



**PLANNING COMMISSION**  
**Draft Meeting Notes of August 21, 2024**

<b><u>Commissioners present:</u></b>	John Carr, Joel Metlen, Gary Walvatne, Tom Watton, David D. Jones, Kathryn Schulte-Hillen, and Jason Evans
<b><u>Councilor Present:</u></b>	Carol Bryck
<b><u>Public present:</u></b>	None
<b><u>Staff present:</u></b>	Planning Manager Darren Wyss, Associate Planner Aaron Gudelj, and Community Development Management Analyst Lynn Schroder

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The meeting video is available on the [City website](#).

**1. Call To Order and Roll Call**

Chair Carr called the meeting to order at 6:00 pm. Planning Manager Wyss took roll. New Commissioners Jason Evans and Kathryn Schulte-Hillen introduced themselves.

**2. Public Comment related to Items not on the Agenda**

None.

**3. Work Session: [2024 Code Process Amendments](#) Work Session #5**

Associate Planner Gudelj reviewed the decisions made at the previous work session regarding changes to the development code for four key topics:

- Appeal Process for Development Permits
  - Require the appellant to identify code criteria not met or misapplied and why.
- Expedited Land Divisions
  - Amend CDC Chapter 99.060.E for compliance with State Statute.
- Extensions of Approval
  - Clarify the extension approval date, expiration date, and number allowed, as well as the policy on approval authority and length of extension.
- Home Occupations
  - Clean up ambiguous terms, clarify policy on 'vehicle trips' exemption for schools, and review the application process.

He invited any remaining questions, comments, or edits to the proposed code language. Commissioners discussed the ambiguity of business drop-off and pick-up rules and suggested using more precise language. They also reviewed and discussed the definition of "referee."

**4. Work Session: [CFEC Code Amendments](#) Work Session**

Planning Manager Wyss reviewed the outcomes of the previous work sessions concerning the proposed Climate Friendly and Equitable Communities (CFEC) draft code amendments. After two work sessions, the Planning Commission reached a consensus to recommend the elimination of all parking mandates within the City. The key reasons for this recommendation include:

1. Coverage of Commercial Properties: Without parking mandates, 90 percent of commercially zoned properties would still be adequately covered, unless the City decides to implement paid on-street

parking districts in the Willamette and Bolton town center areas.

2. Lack of Support for Paid Parking: There was no support for introducing paid on-street parking.
3. Feedback from Stakeholders: Commercial property owners and developers indicated that they would continue to provide parking as needed, and supported removing mandates to allow market forces to determine the appropriate amount of parking.
4. Impact of New Transit Routes: Two new TriMet bus routes will soon begin operating. If their frequency increases in the future, the City may be required to remove parking mandates within a half-mile radius, similar to the current requirement along TriMet Route 35 on Highway 43.
5. Cost-Effective Implementation: Eliminating parking mandates will ease implementation and reduce City costs associated with new programs, regulations, and enforcement.

These considerations formed the basis for the Planning Commission's recommendation to remove parking mandates throughout the City.

The next steps include consideration of the proposed code amendments that include changes to submittal requirements, focusing on tree plans, electric vehicle charging infrastructure, and increased design flexibility. Parking maximums would be implemented in the City's two Metro 2040 Town Centers and within the ½ mile boundary of TriMet Bus Line 35 (Hwy 43). The amendments would remove maximum distance requirements for building entryways, allowing for greater flexibility in site design. Additionally, new developments would be required to achieve 40% tree canopy coverage and create and install EV service conduit. The new tree planting requirements in parking lots aim to ensure trees successfully grow and achieve the required canopy coverage.

The City needs to adopt the Metro 2040 town center boundaries by the end of 2025. The Bolton area and downtown Willamette are identified as West Linn's town centers.

For the next work session, staff will evaluate the floor area definition and its relationship to the floor area ratio, the maximum parking requirements, and the typo on page 29 regarding the town center boundaries.

Metlen requested that the City collect parking data following CFEC implementation to evaluate the effects of removing parking mandates and maximum parking requirements, allowing for an assessment of the actual impact. Wyss agreed.

## **5. Planning Commission Announcement**

None.

## **6. Staff Announcements**

Wyss reviewed the upcoming fall schedule for the Planning Commission.

## **7. Adjourn**

Chair Carr adjourned the meeting at approximately 7:18pm.



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# Planning Commission

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Code Process Concepts 2024 Final Amendment Package

August 21, 2024

# Four Code Process Topics



- ◆ Appeal Process for Development Permits
- ◆ Expedited Land Divisions
- ◆ Extensions of Approval
- ◆ Home Occupations



**EXTENDED**





# Timeline of Events

◆ **March 18, 2024; City Council (CC) and Planning Commission (PC) joint work session**

- CC directed PC to bring back an amendment package addressing the four code concepts.

