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TUESDAY, November 22, 2022 – Regular Meeting 5:30 pm – 7:30 pm

Commissioners: Ken Beeson; Diane Behling; Tiffany Edwards; Lisa Fragala (Vice Chair); Dan Isaacson (Chair); Jason Lear, Chris Ramey

The Commission will begin the meeting with the City's Land Acknowledgement statement:

Since time immemorial the Kalapuya people have been the Indigenous stewards to our region, building dynamic communities, maintaining balance with wildlife, and enacting sustainable land practices. This land acknowledgement is a way of resisting the erasure of Indigenous histories and to honor Native communities by inviting truth and reconciliation. Following treaties between 1851 and 1855, Kalapuya people were dispossessed of their Indigenous homeland by the United States government and forcibly removed to the Coast Reservation in Western Oregon. As we consider the impacts of colonization, we also acknowledge the strength and resiliency of displaced Indigenous people. The City of Eugene is built within the traditional homelands known as Kalapuya Ilihi. Kalapuya descendants are citizens of the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of the Siletz Indians of Oregon, they continue to make contributions in our communities here and across the lands. We express our respect for the inherent political sovereignty of all federally recognized Tribal Nations and Indigenous people who live in the State of Oregon and across the nation. Therefore, the Planning Commission recognizes that what we do today will affect the many generations who will come after us.

A. PUBLIC COMMENT

The Planning Commission reserves 10 minutes at the beginning of this meeting for public comment. The public may comment on any matter, except for items scheduled for public hearing or public hearing items for which the record has already closed. Generally, the time limit for public comment is three minutes; however, the Planning commission reserves the option to reduce the time allowed each speaker based on the number of people requesting to speak.

**B. WORK SESSION: RIVER ROAD-SANTA CLARA NEIGHBORHOOD PLAN:
COMMUNITY ADVISORY COMMITTEE NOMINATION APPROVAL**

Work Session where the Eugene Planning Commission will be asked to review and approve a Community Advisory Committee nominee to fill a current vacancy that will join the River Road and Santa Clara Community Organizations, City and County staff, consultants and neighborhood volunteers in working together on the River Road-Santa Clara neighborhood plan, which is currently in the Adoption Phase.

Staff: Terri Harding, 541-682-5635, THarding@eugene-or.gov

**C. WORK SESSION: CLIMATE FRIENDLY & EQUITABLE COMMUNITIES: PARKING
REFORM**

Work Session to provide the Planning Commission with details regarding parking and electric vehicle charging requirements included in the Climate-Friendly and Equitable Communities (CFEC) rules recently adopted by the Land Conservation and Development Commission (LCDC).

Staff: Lydia Bishop, 541-682-5482, LBishop@eugene-or.gov

D. ITEMS FROM COMMISSION AND STAFF

1. Other Items from Staff
2. Other Items from Commission
3. Learning: How are we doing

HOW TO ACCESS THE MEETING

To watch a webcast of the meeting live:

Visit: <https://www.eugene-or.gov/2109/Planning-Commission-Webcasts>

To be able to participate in Public Comment join using one of the two following options:

1. Join on your computer, tablet or smartphone

Visit: <https://eugene-or-gov.zoom.us/j/88568352100>

Sign up to speak by clicking once on the “raise hand” icon

2. Join on your phone

Dial one of the below numbers and enter the Webinar ID: 885 6835 2100

+1 833-548-0276 (Toll Free); or
+1 833-548-0282 (Toll Free); or
+1 877-853-5257 (Toll Free); or
+1 888-475-4499 (Toll Free);

For higher quality, dial a number based on your current location.

International numbers available: <https://eugene-or-gov.zoom.us/j/88568352100>

Sign up to speak by dialing *9 (Star-9)

AGENDA ITEM SUMMARY
November 22nd, 2022

To: Eugene Planning Commission

From: Terri Harding, Principal Planner, City of Eugene Planning Division

Subject: River Road-Santa Clara Neighborhood Plan – Community Advisory Committee Nominations Approval

INTRODUCTION

The River Road and Santa Clara Community Organizations, City and County staff, consultants and neighborhood volunteers have been working together since the spring of 2017 to create a neighborhood plan for the River Road and Santa Clara neighborhoods.

The neighborhood planning process is currently in the *Adoption Phase*, which will include community outreach and opportunities for input as the Community Advisory Committee, River Road and Santa Clara Community Organizations, and staff prepare and recommend a Neighborhood Plan adoption package to the Eugene and Lane County Planning Commissions to begin the formal adoption process. The Planning Commissions will deliberate and form a recommendation to City Council and the Lane County Board of Commissioners as final decisionmakers on the plan adoption package.

