



City of Tualatin

TUALATIN DEVELOPMENT COMMISSION Staff Report

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, City Manager

FROM: Steve Koper, AICP, Assistant Community Development Director
Erin Engman, AICP, Senior Planner

DATE: January 22, 2024

SUBJECT:

Presentation on updates to Tualatin's vehicle parking regulations to comply with state-mandated Climate Friendly and Equitable Communities (CFEC) rulemaking.

EXECUTIVE SUMMARY:

CFEC, described in more detail below, is applicable to cities within metropolitan areas in Oregon. CFEC is a state mandate that requires that Tualatin adopt an approach to its vehicle parking regulations that are intended to reduce greenhouse gasses. Tualatin has applied for and received permission to defer implementation of part of these regulations (Phase 2) until June 30, 2024. Phase 1 was implemented by the state on December 31, 2022 and prohibits the City from enforcing existing parking minimums within $\frac{3}{4}$ miles of the WES station and $\frac{1}{2}$ mile of TriMet Routes 76 and 94. Staff will present the applicable options for implementation of Phase 2, to comply with CFEC, and a recommended approach.

RECOMMENDATION:

Staff recommends that City Council direct staff to begin a legislative Development Code update to remove citywide parking minimums, adopt parking maximums in certain areas, and add certain additional regulations for parking areas over $\frac{1}{2}$ acre in size.

CLIMATE-FRIENDLY AND EQUITABLE COMMUNITIES (CFEC) BACKGROUND:

Pollution from transportation is responsible for about 38% of Oregon's climate pollution. As such, former Governor Kate Brown issued [Executive Order No. 20-04](#) (Exhibit 1) directing state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. In response, the Oregon Department of Land Conservation and Development adopted Climate-Friendly and Equitable Communities rules in 2022 that amend existing Oregon Administrative Rules (OAR) and in turn, affect local jurisdictions' compliance with the statewide planning goals. In particular, the OAR known as the Transportation Planning Rule was significantly amended

The CFEC mandate (Exhibit 2) requires that Tualatin, as well as other cities in metropolitan regions throughout the state, update their land use regulations and transportation plans to encourage a reduction in greenhouse gas emissions. For the Portland Metro area, the greenhouse gas emission reduction target is 20% by 2035 and 35% by 2050 (OAR 44-020). While the CFEC mandates also require updates to our land use regulation and TSP, tonight's conversation is centered on DLCD implementation of parking reform. Studies have shown that minimum parking requirements often result in over-built parking lots that push buildings apart and make areas less walkable. This, in turn, creates more pollution.

The parking reform mandate includes four areas of impact:

1. Adopt parking regulation improvements
2. Prepare for the electric vehicle future
3. Set parking maximums for the town center and corridors with frequent transit service
4. Reduce or remove minimum parking requirements

SUMMARY OF PARKING REFORMS FOR TUALATIN:

Phase 1:

Tualatin was required to comply with Phase 1 of the CFEC parking requirements through the direct application of [OAR 660-012-0430](#) and [660-012-0440](#) to any development application submitted after December 31, 2022. This phase includes the following, as illustrated on Exhibit 5:

- No parking mandates within $\frac{3}{4}$ mile of the WES station and $\frac{1}{2}$ mile of Routes 76 and 94
- No parking mandates for small units (<750 square feet), affordable units, childcare, facilities for people with disabilities, shelter
- Reduced parking mandates for residential developments: 1 space/unit

Phase 2:

As noted, Tualatin petitioned DLCDC and was granted an extension to be compliant with these regulations *no later than June 30, 2024* (Exhibit 4). Tualatin sought this extension to perform a thorough due diligence of the regulations. Below is a high level review of this analysis.

- Parking regulation improvements ([OAR 660-012-0405](#))
These regulations slightly expand on requirements currently found in our code. Jurisdictions must also establish solar power generation, tree canopy standards and/or a fee-in-lieu toward solar/wind energy development that are applicable to new development with more than $\frac{1}{2}$ acre of surface parking (21,780 square feet). This is approximately 70 or more parking spaces for typical parking lot design.
- Prepare for the electric vehicle future ([OAR 660-012-0410](#))
Oregon's statewide goal is that 90% of new vehicles will be electric by 2035. The state is taking a proactive approach by requiring electrical conduit to serve 40% of all vehicle parking spaces for multifamily development and mixed-use development with residential units. This way, renters will have an opportunity to charge their cars at home. The service capacity must support a Level 2 charging station at minimum.
- Set parking maximums for town centers and corridors with frequent transit service ([OAR 660-12-0415](#))
The city will need to adopt maximum parking requirements for multi-family, commercial and retail uses, and for buildings over 65,000 square feet in the town center and along frequent transit routes (Exhibit 5).
- Reduce or remove minimum parking requirements (OAR 660-012-0420 through 0450)
The city may choose from three options to comply with parking reform. In speaking with surrounding jurisdictions, most similarly situated cities have chosen to repeal parking minimums citywide. As shown in the table below, the recommended path is to repeal all parking mandates.

OPTION 1: REPEAL	OPTIONS 2 AND 3	
STAFF RECOMMENDED <ul style="list-style-type: none"> • Repeal parking minimums & update maximum parking • Developers can choose to build parking up to maximum allowed 	<ul style="list-style-type: none"> • Phase 1 mandates remain in effect • Reduced parking mandates for certain incentives (solar, car share, EV station, accessible parking) • No parking mandates within ¼ mile of town center; OR price on-street parking, reduce parking mandates for multi-family housing, and remove mandates for commercial development in town center 	
	OPTION 2: FAIR PARKING POLICY (choose two)	OPTION 3: REDUCED REGULATION (all apply)
	<ul style="list-style-type: none"> • Unbundle parking (fee separate from rent) for multi-family units • Unbundle leased commercial parking • Flexible commute benefit for businesses with more than 50 employees • Tax on parking lot revenue • No more than ½ parking space/unit mandated for multifamily development 	<ul style="list-style-type: none"> • No mandates for a variety of specific uses, small sites, vacant buildings, studios/one bedrooms, historic buildings, LEED, etc. • No additional parking for changes in use, redevelopments, expansions of over 30%. • No mandates within ½ mile of town center. • Designate district to manage on-street residential parking, or unbundle parking multi-family.

ANTICIPATED PROJECT SCHEDULE:

TASKS	2024				
	Jan	Feb	March	April	May
Work Session					
Public Comment Period					
Draft Code					
Planning Commission Recommendation					
City Council Hearing					Adoption

ATTACHMENTS:

- Presentation
- Exhibit 1: Executive Order No. 20-04
- Exhibit 2: CFEC Rulemaking Adoption
- Exhibit 3: DLCD Parking Reform Summary for Tualatin
- Exhibit 4: DLCD Extension
- Exhibit 5: Phase 1 Parking Reform Map