◆ **April 3, 2024; PC Work Session #1**

- PC Discussed: Appeal Process, Extensions of Approval, Home Occupations, & Expedited Land Divisions and Middle Housing Land Divisions

◆ **June 5, 2024; PC Work Session #2**

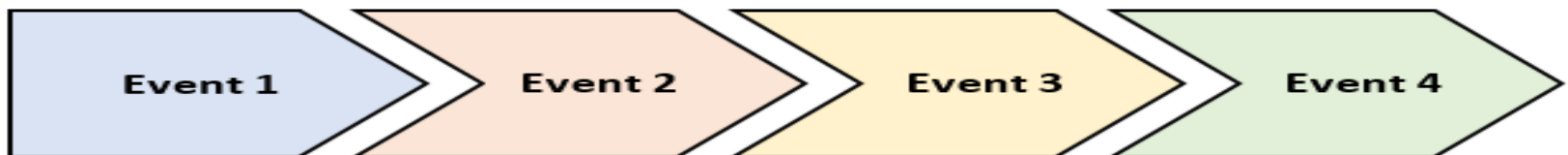
- PC Discussed: Appeal Process, Extensions of Approval

◆ **July 17, 2024; PC Work Session #3**

- PC Discussed: Appeal Process, Extensions of Approval, Home Occupations

◆ **August 7, 2024; PC Work Session #4**

- PC Discussed: Extensions of Approval, Home Occupations, Expedited Land Divisions and Middle Housing Land Divisions





# Appeal Process for Development Permits

- ◆ **4/3/2024 PC Work Session**
  - How much specificity should be required on an appeal application?
  - Should the appeal hearing only be applicable to the appellants specified concerns?
  
- ◆ **6/5/2024 PC Work Session**
  - PC came to consensus to require specificity in appeal application
  - De-novo style hearing should be maintained
  
- ◆ **7/17/2024 PC Work Session**
  - PC requested removal of word 'detailed' from the proposed code (CDC Ch. 99.250(A)(3)).
  
- ◆ Amendments to **West Linn Community Development Code (CDC) Chapter 99.250** are proposed based on PC feedback at the work sessions.



# Extensions of Approval (Part I)



## ◆ 4/3/2024 PC Work session

- Should the City require approval of an extension prior to expiration of original approval?
- Should the City limit the number of extensions?
- Should the length of an extension remain at 2 years?
- How should extensions be processed if no modifications are proposed?

## ◆ 6/5/2024 PC Work session

- PC came to consensus to limit to one extension
- PC came to consensus extensions with no modifications should be staff level decision
- PC requested approval authority language to include 'Planning Director "or designee" for clarity





# Extensions of Approval (Part II)



- ♦ **7/17/2024 PC Work session**
  - PC requested documentation of Planning Manager approval authority in lieu of the Planning Director.
- ♦ **8/7/2024 PC Work session**
  - Staff provided memo from City Manager verifying the Planning Manager approval authority in lieu of the Planning Director
- ♦ Amendments to **West Linn Community Development Code Chapter(s) 99.060, 99.080, and 99.325** have been proposed based on the feedback from the PC at the work sessions.







# Home Occupations

## **4/3/2024 PC Work Session**

- Should the City return to processing as a land-use review i.e. Type I and Type II?
- Should the existing uses currently exempt from vehicle trips continue to be exempt?
- Should Home Occupations be allowed to conduct any business outside including storage of equipment?
- PC requested comparison of neighboring jurisdictions code language and review process

## **7/17/2024 PC Work session**

- Staff provided jurisdiction comparisons
- PC came to consensus to remove vehicle trip exemption and limit Home Occupations with ‘pupils or students’ to 12 total vehicle trips. 8 vehicle trips for all other Home Occupations should be maintained

## **8/7/2024 PC Work session**

- No further revisions pr discussion of proposed code language.



Amendments to **West Linn Community Development Code Chapter(s) 37.010 through 37.080** have been proposed based on the feedback from the PC at the work sessions.



