Memorandum

To: Dan Pauly & Georgia McAlister, City of Wilsonville

From: Brian Davis, AICP

Date: April 2, 2025

Re: CFEC Parking Code Updates – DRAFT Recommended Revisions to Wilsonville Development Code

Introduction

This memorandum summarizes the full set of development code revisions recommended to bring Wilsonville into compliance with Oregon's new administrative rules (OAR) pertaining to parking that were recently enacted as part of the Climate Friendly and Equitable Communities (CFEC) program. The parking-related rules (OAR 660-12-0400 through -0450 and -0630) aim to reduce the amount of unnecessary parking built as a result of minimum requirements, and to reduce adverse impacts of new parking to the extent possible.

The new rules require Wilsonville to choose one of three broad paths to compliance allowed within the rules ("options," per DLCD's terminology). Based on feedback received from city staff, the Planning Commission, and City Council, Wilsonville's preferred path to compliance is *Option 1*, which requires the removal of minimum requirements from Wilsonville's Development Code (WDC), but subsequently exempts the City from OAR 660-12-0425 through -0450. If for any reason the City elects to move forward with Option 2 additional code edits will be necessary beyond what is indicated in this memo and the attachment, primarily to differentiate the minimum parking requirements in areas still subject to parking minimums and the transit-proximate areas that are exempt.

The proposed code revisions detailed herein thus present a route to compliance via Option 1. The following section details the requirements of the new Rules and any updates to WDC that are needed to come into compliance with each Rule. The proposed Code changes are attached.

Note: the recommendations include renumbering or re-lettering of several sections of Code. Code citations in the below analysis refer to WDC as currently organized.

Applicable Rules and Recommended WDC Changes

Parking Management (OAR 660-012-0400)

OAR 660-012-0400 establishes that Wilsonville is required to comply with the parking-related CFEC regulations (OAR 660-012-0400 through -0450) and details the parameters of the three compliance options. The rule indicates that by removing parking requirements per OAR 660-012-0420,

Wilsonville is exempt from the provisions of OAR 660-012-0425, -0430 -0435, -0440, -0445, and -0450.

No code changes are directly required to meet this rule.

Parking Regulation Improvements (OAR 660-012-0405)

New requirements under rule -0405 address any new parking that is developed or redeveloped, and fall under eight broad categories. These are cited below, along with Code updates needed to meet these rules.

Preferential placement of carpool/vanpool parking (660-012-0405(1)(a))

WDC currently requires preferential parking for carpools/vanpools in three cases, per 4.155(.06)A; however it does not specify a requirement in "designated employee parking areas in new developments with more than 50 parking spaces." The proposed Code edits add this as an additional case where preferential carpool/vanpool parking is required.

This additional case is added as **WDC 4.155(.06)A.1**, with the other three cases following, ordered for clarity.

Allow redevelopment of a portion of a parking lot for bike or transit uses (660-012-0405(1)(b))

WDC 4.155(.07) allows for redevelopment of parking areas consistent with this rule, albeit with the stipulation that parking can only be reduced by "up to ten percent of the minimum required parking spaces for that use."

The proposed Code strikes the ten percent stipulation from **WDC 4.155(.07)** and specifies that any portion of a parking area may be redeveloped for these uses, as specified by this rule.

Allow and encourage redevelopment of underused parking (660-012-0405(2))

WDC 4.155(.02)H currently prohibits the use of required parking spaces unless a temporary permit is obtained pursuant to WDC 4.163. It is also noted that WDC 4.155(.02)P, which is proposed to be retained as-is, permits parklets within on-street parking spaces.

The proposed Code would remove language from **WDC 4.155(.02)H** related to requirements to satisfy Rule -0420, and a new section is added following (**WDC 4.155(.02)F** under the new numbering) to define specific regulations around redevelopment of parking.

Allow and facilitate shared parking (660-012-0405(3))

Shared parking is allowed via WDC 4.155(.02)E, and further addressed within WDC 4.155(.02)S, which appears to incentivize shared parking by allowing for lot size or open space reductions when shared visitor parking meeting certain requirements is developed in residential areas.

No Code changes are needed or proposed to address this Rule.

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Tree canopy, solar, or fee-in-lieu, for parking more than ½ acre (660-012-0405(4)(a))

This rule states that Wilsonville must require any or all of the following for new parking areas larger than ½ acre:

> A) Require installation of solar panels capable of generating 0.5 kilowatts per new parking space;
>
> B) Require a fee-in-lieu payment of $1,500 per new parking space to be invested in a city, county, or state fund dedicated to renewable energy development; or
>
> C) Require a tree canopy covering 40% of the parking lot.

