

**CITY OF PHOENIX
PHOENIX, OREGON**

ORDINANCE NO. 948

**AN ORDINANCE AMENDING THE PHOENIX LAND DEVELOPMENT CODE,
CHAPTER 3.4.3 (VEHICLE PARKING STANDARDS) AND TABLE 3.4.3.A.**

WHEREAS, the Comprehensive Plan has an adopted policy to “promote development within the City Center” (Economic Element, Goal 2); and

WHEREAS, the Land Development Code has an adopted procedure (Chapter 4.7) to amend the Land Development Code; and

WHEREAS, the City has provided notification to the Department of Land Conservation and Development as required by ORS 197 and the Phoenix Land Development Code; and

WHEREAS, the Planning Commission has held a public hearing on April 14, 2014 and took any public testimony regarding the proposed changes; and

WHEREAS, the Planning Commission voted unanimously to recommend approval of the attached amendments to the City Council based upon the findings contained in the Staff Report number LDC 14-03; and

WHEREAS, the Public Hearing on June 2, 2014, was duly noticed and the public was given the opportunity to testify on the proposed changes.

WHEREAS, the Council, after considering the presentation by the Staff, the recommendations of the Planning Commission and the public testimony received at the hearing, elected to grant approval of the amendments.

NOW THEREFORE, The City Council of the City of Phoenix **ORDAINS** as follows:

Section 1. The Findings for this amendment are included in the attached Staff Report for LDC:14-03, Exhibit A.

Section 2: The Land Development Code Chapter 3.4.3 and Table 3.4.3.A are amended as proposed in Exhibit B.

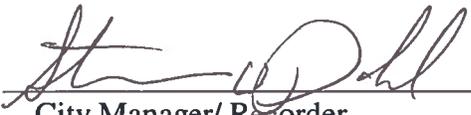
Section 3. Effective Date: This ordinance shall become effective 30 days after its date of adoption.

PASSED AND ADOPTED by the City Council and signed by me in authentication of thereof
on this 16 day of June, 2014



_, Mayor

ATTEST:



_, City Manager/ Recorder



PO Box 330 • Phoenix, OR 97535

PLANNING DEPARTMENT

(541) 535-2050 • FAX (541) 535-5769

**TITLE: AMENDMENT TO PHOENIX LAND DEVELOPMENT CODE
REGARDING VEHICLE AND BICYCLE PARKING, AMENDING
CHAPTER 3.4**

FILE NUMBER: LDC: 14-03

APPLICANT: City of Phoenix

STAFF REPORT: Available May 19, 2014 at the City of Phoenix, 112 W 2nd Street (M-F, 8:00 am to 5:00 pm) or on the website (www.phoenixoregon.net). For more information, call City of Phoenix, Planning Office, (541)535-2050.

DATE OF PLANNING COMMISSION HEARING: April 14, 2014

DATE OF COUNCIL HEARING: June 2, 2014

I. PROJECT INFORMATION: In response to a request from the Council and Phoenix Planning Commission, the Staff has researched and prepared amendments to the Phoenix Development Code and Municipal Code to 1.) add parking allowance for Senior Retirement Facilities and; 2.) reduce parking requirements in City Center.

These changes are based on complaints received. One complaint was that there was not adequate parking in a senior facility to allow residents to invite friends to the facility. The second complaint was that the parking requirements in the City Center were onerous and discouraged development in the District. The proposed changes address both issues.

For the parking in the senior center, the proposal changes the requirement to allow seniors the same parking limitations as non-seniors. For parking in the City Center, the parking requirement can be reduced through a low cost individual review by the Director. This allows some discretion in the parking requirement. This is an area in transition and flexibility will be important to its redevelopment.

II. PROPOSED AMENDMENTS: The proposed amendments are:

Chapter 3.4 - Vehicle and Bicycle Parking

Chapter 3.4.3 Vehicle Parking Standards.

A. Number of Spaces required. The minimum number of off-street parking spaces required in the City Center District may be reduced by ~~one-third~~ ***up to two thirds with the justification approved by the Planning Director***, however, the maximum parking

standard of this Chapter apply. *These reductions and justifications should be reported in writing to the Planning commission at their next meeting.*

Table 3.4.3.A.

Residential Uses

Multi-family and single family attached housing, *including senior housing*

- a. Studio units or 1-bedroom units less than 500 sq feet – 1 space/ unit
- b. 1 bedroom units 500 sq ft or larger – 1.5 spaces/unit
- c. 2 bedroom units – 1.75 spaces/unit
- d. 3 bedroom units – 2 spaces/unit

~~e. Retirement Complexes for seniors 55 years or greater – One space/unit~~

~~Senior housing. Same as for retirement complexes. *Care facilities-- .5 spaces/ unit*~~

III. COMPLIANCE WITH DEVELOPMENT CODE PROVISIONS: Amendments to the Phoenix Land Development Code must comply with Section 4.7.2 of the Phoenix Land Development Code, which states that legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Chapter 4.1.6 – Type IV Procedure (Legislative) and shall conform to Section 4.7.2.B and 4.7.6, as applicable.