# Expedited Land Divisions & Middle Housing Land Divisions

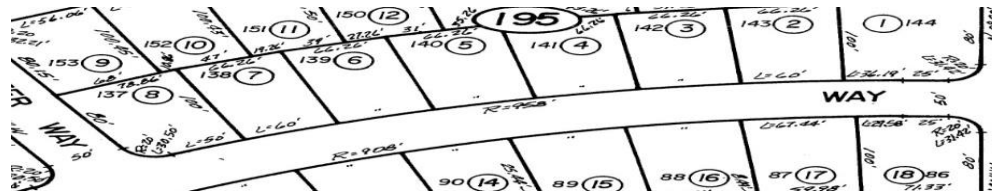
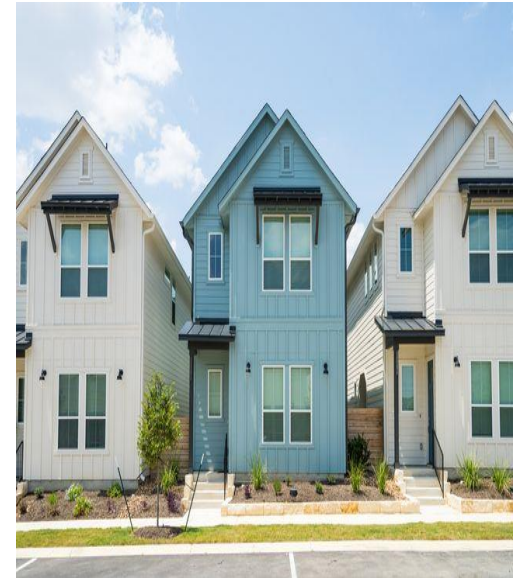
## 4/3/2024 PC Work Session

- Staff presented information on state statutes and the ELD process.
- PC discussed referee appeal process mandated by the state statute
  - PC expressed concern regarding appeal being processed by an independent referee but acknowledged the need to comply with state statute.

## 8/7/2024 PC Work Session

- Staff presented draft code based on the discussion from the 4/3/2024 PC Work Session
- PC did not request any changes to the draft code

- Amendments to **West Linn Community Development Code Chapter(s) 85.070, 85.220, and 85.230, and 99.060** have been proposed based on the feedback from the PC at the work sessions.





# Next Steps and Tentative schedule

- ◆ Tonight's work session is intended for the PC to ask remaining questions and/or provide comments/edits to the proposed code language.
- ◆ Staff has scheduled an additional work session at the next PC meeting (9/18) if it is necessary.

## Tentative Schedule

Meeting Date	Meeting Type	Anticipated Agenda
08/21/2024	PC work Session	▪ PC to review and discuss DRAFT Code Process Concepts Amendment package for final questions/clarity in preparation for the public hearing
09/18/2024	PC Work Session (if needed)	▪ PC to review and discuss DRAFT Code Process Concepts Amendment package for final questions/clarity in preparation for the public hearing
10/16/2024	PC Public hearing	▪ PC to discuss the code amendment package and provide recommendation of approval to the CC.
11/04/2024	CC Work Session	▪ CC to review PC recommended amendment package and provide questions/clarity, additional information, code language edits etc.
11/18/2024	CC Work Session (if needed)	▪ CC to review PC recommended amendment package and provide questions/clarity, additional information, code language edits etc.
12/09/2024	City Council Public Hearing	▪ CC to adopt the Code Process Concepts Amendment Package



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# Planning Commission

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DLCD Climate Friendly and Equitable Communities  
Code Amendments Work Session

August 21, 2024

# Work Session Overview



## Work Session Packet

- Staff Memo dated August 15, 2024
  - Recap of process
  - Policy decision/Council support
  - Legislative adoption schedule
  - Background Information
- Consultant Memo dated August 9, 2024
  - Comparison matrix of OARs/CDC
- Proposed Draft Code Amendments
  - Remove references to required parking
  - Clean-up of code language
  - Tree canopy/planting requirements
  - Maximum parking
  - EV conduit installation





# Climate Friendly and Equitable Communities



## 🌿 Council appointed PC as working group

- Three work sessions for policy discussion
- Policy decision – remove parking mandates
- Need to adopt code amendments by end of 2024
- DLCD grant funds for consultant assistance
- Two work sessions to review draft code amendments (8/21 & 9/18)

## 🌿 Goals for tonight's work session

- Review consultant memo
- Review/discuss OARs & proposed amendments
- Request additional information
- Recommend code language changes







