

Memorandum

Date: October 14, 2022

To: West Linn Planning Commission

From: Darren Wyss, Planning Manager

Subject: DLCD Climate Friendly and Equitable Communities Implementation

In 2007, Oregon legislators adopted a goal to reduce Oregon's climate pollution 75 percent by 2050. Fifteen years later, the state is far off track in meeting those goals, while also experiencing real-world impacts of increasing size, severity, and frequency of wildfires and record heat waves that impact communities.

Transportation pollution accounts for about 38 percent of Oregon's climate pollution. On the current path, Oregon will only reduce transportation pollution by about 20 percent by 2050. In response, Governor Kate Brown issued [Executive Order No. 20-04](#) in March 2020 directing state agencies to meaningfully and urgently address climate change by developing measures to reduce Oregon's greenhouse gas emissions.

The [Land Conservation and Development Commission \(LCDC\)](#) launched the [Climate-Friendly and Equitable Communities \(CFEC\)](#) rulemaking project in response to Governor Brown's order. LCDC directed the [Department of Land Conservation and Development \(DLCD\)](#), Oregon's land use planning agency, to draft changes to the state land use and transportation planning programs for communities in Oregon's eight most populated areas. Over the course of two-years, and with the assistance of a rulemaking committee, DLCD created draft rules, which were presented to LCDC and [adopted in July 2022](#).

The adopted rules aim to improve equity, while ensuring all Oregonians are served by a community's transportation, housing, and planning efforts. The four primary areas of impact to the City of West Linn include:

1. Reforming parking mandates and amending parking lot design standards
2. Preparing for the electric vehicle future
3. Planning for future transportation options
4. Adopting Metro 2040 Growth Concept town center boundaries

The City of West Linn will be required to implement the adopted administrative rules over the next several years. More detail is provided later in this memorandum, but the most immediate actions involve reforming the City's parking codes and implementing parking lot design and electric vehicle charging infrastructure requirements by June 30, 2023.

City Council appointed the Planning Commission (PC) as the working group for the CFEC implementation project and staff will begin holding regular work sessions with the PC to discuss policy options and associated code amendments. As part of this effort with the PC, staff will develop a communication plan to ensure the community is aware of the required CFEC changes and to glean feedback on the policy options. Staff will also return regularly to City Council to provide project updates and get Council input on the policy options to ensure staff and the PC are moving in the desired direction.

City staff will also closely follow the legal challenges filed against the CFEC rulemaking process by more than 10 cities across the state. Any resulting changes to CFEC implementation requirements or timing will be communicated to City Council and staff will seek policy guidance at that time on how to proceed.

Staff has provided general details about the four areas of impact below. Additional details and policy options will be discussed with the Planning Commission and City Council as each phase of implementation occurs.

Reforming parking mandates and amending parking lot design standards

Parking mandates, also known as minimum parking requirements, are a one-sized approach that often hide the costs of providing parking in other goods, such as housing and business costs. The CFEC adopted administrative rules require the City to eliminate parking mandates in some cases and reduce them in other cases. The rules also require the City to ultimately make a policy decision to either eliminate all parking mandates for the City or eliminate/reduce them in some areas and for certain land uses, while also implementing a series of programmatic changes by June 30, 2023.

The policy decision will result in amendments to the Community Development Code parking requirements and will be the primary topic discussed with the Planning Commission and Council over the next six months. The attached graphic outlines implementation dates for the City, as well as a brief description of what is included in the changes. The Department of Land Conservation and Development (DLCD) has also distributed informational and implementation documents for use by communities required to follow the CFEC rules. Some of the parking related documents are linked below.

[DLCD Parking Reform Summary](#)

[DLCD What Happens When Parking Mandates are Reduced?](#)

[DLCD Welcome to Parking Reform Webinar \(Presentation .pdf\)](#)

Preparing for the electric vehicle future

As of July 1, 2022, state statute and building codes require new commercial buildings, new mixed-use buildings with five or more residential units, and new multi-family residential buildings with five or more units to install conduit to support at least 20 percent of the parking spaces for electric vehicle charging.

The [CFEC rules](#) require the City to implement installation of conduit to support at least 40 percent of the parking spaces for electric vehicle charging (see attached timeline graphic). The rules apply to new mixed-use or multi-family residential building with five or more residential units.

Planning for future transportation options

The majority of [transportation related CFEC rules](#) are focused on the update or creation of transportation system plans (TSP), including how proposed projects are evaluated. The City has an adopted TSP and an update to the [2016 West Linn Transportation System Plan](#) may be necessary to comply with any new policy directives that result from [Metro's 2023 Regional Transportation Plan](#) (RTP) update. The RTP update is scheduled for adoption in December 2023.

Any necessary updates to the City's TSP would occur after adoption of the RTP and City staff would seek grant funding through the State's Transportation and Growth Management program for the work.

Adopting Metro 2040 Growth Concept town center boundaries

One of the primary components of the CFEC rules is the requirement to create and adopt climate friendly areas with associated zoning and development code requirements. However, the Portland Metropolitan Area is exempt from the requirements since the region has already adopted the [2040 Growth Concept](#) with associated Regional Centers, Town Centers, Corridors, Station Communities, and Main Streets where urban density growth is anticipated to occur. The CFEC rules require Metro to establish requirements for adoption of Centers by the end of calendar year 2024.

The City has two Town Center areas identified on the [2040 Growth Concept Map](#). One in the Bolton neighborhood commercial area and the second in the Willamette neighborhood commercial area. The City will need to adopt the two Town Center boundaries and any associated zone changes or development code updates resulting from the requirements Metro establishes for adoption of Centers. The City must complete the adoption process by end of calendar year 2025.

If you have questions about the meeting or materials, please feel free to email or call me at dwyss@westlinnoregon.gov or 503-742-6064.



DECEMBER 31st 2022

IMPLEMENTED VIA STAFF ACTION. NO CDC AMENDMENTS REQUIRED.

Reduce Parking Mandates

OAR 660-012-0430 / 0440

Can no longer enforce parking mandates within 1/2 mile of Trimet routes 35 and 154

Can no longer mandate parking for small residential units, affordable units, childcare, facilities for people with disabilities, and shelters

Can no longer mandate more than 1 space per unit for multi-unit residential development

MARCH 31st 2022

IMPLEMENTED VIA STAFF ACTION. NO CDC AMENDMENTS REQUIRED.

Improve EV Charging Potential

OAR 660-012-0410

Conduit now required to serve 40% of parking spaces in new multifamily (>5 units) residential and mixed-use

JUNE 30th 2022

REQUIRES CDC AMENDMENTS

Parking Reform and Policy Options

OAR 660-012-0405

Allow redevelopment of parking lots for bikes / transit uses, facilitate shared parking, parking lot design changes, adopt parking maximums

AND

POLICY OPTION 1
OAR 660-012-0420

Repeal parking mandates

POLICY OPTION 2
OAR 660-012-0425

Adopt (8) regulations to reduce parking mandates

OR...

OAR 660-012-0445(1)(a) / (b)

Adopt 3 of 5 policy / programmatic initiatives

OR...

Adopt regulations minimizing or exempting required parking for 15 development types