

Tualatin

Department of Land
Conservation and Development
Climate-Friendly and Equitable Communities
Rulemaking

City Council Meeting

February 14th, 2022



CITY OF

TUALATIN OREGON

Presentation Overview

- What is Climate Friendly and Equitable Communities?
- Updates to Transportation Planning Rules
- Parking Regulations for New Land Use
- What We Know So Far
- What's Still Under Consideration
- Current Timeline
- Potential Concerns for Tualatin
- Potential Actions for Council Consideration
- Questions?



What is Climate Friendly and Equitable Communities?

- CFEC came out of Governor Brown's Executive Order 20-04, issued on March 10, 2020
 - The Order establishes science-based reduction goals and directs state agencies to develop rules to help Oregon reduce and regulate greenhouse gas emissions.
 - Specific to state *transportation planning rules* and *land use regulations*, the Department of Land Conservation and Development (DLCD), initiated the Climate-Friendly and Equitable Communities rulemaking process to meet its directive.
 - Cities and counties in Oregon are required to have Comprehensive Plans and Development Codes that comply with state regulations, which will ultimately need to be updated to comply with these new and updated rules.



Updates to Transportation Planning Rules

Purpose of the CFEC updates:

- Meeting the State's climate pollution reduction goals.
- Shifting focus to ensure quality options for other transportation modes (transit, pedestrian, and bicycle accessibility and connectivity)
- Renewing the emphasis on safety, acknowledging that the state is falling short in this regard.
- To remedy the impacts of redlining, displacement, exclusionary zoning, and harm caused by public infrastructure, while also centering the voices of underserved communities.
- Planning and developing transportation facilities in coordination with urban and rural development.

Parking Regulations for New Land

Uses:

- Parking Rules (OAR 660, Division 12, Rules 400-450), will apply to jurisdictions in the Metro area.
- Cities must select a parking reform approach and adopt land use regulations no later than March 31, 2023:

1

Repeal
Parking
Mandates

2

Reduce parking
mandates for
certain **types** of
development
and in key **areas**

And adopt fair
parking **policies**

3

Further reduce
parking
mandates for
types of
development
and in more
areas



Parking Regulations for New Land

Uses Cont'd:

Mandatory regulations for development:

- Installation of solar panels OR payment of \$1,500 per parking space.
- Installation of sufficient capacity for electric vehicle charging (applies to new development)
- Parking maximums in Region 2040 town centers, transit corridors, near transit station communities



What We Know So Far:

- The rules will be adopted by LCDC in May 2022.
- Requirements for the Portland Metro Region:
 - Metro must adopt Region 2040 Centers & Land Use regulations in 2024
 - Local Government Compliance by Dec. 31, 2025
 - **Tualatin has yet to adopt its 2040 Town Center.**



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What's Still Under Consideration:

- Note: additional revisions are likely between now and the end of February.
- Transportation planning rules apply differently in the Metro Region. Rule 140 provides flexibility for Metro to implement alternative requirements. This rule may change as Metro provides feedback.
- Transportation System Plan (TSP) updates which add capacity require an extensive review process. The exception list, particularly aimed at exempting small projects, is still in process.
- TSP updates will require funding and technical support. DLCD has been asked for a commitment to provide technical assistance funding to implement the new and updated rules.

Current Timeline

- End of February: DLCDD will submit the draft rules to the Secretary of State.
- March 1, 2022 – Draft rules are published
- March 31 or April 1 – First public hearing
- May 19 or May 20 – Final Public Hearing and Adoption, after which:
 - Parking & Electric vehicle charging requirements – March 2023
 - Metro update to Regional Functional Plan – December 2024
 - Cities and county compliance – December 31, 2025

Potential Concerns for Tualatin:

- The draft rules appear to contain overly prescriptive limitations on local transportation projects which would add capacity to the transportation system, regardless of size of the project.
- The draft rules are structured to encourage elimination of any minimum parking requirement in the area of applicability or adoption of overly prescriptive alternatives, both of which may have new financial impact on new development or redevelopment, particularly on businesses.
- The draft rules lack sufficient clarity on how the proposed Transportation Planning Rules would be implemented by local jurisdictions.
- It is unknown what impact the rules, which are not slated to be effective until 2025, would have on previous plans adopted between now and 2025. Examples included: an updated Transportation System Plan, urban renewal plans and so forth.
- Cost of implementation of the rules (staff time and consultants).

Potential Actions for Council Consideration:

- (A) Provide written or verbal testimony to the LCDC at one of the official public hearings;
- (B) Sign on with one or more regional jurisdictions who are already planning to provide comment;
- (C) Combination of (A) and (B); or
- (D) Do not provide testimony and allow staff to continue monitoring the process.



QUESTIONS?