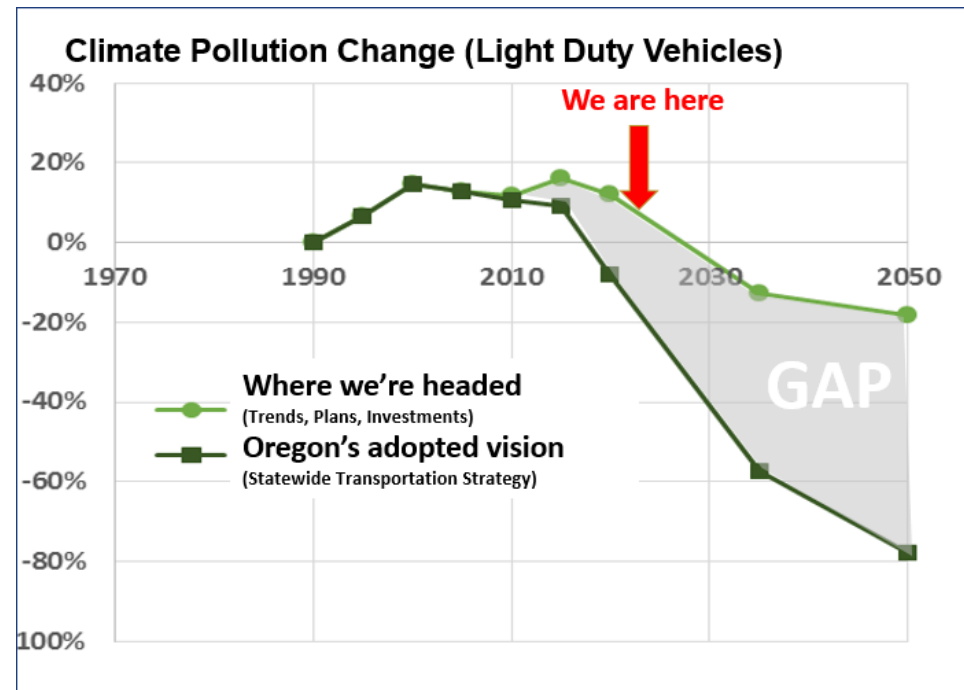
# Climate Friendly and Equitable Communities

## Why?

- 2007 Goal to reduce climate pollution 75% by 2050
- State was off track 15 years later
- Transportation 38% of climate pollution
- On track to reduce transportation pollution by 20% by 2050

## What?

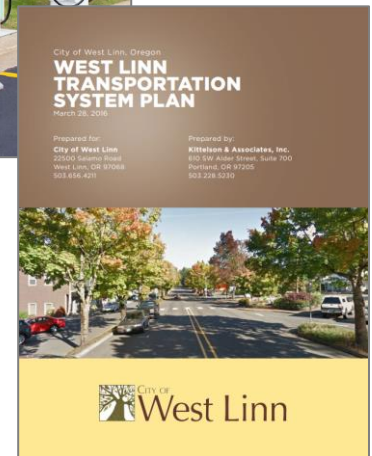
- Executive Order 20-04 in March 2020
- LCDC launched CFEC rulemaking project
- DLCD rulemaking committee
- Rules adopted July 2022 and modified November 2023



# Climate Friendly and Equitable Communities



- Improve equity
- Ensure everyone served by transportation, housing, and planning efforts
- City Implementation
  1. Reform parking mandates and amend parking lot design standards
  2. Prepare for electric vehicle future
  3. Plan for future transportation options
  4. Adopt Metro 2040 Town Center boundaries (2025)





# Parking Reform

## Minimum Parking Requirements

- One-sized approach
- Hide costs of parking in housing/business costs

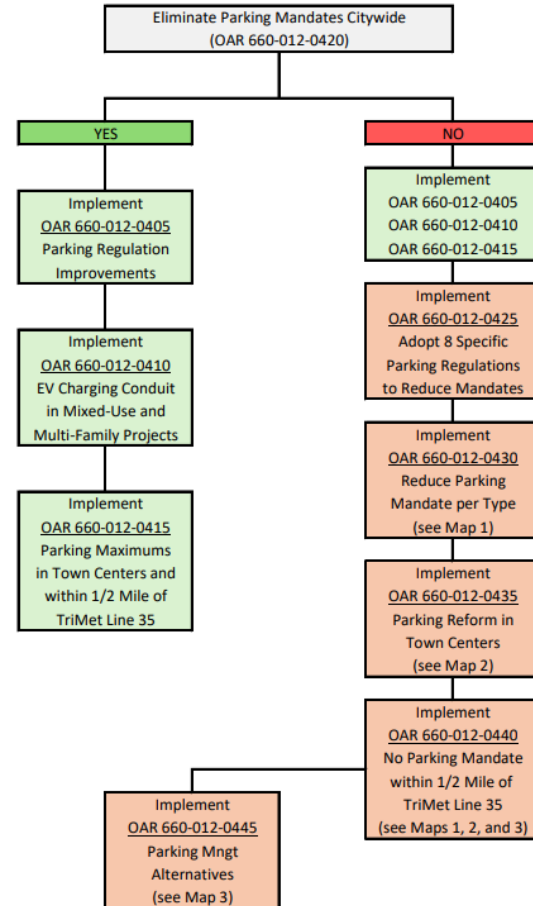
## CFEC Implementation

- Eliminate mandates in some cases
- Reduce mandates in other cases
- Parking lot design changes

