

Exhibit B
FINDINGS FOR ORDINANCE BILL NO. 4-23

**AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE
TO ELIMINATE MINIMUM OFF-STREET PARKING REQUIREMENTS CITYWIDE
(CODE AMENDMENT CASE NO. CA23-01)**

Substantive Findings

SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City; and*

Finding: The proposed code amendment is in the best interest of the public health, safety, and welfare of the City because it removes potential barriers to development, helps reduce greenhouse gas emissions from transportation, supports more walkable areas, and can help the City meet its housing and employment needs. Specifically, eliminating minimum off-street parking requirements means the City would no longer require a specific number of spaces per use. This removes a potential barrier to development by allowing the developer or property owner to determine how much parking is actually needed, which can be influenced by the market, the specific location, site constraints, and other factors. Sites that do not need as much parking as would have otherwise been required by the City would no longer need to apply for a zoning adjustment, which is an application that can add time and money to a development or project.

Instead, space not needed for parking on a property could accommodate other uses. This would create more opportunities for housing, services, and other uses to be developed in the community through infill, redevelopment, and new development. This, in turn, would help Salem meet its housing and employment needs. In addition, by allowing buildings and uses to be closer together – not separated by large parking lots – areas could become more walkable, as pedestrians could more easily access multiple uses in an area. This would reduce the need to drive from place to place, which would reduce greenhouse gas emissions from transportation.

In addition, the proposed code amendment revises parking maximums, including in areas near frequent transit service. This helps limit the amount of land in Salem that can be solely dedicated to parking, thus potentially freeing up space for other uses.

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The Salem Area Comprehensive Plan (Comprehensive Plan) is the long-range plan for guiding future growth and development in the Salem area. The Comprehensive Plan

establishes a framework to guide all land use and related activities in line with the community's vision, and it aims to ensure orderly and efficient development that meets the community's needs. The Comprehensive Plan was updated by the City of Salem and acknowledged by the Department of Land Conservation and Development (DLCD) in August of 2022.

Comprehensive Plan: The proposed code amendment was reviewed for conformance with the applicable goals and policies of the Comprehensive Plan. The following goals and policies relate to the proposed code amendment:

H 2.5 Regulations and incentives: Regulations and incentives should be periodically updated to reduce the impacts that development standards, processes, and fees have on housing affordability, including parking requirements and tax relief programs.

The proposed code amendment is consistent with the above policy because it updates City regulations to reduce the impacts that minimum off-street parking requirements have on housing affordability. Specifically, the elimination of minimum parking requirements allows housing developers to determine the amount of parking they want to provide. That decisions, removed from City mandates, can factor in impacts that providing parking may have on the affordability of the housing being developed, among other considerations.

E 2 Land Supply Goal: Maintain an adequate supply of land to meet Salem's economic and employment needs.

H 3 Land Supply Goal: Provide a supply of residential land that accommodates the amounts and types of housing needed to meet the population forecast for the Salem Urban Area.

The proposed code amendment is consistent with the above goals because it potentially frees up land that would have been used for required parking spaces, in many cases, under current regulations. That space could be used to develop housing, offices, services, and other employment uses. This helps to increase the potential amount of land in the city that can be used to accommodate Salem's housing and employment needs.

L 1.10 Infill: Development of vacant and underutilized land with existing urban services should be encouraged before converting urbanizable lands to urban uses and extending services beyond presently served areas.

The proposed code amendment is consistent with the above policy because it allows for infill development on existing parking lots. For example, a large parking lot that supports a commercial plaza today could be redeveloped to accommodate housing or other development under the proposed code amendment. This allows for more properties already served by utilities and infrastructure to be redeveloped; this in turn could lessen the pressure to extend services to vacant, unserved lands on the fringes of the community.

L 4.2 State and federal regulations: The Comprehensive Plan and its implementation tools shall remain consistent with all applicable state and federal regulation.

The proposed code amendment is consistent with the above policy because it implements

the new Oregon Administrative Rules (OARs) that were developed through the Climate Friendly and Equitable Communities rulemaking project. Specifically, the proposed code amendment implements OAR 660-012-400(3) and OAR 660-012-0450(1), both of which require the City to eliminate all minimum off-street parking requirements citywide or complete other parking reforms. The proposal also implements OAR 660-012-0415, which requires cities with populations more than 100,000 to revise parking maximum standards. (See more detailed discussion below.)

L 3.8 Parking requirements: *Parking requirements should be reviewed and set at the lowest standards that will meet the community's needs in order to reduce land utilized for parking, allow the market to determine parking needs, reduce the cost of development, and encourage a more walkable development pattern.*

The proposed code amendment is consistent with the above policy because it eliminates all minimum off-street parking requirements, which is the lowest standards that could be established. The amendment continues to allow parking to be built – with parking maximums still in place – as determined by the market. As stated earlier, the proposed code amendment potentially reduces the cost of development and encourages a more walkable development pattern.

CC 1.1 Land use and transportation: *The City shall facilitate and support changes in land use patterns and the transportation system to reduce single-occupancy vehicle trips and mobile emissions, which are the largest source of greenhouse gas emissions produced in Salem.*

The proposed code amendment is consistent with the above policy because it allows buildings and uses to be built closer together instead of being separated by mandated parking lots. Compact development makes it easier for pedestrians to access multiple places in one area. This could reduce the need for single-occupancy vehicle trips and thus reduce greenhouse gas emissions from transportation. People might also be discouraged from driving if less parking was provided overall. (The amendment does not eliminate parking maximums.)