Section 4.7.2 – Demonstration of compliance with Section 4.7.2.

FINDING: This proposed amendment was reviewed by the Planning Commission at a noticed public hearing on April 14, 2014. Their recommendation will be presented to the Phoenix City Council at a noticed public hearing on June 2, 2014. The hearing by the Planning Commission was noticed by posting the information on the City of Phoenix website beginning March 25, 2014. The hearing by the Council was noticed by posting the information beginning May 14, 2014.

FINDING: The Department of Land Conservation and Development was notified with an application mailed February 24, 2014 and a Staff report email sent on March 25, 2014.

FINDING: A copy of all notifications is available at the City Planning Office.

Section 4.7.3.B .1 – Demonstration of compliance with all applicable Comprehensive Plan policies and Map Designations. Where this criterion cannot be met, a Comprehensive Plan amendment shall be a prerequisite to approval.

FINDING: The changes to parking allotment for retirement senior facilities are in compliance with Comprehensive Plan policies. Specifically, “The City shall strive to provide safe, sanitary and affordable housing for all citizens of the City of Phoenix, regardless of....age...” The proposed increase in the amount of parking allowed at a senior facility will make those facilities more attractive to seniors by allowing for the ownership of a vehicle and the opportunity to have friends and family visit.

FINDING: The changes proposed are in compliance with Comprehensive Plan policies. Specifically, Economic Element, Goal 2: “To promote development within the City Center.” The proposed reduction of required parking in City Center will make the creation of new businesses and expansion of existing businesses easier and less costly in the City Center.

Section 4.7.3.B.2 – Demonstration of compliance with all applicable standards and criteria of this Code and other applicable implementing ordinances.

FINDING: The proposed changes do not impact other applicable standards.

Section 4.7.3.B.3 – Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Land Use Map regarding the property that is the subject of the application; and the provisions of Chapter 4.7.6 – Planning Rule Compliance, applicable.

FINDING: The proposed change is not based on a mistake in the Comprehensive Plan or the Land Use Map. The proposed change does not impact Transportation needs in the City.

Section 4.7.6 – Transportation Planning Rule, Subsection B, requires that amendments to land use standards which significantly affect a Transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.

FINDING: The addition of a minimal number of parking spaces in senior facilities and the reduction of off street parking in City Center will have no significant transportation impact to the City Transportation Facility.

FINDING: The proposed amendments comply with Sections 4.7.3 and 4.7.6 of the Phoenix Development Code.

IV. RECOMMENDATION: Planning Commission recommends the Council approve amendments to Chapter 3.4, Vehicle and Bicycle Parking of the Phoenix Development Code and the Phoenix Municipal Code.



EXHIBIT B
CHAPTER 3.4 – VEHICLE AND BICYCLE PARKING OF THE CITY OF PHOENIX
LAND DEVELOPMENT CODE (PLCD), AS AMENDED BY ORDINANCE 948 ON
JUNE 16, 2014, SHALL READ AS FOLLOWS:

Chapter 3.4 - Vehicle and Bicycle Parking

Chapter 3.4.3 Vehicle Parking Standards.

A. Number of Spaces required. The minimum number of required off-street vehicle parking spaces (i.e. parking that is located in parking lots and garages and not in the street right of way) shall be determined based on the standards in Table 3.4.3.A.

The minimum number of off-street parking spaces required in the City Center District may be reduced by up to two-thirds with the justification approved by the Planning Director, however, the maximum parking standard of this Chapter apply. These reductions and justifications should be reported in writing to the Planning commission at their next meeting.

Table 3.4.3.A. – Vehicle Parking – Minimum Standards Option

The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off street parking spaces may include spaces in garages, carports, parking lots and/or driveways.
Residential Uses
Single family detached housing. 2 parking spaces shall be provided for each detached single family dwelling or manufactured home on an individual lot.
° Two- and three- family housing. 1.5 spaces per dwelling unit.
° Multi-family and single-family attached housing, including senior housing
a. Studio units or 1-bedroom units less than 500 sq ft. 1 space / unit.
b. 1-bedroom units 500 sq ft or larger. 1.5 spaces / unit
c. 2-bedroom units. 1.75 spaces / unit
d. 3-bedroom or greater units. 2.00 spaces / unit
e. Care facilities. 0.5 spaces/ unit
° Rooming and boarding houses, dormitories. Two spaces for each guest rooms, or one per three beds, whichever is more.
° Manufactured home parks. Same as for single-family detached housing.
° Accessory dwelling. 1 additional parking space.