## Policy Decision

- Remove all parking mandates; or
- Eliminate/reduce for certain areas or land uses and implement programmatic changes
- Adoption of code amendments by end of 2024

**City of West Linn CFEC Implementation Road Map**



# Initial Implementation Requirements



## 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

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## MARCH 31st 2023

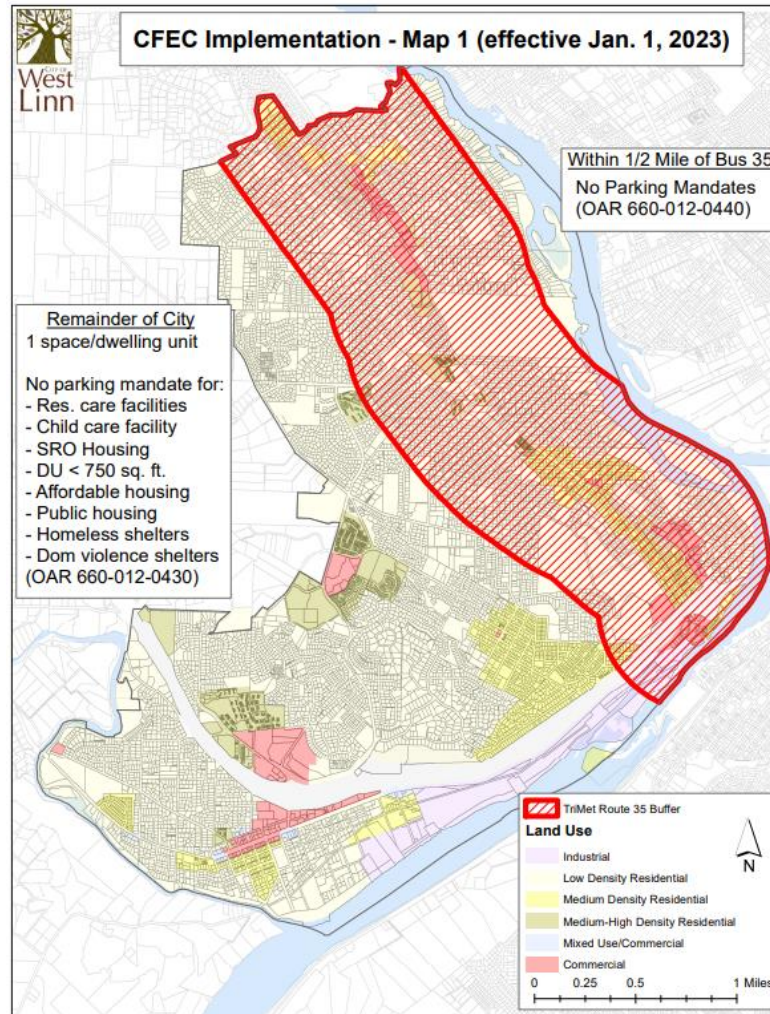
IMPLEMENTED VIA STAFF ACTION. NO CDC AMENDMENTS REQUIRED.

### 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

# Initial Implementation Requirements



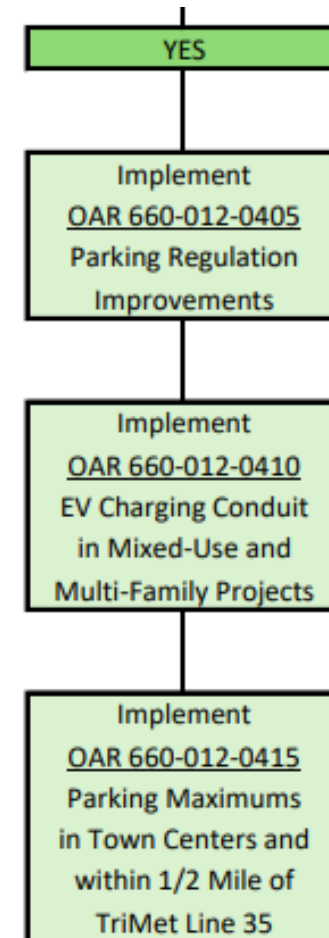




# Parking Reform – Remove All Mandates

## What are other Metro cities considering?

City	Decision
Lake Oswego	Repeal all mandates (CC Direction)
Wilsonville	Repeal all mandates (Staff Recommendation)
Oregon City	Do not repeal all mandates (CC Direction)
Milwaukie	Repealed all mandates
Tualatin	Repeal all mandates (CC Direction)
Tigard	Repealed all mandates
Beaverton	Repealed all mandates
Gladstone	Do not repeal all mandates (CC Direction)
Happy Valley	Do not repeal all mandates (CC Direction)

