



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: August 21, 2023		Subject: City Parking Lot Regulations	
		Staff Member: Amanda Guile-Hinman, City Attorney	
		Department: Legal	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: N/A			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL: Whether to consider new time-limit regulations for parking in City-owned public parking lots.

EXECUTIVE SUMMARY:

Recent changes in state law have raised the question of whether the City should consider imposing time limits for parking in City-owned public parking lots. Namely, the state has generally limited the City's ability to impose minimum parking requirements for new development. Additionally, as part of the City's response to HB 3115 (2021) regarding camping on public property, the City offers a portion of its City Hall parking lot for limited-duration vehicle camping – 9 pm to 7 am. This staff report outlines proposed options the Council could consider to impose new time limits for the public to park in City-owned parking lots.

1. Background

a. State-Mandated Exemptions to City Parking Minimums

With the adoption of new state regulations under the state's Climate Friendly and Equitable Communities (CFEC) policy, the state significantly limited local jurisdictions' ability to impose minimum parking requirements on many new developments. Attached, as **Attachment 1** is a guide that the City's Planning Department created to explain whether the new state mandate applies to new developments. As shown by the map on page 3 of Attachment 1, most properties within the city limits are exempt from the City's regulation of parking minimums. Only Charbonneau, part of Frog Pond, and the northwest area of the City are outside of the areas exempt from parking minimums.

As parts of the City develop or redevelop, such as Town Center, parking may become an increasing concern. It is possible that City-owned parking lots will be utilized by residents, customers, and employees of surrounding properties as overflow parking. The City does not currently have a mechanism to regulate the use of its parking lots.

b. City Response to HB 3115

HB 3115 requires all cities and counties that regulate acts of sitting, lying, sleeping, or keeping warm and dry outdoors on public property to have objectively reasonable time, place, and manner regulations with regards to persons experiencing homelessness. The new law went into effect on July 1, 2023. In response to the mandate in HB 3115 to adopt objectively reasonable time, place, and manner regulations, the City adopted Ordinance No. 879 and Resolution No. 3058, which established two designated areas for camping for survival – one for vehicle camping and one for non-vehicle camping. The vehicle camping designated area is located in part of the western portion of the City Hall parking lot, and camping in the designated area is allowed from 9 pm to 7 am. Camping at any other time or in any other location outside of the designated areas is prohibited under the new City regulations.

A potential concern has arisen of how to distinguish vehicle camping from parking in the City Hall parking lot. In other words, what prevents a person from "camping" overnight in the designated area and "parking" during the day in the City Hall parking lot, thereby circumventing the intent of the City's new camping for survival regulations? While this issue has generally

been avoided through consistent outreach and education by the City's Code Compliance Coordinator, it raises the question of whether a regulation regarding parking should be considered. Coupled with the potential overflow parking issues the City may realize due to the state-mandated exemptions from minimum parking requirements, consideration of time limits in City-owned parking lots is timely.

2. Other Jurisdictions' Public Parking Regulations

Staff researched other jurisdictions' regulations regarding parking lot time limits. Attached, as **Attachment 2** is a comparison to several other jurisdictions that have parking regulations. Many of the regulations discuss on-street parking, as opposed to regulation of City-owned parking lots. However, some cities, such as Tualatin and Ashland, have regulations specifically regarding City-owned parking lots. Those regulations are highlighted in Attachment 2. Generally, the adopted Code language provided general authority to the City Manager to designate locations where the City would impose a time limit for parking, rather than expressly stating the time limitations for each area in the Code. Cities likely deferred to the City Manager to identify areas to impose parking time limits to provide flexibility and nimbleness in responding to parking issues.

3. Recommended Code Amendment

Staff recommend modeling a potential code amendment off of jurisdictions like Tualatin and Ashland that delegate authority to the City Manager to establish appropriate parking regulations, where needed. This will allow the City to quickly respond to specific needs for each City-owned parking lot.

EXPECTED RESULTS:

Develop, adopt, and implement new City-owned parking lot regulations when and where needed. Key priorities are the City Hall parking lot, Library parking lot, and Community Center/Public Works parking lot.

TIMELINE:

If Council decides to move forward with a code amendment, staff will bring forward an ordinance for consideration at Council's next two meetings.

CURRENT YEAR BUDGET IMPACTS:

Minor budget impacts may exist if new signage is ordered for parking lots.

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Members of the public who seek to utilize City buildings should not struggle to find parking in City parking lots. Ensuring that overflow parking does not occur and that vehicles do not remain

in a particular parking lot for extended periods of time should keep parking spaces available for public use.

ALTERNATIVES:

Retain status quo in which the City does not impose time limitations on parking in City-owned parking lots.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. City Guide to CFEC Exemptions to Local Parking Minimums
2. Comparison Chart of Jurisdictions' Parking Regulations