Wilsonville currently has extensive landscaping requirements, including the requirements set by WDC 4.155(.03)B.3. The 40% tree canopy coverage requirement specified by 4.155(.03)B.3.b is in compliance with both this rule and OAR 660-012-405(4)(b), and the pedestrian connectivity required by 4.155(.03)B.3.c is in compliance with OAR 660-012-405(4)(c). However, the new rules apply to all parking areas more than ½ acre while WDC 4.155(.03)B.3 applies only to parking areas with more than 200 stalls, which are likely to be two acres or more.

Staff have indicated that Wilsonville's landscaping requirements are generally well-liked and working well, so the simplest path to compliance would be to change the applicability of **WDC 4.155(.03)B.3** to all parking areas greater than half an acre. This is proposed in the code updates below. While this would subject more potential parking areas to the more rigorous standards throughout WDC 4.155(.03)B.3, this would bring the code into compliance with this rule as well as subsections 4(b) and 4(c), as described below, maintain consistency across properties, and be easier to implement and manage for City staff.

Alternatively, Wilsonville can change the applicability of **WDC 4.155(.03)B.3.b** and **WDC 4.155(.03)B.3.c** to any parking area more than one-half acre, and retain the remaining requirements as applicable to parking areas larger than 200 spaces.

> **Key Decision Point: For parking lots 0.5 to 2.5 acres in size (approx. 40-199 spaces) should requirements fully align with the standards for larger parking lots (200+ spaces) or only those required by CFEC rules?**

Deciding whether to endorse the current approach (changing applicability of *the entirety of* **WDC 4.155(.03)B.3** to parking areas more than one-half acre) or the alternative approach (changing applicability of *only* **WDC 4.155(.03)B.3.b** and **WDC 4.155(.03)B.3.c** to parking areas more than one-half acre) will be a key decision point for Planning Commission and City Council as this process moves forward.

Regarding a solar option, initial feedback from the Planning Commission and City Council indicated support for allowing for a solar option, albeit at a lower priority than landscaping. A potential way to implement this would be to allow for the solar option if an applicant can show that it is infeasible to meet the

> **Key Decision Point: Should the City allow solar panels to be installed in lieu of meeting some or all of tree canopy requirements?**

landscaping requirement. Oregon City is pursuing a similar approach. The approach proposed in the

Revised Development Code Text adds a new clause (**WDC 4.155(.03)B.4)**) which allows the solar option for parking areas less than 200 spaces where it is infeasible to meet the landscaping requirement, retaining the spirit of WDC 4.155(.03)B.3. This clause is optional and electing whether or not to include it represents another decision point.

New parking more than ½ acre must have trees along driveways or 30% coverage (660-012-0405(4)(b))

This requirement can be met either via meeting the 40% tree canopy option by changing **WDC 4.155(.03)B.3** to apply to all parking areas greater than half an acre, as outlined above for (660-012-0405(4)(a)), or with a tree canopy reduced to 30% <u>if</u> the applicant is meeting the requirement of the previous section via a solar or fee-in-lieu path.

If Wilsonville elects to change the applicability of **WDC 4.155(.03)B.3** to all parking areas larger than one-half acre, as proposed to meet OAR 660-012-0412(4)(a) and described above, this Rule would also be satisfied. The proposed new clause **WDC 4.155(.03)B.4** allows for the option of meeting the 30% requirement along with solar; again, this clause is optional.

Pedestrian connections through large parking lots (660-012-0405(4)(c))

Again, this requirement is met by changing the applicability of WDC 4.155(.03)B.3 to all parking areas larger than one-half acre.

Some clarifying text to **WDC 4.155(.03)B.3.c** was added to ensure compliance with the rules, and referring to standards specified by WDC 4.154, which contains several design requirements that are consistent with this rule.

Parking maximums in appropriate locations (660-012-0405(5))

This rule requires implementation of parking maximums in "appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments." Since Wilsonville currently has citywide parking maximums, it currently meets this requirement with no updates needed.

Note that some maximums within **WDC 4.155 Table 5** are adjusted in the proposed Code to come into compliance with OAR 660-012-0415. This is described below.

Electric Vehicle Charging (OAR 660-012-0410)

Rule -0410 calls for new private multi-family residential or mixed-use developments with five or more residential dwelling units to install conduits to serve 40% of vehicle parking spaces. Currently, Wilsonville's code allows for EV charging and parking per 4.155(.03)H, however the provisions do not meet the 40% requirement.