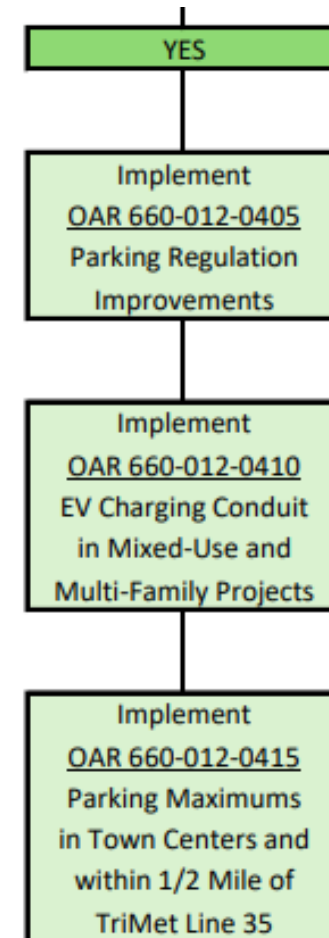






# Parking Reform – Remove All Mandates

- What did we hear from commercial developers/property owners?
- Icon/Gramor/Wyse/ROIC
  - Support removing mandates
    - Market driven analysis
    - Minimum requirements result in excess spaces
  - Would continue to provide parking regardless
    - Tenant demand
    - Financing requirements
  - Primary concern was spillover parking from under parked residential development
    - Shared parking agreements as part of development approval

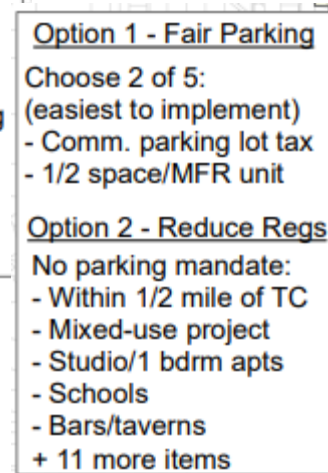
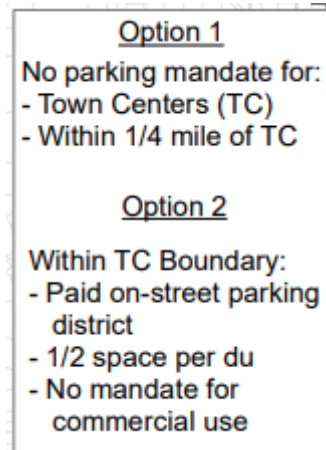