At this work session, the Eugene Planning Commission will be asked to review and approve a Community Advisory Committee nominee to fill a current vacancy.

COMMUNITY ADVISORY COMMITTEE

A key component of the community-based planning process is the Community Advisory Committee (CAC). The [project charter](#) described the composition of the CAC in the following terms:

A Community Advisory Committee is an essential part of a community-based neighborhood planning process. Ideally, the composition of the Committee should employ the following principles.

- Be prepared and able to act in a deliberative, considerate, and civil manner.
- Respect diverse community demographics and varied interests.
- Weigh the perspectives and input of the whole community – for example, renters, property-owners, homeowners, owners of large and small businesses, and members of under-represented populations like Latinos or people of color, youth, or people with low incomes – that has been offered during public engagement activities.

Thirteen members were nominated by the River Road and Santa Clara Community Organization boards in fall 2017 and approved by the Eugene Planning Commission at the [January 9, 2018 meeting](#).

In September 2021, Harry Sanger, of the River Road neighborhood, resigned from the CAC after accepting a job with the City of Eugene. To fill this vacancy, the River Road Community Organization (RRCO) Board nominated Susan Kittleson as an alternate CAC member in October 2022. Susan is currently a member of RRCO's Executive Board and has developed an extensive knowledge of the draft plan.

In March 2022, Ann Vaughn, of the Santa Clara neighborhood, resigned from the CAC in anticipation of moving away from the neighborhood. The Santa Clara alternate position is currently vacant due to this change in the committee. The Santa Clara Community Organization (SCCO) has not yet nominated someone to fill the vacancy for alternate.

PLANNING COMMISSION ACTION

Per the project charter, the Planning Commission has the responsibility to review and approve the Community Advisory Committee nominees. The Planning Commission must take formal action through a motion. The proposed motion is provided below.

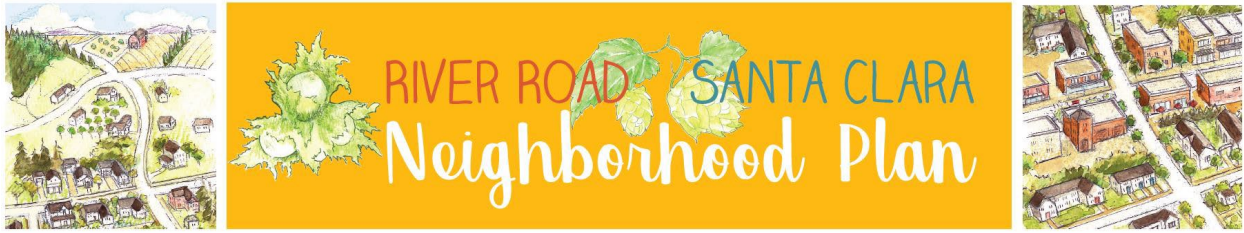
- Move to approve the nomination of Susan Kittleson as an alternate to the River Road-Santa Clara Neighborhood Plan Community Advisory Committee.

Links

- A. Community Advisory Committee members
- B. Project Website: www.riverroad-santaclaraplan.org

FOR MORE INFORMATION

Staff Contact: Terri Harding, Principal Planner
Telephone: 541-682-5635
Staff E-Mail: THarding@eugene-or.gov



Community Advisory Committee (CAC) Members – November 2022

River Road

Jon Belcher (co-chair)

Louisa De Heer

Cameron Ewing

Hans Wittig

Beth Gerot

Susan Kittleson (Alternate)

Santa Clara

Kate Perle (co-chair)

Rick Duncan

Ed McMahon

Mary Leontovich

Louie Vidmar

Jerry Finigan

Vacant (Alternate)

AGENDA ITEM SUMMARY

November 22, 2022

To: Eugene Planning Commission

From: Lydia Bishop, City of Eugene Building and Permit Services

Subject: Work Session on Climate-Friendly and Equitable Communities Parking and Electric Vehicle Charging Rules

ISSUE STATEMENT

This work session is an opportunity to provide the Planning Commission with details regarding parking and electric vehicle charging requirements included in the Climate-Friendly and Equitable Communities (CFEC) rules recently adopted by the Land Conservation and Development Commission (LCDC). There are multiple ways that the City may comply with several of the parking mandates included in the rules. Because the deadlines for compliance with the rules are tight and the rules are complex, there is limited time to ask for public input before drafting the land use code amendments for the formal adoption process. Because the Planning Commission serves as the City's Citizen Involvement Committee, staff is asking the Commission for guidance on which of the options to initially propose in the formal adoption process. During the formal adoption process, the public will have the opportunity to comment on the City's initial proposal and/or to recommend one of the other options allowed by the rules. Neither the Planning Commission nor the City Council are in any way bound by this initial guidance. The Planning Commission is simply asked to provide staff some initial direction on which option to incorporate into the initial draft land use code amendments.