Proposed Code language is written to conform to the letter of Rule -0410, eliminating references to minimum requirements and adding the 40% requirement to **WDC 4.144(.03)H.1.** It is recommended that WDC 4.144(03)H.2 be retained.

Based upon implementation guidance and experience working in other communities, it is also recommended that definitions for "electrical service capacity" and "electric vehicle charging station" are added to **WDC 4.001**. These are provided in the proposed code.

Parking Maximums (OAR 660-012-0415)

Cities with 25,000 people or more within the Portland metro area are subject to rule -0415(1), which requires implementation of certain maximum parking requirements within the transit corridors and rail stop areas listed in OAR 660-012-0440, as described above. With a 2023 population of 27,634, Wilsonville is subject to this requirement. Wilsonville currently has maximum requirements specified for all applicable uses via WDC 4.155 Table 5, albeit many are set higher than the new rules allow.

A key piece of the initial outreach to Planning Commission and City Council focused on whether this adjustment should be made only to the transit-proximate areas as required by the rule, or whether to implement citywide given that most or all buildable land in Wilsonville is within transit-proximate areas. Both bodies expressed a clear preference to have one set of requirements applicable to the whole city, so that is the approach proposed with these code edits.

In the proposed Code, maximums for all applicable commercial uses have been reduced to five spaces per 1,000 s.f. as required, and maximum requirements for multi-family housing in **WDC 4.155 Table 5** and **WDC 4.125 Table V-2** have been added in accordance with this rule. Additionally, a note has been added below Table 5 stipulating that for developments of more than 65,000 s.f., surface parking may not consist of more area than the floor area of the building.

Exemption for Communities without Parking Mandates (OAR 660-012-0420)

This rule states that cities that do not include parking mandates within land use regulations are exempt from OARs -0425 through -0450. This is Wilsonville's preferred route to compliance, so the following edits are necessary to remove parking requirements and references thereto. If the City Council were to shift the compliance route to Option 2, the project team would need to bring back edits that differentiate between transit-proximate areas and non transit-proximate area in the Code text as well as maintain allowed parking minimums in the non transit-proximate areas.

WDC 4.155.02, General Provisions, has been edited extensively to remove references to parking requirements, and change applicability of any relevant design requirements to parking that has been "provided" rather than "required." **WDC 4.155 Table 5** has been edited to remove all minimum requirements, and the notes below the table edited or eliminated. Similarly, **WDC 4.125 Table V-2,** which specifies parking requirements specific to the Village Zone, has been edited to remove all minimum requirements. References to parking requirements elsewhere in the code have been edited or removed as appropriate.

OARs 660-012-0425 – 0450

Because Wilsonville is choosing Option 1 as a compliance alternative, it is exempt from these code sections. If Option 2 is selected at a later time, additional edits would be necessary to incorporate.

No changes are needed to code here.

Bicycle Parking Requirements (OAR 660-012-0630)

Lastly, several new requirements regarding bicycle parking are introduced via Rule -0630. These fall under four categories, summarized below.

Minimum bicycle parking requirements for certain uses (660-012-630(2))

WDC 4.155 Table 5 specifies bicycle parking requirements, and includes a minimum requirement for all uses specified by this rule.

The code is currently in compliance and no changes are needed here.

Covered bicycle parking required for multifamily and mixed-use residential (660-012-630(3))

In addition to requiring some minimum number of parking spaces above, this rule stipulates that cities must require at least 0.5 stalls per unit in *covered* bicycle parking.

WDC 4.155.04.C meets this Rule, requiring half of the one-per-unit minimum from Table 5 to be covered (as well as monitored). No changes are needed or recommended here.

Bike parking must meet certain standards regarding security and accessibility (660-012-630(4))

This rule specifies several design standards for bike parking.

WDC 4.155(.04) is fairly robust and adequately addresses requirements regarding the size of spaces, accessibility, and location. A few minor additions are proposed to **WDC 4.155(.04)** to meet the letter of this rule, including a requirement that stalls allow for two points to which to lock, a requirement that the space be well-lit, and a provision to allow for cargo bikes or family bikes.

Provide parking for bikes and other "small-scale mobility devices" at key destinations (660-012-630(5))

This regulation is worded fairly loosely, and based on feedback from DLCD is intended to apply more to right-of-way management policies than development code.

No updates to development code are needed to comply here. For on-street considerations, requirements here can be addressed when Wilsonville next updates its TSP.

Attachment A: Draft Code Amendments