



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Tualatin Planning Commissioners
THROUGH: Steve Koper, Assistant Community Development Director
FROM: Steve Koper, Assistant Community Development Director
DATE: March 16, 2023

SUBJECT:

Update to the Tualatin Planning Commission on the current status of statewide Climate Friendly and Equitable Communities rules

RECOMMENDATION:

Informational update only.

EXECUTIVE SUMMARY:

SUBJECT:

Climate Friendly and Equitable Communities Status and Next Steps

EXECUTIVE SUMMARY:

CFEC rules were adopted by the Oregon Land Conservation and Development Commission (LCDC) on July 21, 2022 and went into effect on August 12, 2022

Tualatin will be required to comply with the following provisions:

- **Reduced Parking Mandates** (0430 and 0440), applies state law directly to land use decisions made by Tualatin as of **December 31, 2022**:
 - One parking space maximum can be required per unit for new or redeveloped residential developments with more than one unit.
 - No minimum parking can be required for:
 - Facilities and homes designed to serve people with psychosocial, physical, intellectual or developmental disabilities, including but not limited to a: residential care facility, residential training facility, residential treatment facility, residential training home, residential treatment home, and conversion facility as defined in ORS 443.400;
 - Childcare facility as defined in ORS 329A.250;
 - Single-room occupancy housing;
 - Residential units smaller than 750 square feet;
 - Affordable housing as defined in OAR 660-039-0010;
 - Publicly supported housing as defined in ORS 456.250
 - Emergency and transitional shelters for people experiencing homelessness; and
 - Domestic violence shelters.
- **Reduced Parking in Climate Friendly Areas and High Transit Corridors** will go into effect on **June 30, 2023**. Tualatin must update its development code or adopt an alternative parking management approach by this date or apply the state parking maximum rules directly:

- No minimum parking can be required for any new land use uses or redevelopment within Tualatin's adopted Town Center boundary (see Presentation Slide 8) and within ½ mile of its "high frequency" transit lines (see Presentation Slide 7); OR selection of an alternative parking management approach.
- Preferential carpool/vanpool parking; bike parking; transit oriented development; installation of tree canopy or solar panels in parking lots over ¼ acre; and adoption of parking maximums near downtown areas and transit centers.
- Installation of electric vehicle charging conduit in new private, commercial, mixed-use, and multifamily developments.
- **Transportation System Update Changes** take effect after December 31, 2022. Tualatin's future amendments to its Transportation System Plan (TSP) must identify for development, funding and construction only projects that are listed on its and Metro's financial constrained project (OAR 660-012-0180). Projects, including those that are on Tualatin's existing capital project list, must be re-justified to identify how they reduce per capita vehicle miles travelled (VMT). This may not be possible in some cases, potentially requiring removal of those projects from the financially constrained project list. Developers may construct projects, such as a traffic signal, that are listed on the unconstrained-project list; however, typically those projects built through development receive System Development Charge (SDC) credits to offset the cost of construction. If the project is not listed as constrained, it is unclear whether these projects will continue to be SDC eligible and thus whether they will continue to be built.

Status of Tualatin's Participation in Litigation Against CFEC:

- On September 12, 2022, the Council approved Resolution 5644-22, agreeing to join several other cities (including Medford, Hillsboro, Happy Valley, Troutdale) in joint litigation against CFEC
 - The litigation is currently before the Oregon Court of Appeals with a decision potentially this summer or fall.
 - The coalition of cities is also pursuing legislative fixes with state legislators (HB 2659 and SB 580)
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ATTACHMENTS:

-Presentation