# Parking Reform – Remove All Mandates

🍃 OAR 660-012-0435

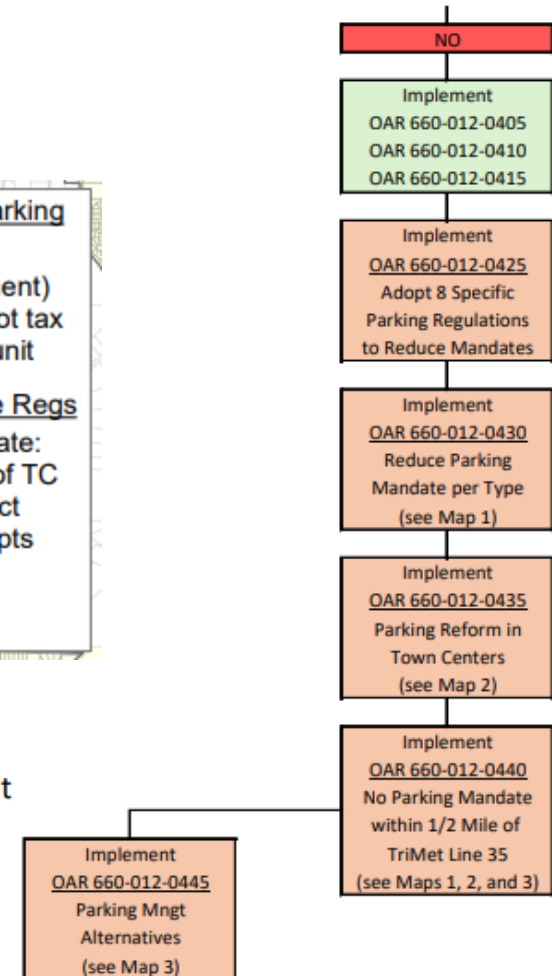
🍃 OAR 660—012-0445



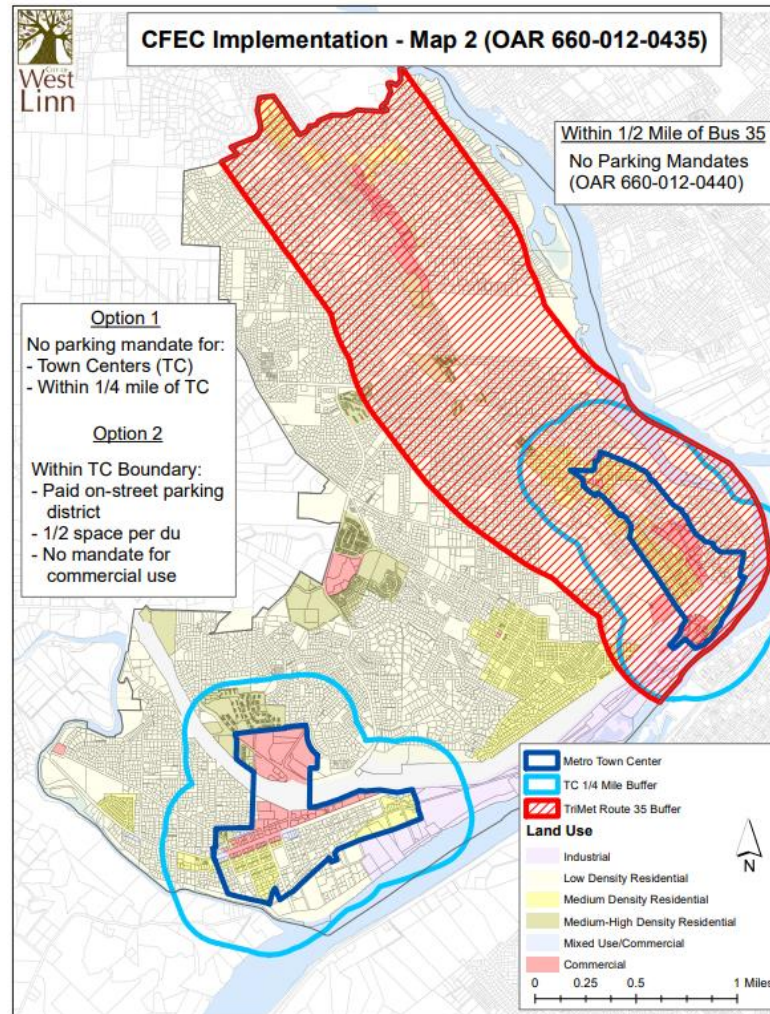
## Percentage of Commercial Properties Affected By No Parking Mandate

Hwy 43 Bus Route + ¼ Mile Buffer (Map 1) = 42 percent

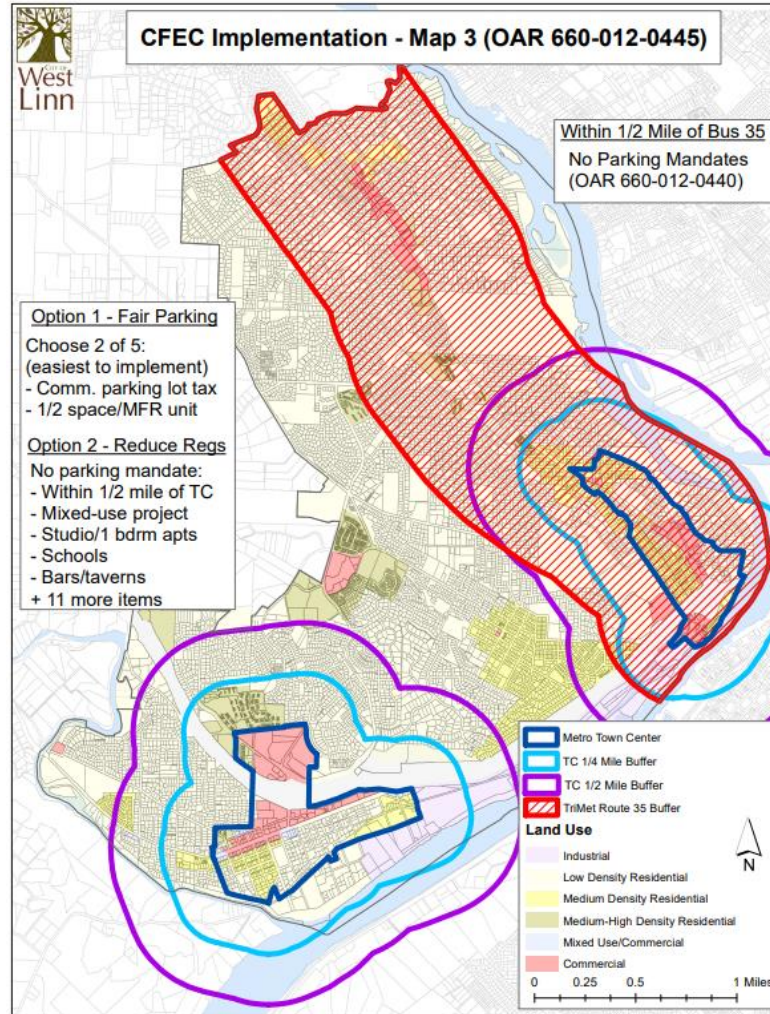
Hwy 43 Bus Route + ¼ Mile Buffer and Town Center + ¼ Mile Buffer (Map 2) = 90 percent