T 9 Parking Management Goal: *Design and manage on- and off-street parking to ensure an appropriate supply of parking facilities for all modes, while protecting Salem's neighborhoods and environment.*

The proposed code amendment is consistent with the above goal because it allows the market to determine the appropriate supply of parking spaces, as opposed to relying on the City's regulations, which generally tend to be more one-size-fit-all based on use.

Statewide Planning Goals: The proposed code amendment was also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. The following goals and OARs are applicable to the proposed code amendment:

Goal 1 – Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The process to adopt this proposed code amendment requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

Goal 14 – Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The proposed code amendment conforms to this goal because it promotes the efficient use of land by helping accommodate Salem’s urban population within its portion of the UGB. It does this by allowing higher density development and encouraging infill or redevelopment of properties that may be underutilized (e.g., over supply of parking). This means urban lands can accommodate more housing and employment uses than today when the City mandates that land be used for off-street parking spaces.

Goal 12 – Transportation and the Transportation Planning Rule (TPR):

OAR 660-012-0400(3): Parking Management

Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

OAR 660-012-0450(1): Parking Management in More Populous Communities

(1) Cities with populations over 100,000 shall either:

- (a) Adopt land use regulations without parking mandates; or
- (b) Price at least 10 percent of on-street parking spaces, and report the percentage of on-street parking spaces that are priced as provided in OAR 660-012-0900. Residential parking permits priced at lower than \$15 per month, 50 cents per day per space, or equivalent amounts do not count towards this total.

The proposed code amendment conforms to this goal and TPR by implementing OAR 660-012-0400(3) and OAR 660-012-0450(1). Specifically, the proposal eliminates minimum off-street parking requirements citywide.

OAR 660-012-0415: Parking Maximums and Evaluation in More Populous Communities

(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 regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. 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.

- (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 development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;
- (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 sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;
- (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;
- (d) In setting parking maximums, cities and counties shall consider setting maximums equal to or less than 150 percent of parking mandates in their adopted land use regulations in effect as of January 1, 2020. A city or county that sets a higher parking maximum must adopt findings for doing so. In no case shall the city or county exceed the limits in subsections (a) through (c) in climate-friendly areas and for developments on parcels or lots within one-half mile of transit corridors and three-quarters mile of rail transit stops listed in OAR 660-012-0440;

The proposed code amendment conforms to this goal and TPR by implementing most of OAR 660-012-0415. Specifically, the code amendment revises parking maximums to meet subsections OAR 660-012-0415(a), (b), and (c). For example, the proposed parking maximum for studio units in multifamily housing developments is 1.2 spaces per unit, which complies with the State rules. The rules also establish a maximum of 2 spaces per unit for other unit types in multifamily housing developments. The City's existing parking maximum for middle housing and multifamily housing is 1.75 spaces per unit in locations where no minimum off-street parking is required today. The proposed code amendment retains that parking maximum (except for studio units in multifamily projects as mentioned previously).

For other uses, the code amendment revises the City's parking maximums so that they are no more than 150 percent of the minimum parking requirements that were in place in Salem on January 1, 2020 (OAR 660-012-0415(d)). For retail uses, the proposed code amendment establishes a parking maximum of 1 space per 200 square feet. For a small subsection of retail uses such as home furnishing stores and for two specific mixed-use zones, this proposed maximum is more than 150 percent of the minimum parking requirement. However, establishing one consistent parking maximum streamlines and simplifies parking standards, which reduces potential confusion in the development process. The proposed parking maximum of 1 space per 200 square feet also meets OAR 660-012-0145(b).

There are some uses for which the City currently bases parking requirements on number of employees or building square footage, whichever is *greater*. This applies to warehousing and distribution, general manufacturing, and similar uses. Due to the challenges of estimating or determining number of employees – the number is not always known or can fluctuate over time – the proposed code amendment removes the reliance on employee counts. However, in many cases or projects, the minimum parking requirement is significantly higher when based on number employees (e.g., 0.75 spaces

per employee) versus building square footage. The proposed code amendment therefore establishes a maximum parking requirement for those uses of 1 space per 1,000 square feet. That is based on a review of recent warehousing, distribution, and manufacturing projects. For several projects, the number of employees per parking space provided was roughly 1 space per 1,500 square feet or higher. Based on the 150 percent requirement in OAR 660-012-0145(d), the proposed parking maximum can be 1 space per 1,000 square feet. This also matches the proposed parking maximum for similar uses such as general and heavy wholesaling.

The proposed code amendment establishes a parking maximum for parks and open space of 1 space per 2,700 square feet of gross site area. Currently, there is no maximum for parks and open space. The proposed maximum considers the number of parking spaces currently provided per sports field as well as future park development plans. For example, Wallace Marine Park Sports Complex, which has five fields, provides 340 parking spaces or 68 spaces per field. If this is translated to what could be developed at Hazelgreen Road Park Property – potentially a large sports field complex with 10 fields – then 680 parking spaces would be needed; that is below the proposed maximum, which would be 703 parking spaces. For a smaller, 2.5-acre future community skate park, the proposed maximum would be 40 parking spaces. Overall, the proposed parking maximum for parks and open space is less than the proposed parking maximum for outdoor recreational and cultural community services (e.g., 1 space per 1,400 square feet).