports electric vehicle charging pursuant to amendments to the state building code adopted pursuant to ORS 455.417.</p> <p>(3) As authorized in ORS 455.417(4), for new multifamily residential buildings with five or more residential dwelling units, and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, cities shall require the provision of electrical service capacity, as defined in ORS 455.417, to accommodate 40 percent of all vehicle parking spaces.¹</p>	<p>N/A</p>	<p>The City should add a new section to CDC Chapter 46 that includes provisions that implement the requirements of this OAR.</p>

¹ ORS 455.417. https://oregon.public.law/statutes/ors_455.417

-0415 PARKING MAXIMUMS AND EVALUATION IN MORE POPULOUS COMMUNITIES

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas, and in Metro Region 2040 centers. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440. Cities and counties that have designated priority transit corridors under OAR 660-012-0710 may set parking maximums in those corridors in place of the corridors identified in OAR 660-012-0440(3)(b) and (c).</p> <p>(a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit housing development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;</p> <p>(b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile</p>	<p>CDC 46.090 Off-Street Parking, Loading, and Reservoir Areas</p> <p>F. <u>Maximum Parking</u>: Parking spaces (except for single-family attached and detached residential uses) shall not exceed the minimum required number of spaces by more than 10 percent.</p>	<p>West Linn has a population over 25,000 and is in the Portland Metropolitan Area. Therefore, the City needs to comply with these maximum parking requirements.</p> <p>The City should replace CDC 46.090 with the requirements included in OAR 660-012-0415(1).</p>

<p>sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;</p> <p>(c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building; and</p> <p>(d) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.</p>		
<p>(2) Cities with populations over 200,000 shall, in addition to the requirements in section (1) of this rule:</p>	<p>N/A</p>	<p>West Linn’s population is under 200,000. The requirements in section (2) do not apply.</p>

-0420 EXEMPTION FOR COMMUNITIES WITHOUT PARKING MANDATES

OAR Requirement/Standard	City Standards	Assessment & Recommendation
<p>(1) Cities and counties that adopt land use regulations that do not include parking mandates are exempt from OAR 660-012-0425 through OAR 660-012-0450.</p>	<p>The City intends on eliminating parking mandates.</p>	<p>Because the City will remove minimum parking requirements, OAR 660-012-0425 through -0450 will not apply to West Linn.</p>