# Parking Reform – Remove All Mandates



# Parking Reform – Remove All Mandates







# Parking Reform – Remove All Mandates

Option	Pros	Cons
Remove all mandates	<ul style="list-style-type: none"><li>▪ Easy to implement/understand</li><li>▪ Minimal cost</li><li>▪ Provides flexibility</li><li>▪ Parking in response to market demand</li></ul>	<ul style="list-style-type: none"><li>▪ Potential for overflow into neighborhoods/adjacent lots</li></ul>
Map 2 Option 2	<ul style="list-style-type: none"><li>▪ Provides flexibility within transit corridors/town centers</li></ul>	<ul style="list-style-type: none"><li>▪ Different requirements for only 10% of commercial properties</li><li>▪ Introduction of paid parking in existing commercial districts</li><li>▪ Significant costs to implement</li></ul>
Map 3 Option 1	<ul style="list-style-type: none"><li>▪ ½ space per MFR unit</li></ul>	<ul style="list-style-type: none"><li>▪ Introduction of new programs</li><li>▪ Significant costs to implement (property owners and City)</li><li>▪ Inconsistent requirements within the City</li></ul>



## Remove References for Required Parking

### – CDC Chapters

- 1 – General
- 2 – Definitions
- 22 – Conditional Uses
- 32 – WRA Protection
- 35 – Temporary Uses
- 37 – Home Occupations
- 41 – Building Height
- 46 – Off-Street Parking
- 48 – Access, Egress, & Circulation
- 54 – Landscaping
- 55 – Design Review
- 56 – Parks Design Review
- 75 – Variances
- 96 – Street Improvements
- 99 – QJ Decision Making







# Draft Code Amendments

## Provision of Electric Vehicle Service Capacity

- CDC Chapter 2 – Definitions

**Provision of Electric Vehicle Service Capacity. Refers to service capacity for charging electric vehicles in newly constructed buildings, consistent with ORS 455.417.**

## Language Clarification

- CDC Chapter 41 – Front Yard Setback Exception
- Steep slopes reduced setback & garage door orientation
- Removed language referencing garage being parallel with street in CDC 41.010

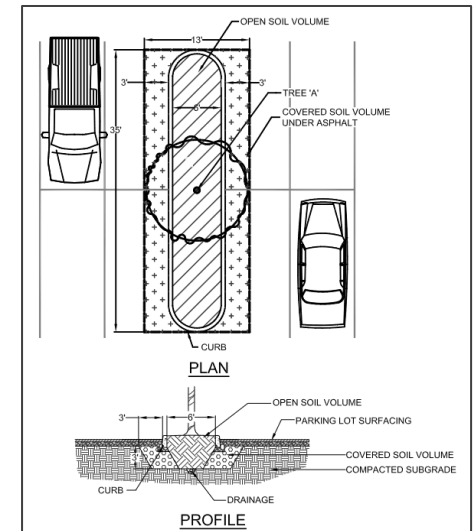


# Draft Code Amendments



## 🌿 Parking Lot Design

- CDC Chapter 46 – Off-Street Parking
- Submittal requirements (46.030)
- Remove maximum distance requirement for design flexibility (46.070)
- Maximum parking for Metro TC & frequent transit corridors (46.080)
- Pedestrian walkways (46.150)
- 40% tree canopy coverage (46.150)
- Tree planting requirements (46.150)
- EV service conduit requirements (46.150)





**QUESTIONS OF STAFF?**