BACKGROUND

In March 2020, Governor Kate Brown issued [Executive Order 20-04](#) directing state agencies to take actions to reduce and regulate greenhouse gas emissions and to mitigate the impacts of climate change, while also centering the needs of Oregon's most vulnerable communities. The Executive Order is intended to help advance the state's adopted goal of reducing greenhouse gas emissions 75 percent below 1990 levels by 2050, while also increasing participation and engagement opportunities for underserved communities that have historically experienced discrimination and racism in land use and transportation planning policies and decisions throughout the state. In response, the Oregon Land Conservation and Development Commission (LCDC) directed the Department of Land Conservation and Development (DLCD) to draft updates to certain Oregon Administrative Rules governing transportation and land use planning (see Attachment A for an overview), and to convene a rulemaking advisory committee to help guide development of those updates. The rulemaking's focus was on reducing greenhouse gas emissions while also increasing housing choices and creating more equitable outcomes for all Oregonians. Rulemaking is now complete and the updates to the Oregon Administrative Rules,

often referred to as the Climate Friendly and Equitable Communities Rules, or CFEC, have been adopted by LCDC.

The Planning Commission received an overview of the major components of the newly finalized CFEC rules on [August 23, 2022](#). A similar presentation was provided to the Eugene City Council on [September 12, 2022](#). At both meetings, staff indicated that the parking component of the rules has the shortest and most immediate timelines for implementation. The City Council was provided with a detailed overview of the CFEC parking and electric vehicle (EV) charging rules at their [September 28, 2022](#) work session. At that meeting, the City Council passed a motion to direct the City Manager to initiate the land use code amendment process to comply with the electric vehicle charging and parking components of the Climate-Friendly and Equitable Communities rules and to apply for an implementation timeline extension to allow for additional public engagement. The Council's motion initiating the land use code amendment did not specify which of the options for compliance with the rules' parking mandates staff should pursue. In response to Council's motion, staff submitted a request to DLCD for a six-month timeline extension for implementation of the parking mandates. On November 15, 2022, the City received notice that DLCD approved the six-month deadline extension, which will allow for some additional time for public input prior to the formal adoption process.

PARKING REQUIREMENTS AND TIMELINES

The parking and electric vehicle charging mandates included in the CFEC rules have three sets of deadlines. Some of the parking rules (such as a prohibition on off-street parking requirements within one-half mile of a frequent transit corridor) go into effect at the end of this calendar year. The rules related to provision of conduit for electric vehicle charging stations take effect in March 2023. The land use code changes necessary to implement the CFEC mandates to eliminate or reduce minimum off-street parking requirements must be adopted and effective by December 31, 2023, consistent with the six-month timeline approval granted by DLCD. The Oregon Administrative Rules (OARs) specific to the CFEC parking requirements are included as Attachment B, and the implementation deadlines are provided in Attachment C. DLCD's CFEC Implementation Guide is included as Attachment D. More information regarding the parking and electric vehicle charging requirements, deadlines, and where the City has a choice in implementation, is provided below.

January 1, 2023 Parking Near Frequent Transit Corridors and Parking Associated with Certain Uses (No Timeline Extension Allowed)

Beginning January 1, 2023, the City is required to implement the following requirements when reviewing development applications:

- The City may not enforce parking mandates on a lot or parcel that includes lands within one-half mile of a frequent transit corridor. A frequent transit corridor is defined in the rules as a corridor with bus service arriving with a scheduled frequency of at least four times an hour during peak service. The City has a choice about how to measure the one-half mile distance; either by a straight line (see map provided as Attachment D) or by walking distance (see map provided as Attachment E). Staff is seeking the Planning Commission's recommendation on which option to pursue.
- The City may not require parking for the following uses:

- Facilities and homes designed to serve people with disabilities;
- Childcare facilities;
- Single-room occupancy housing;
- Affordable housing (housing available to rent or buy by households with income that does not exceed 80% of Area Medium Income (AMI), or spaces in manufactured dwelling parks available for rent by households with income that does not exceed 100% AMI);
- Publicly supported housing (multi-unit rental housing that receives financial assistance from the state or federal government);
- Emergency and transitional shelters for people experiencing homelessness;
- Domestic violence shelters; and
- Dwelling units less than 750 square feet in size.
- The City may not require more than one off-street parking space per unit for residential developments with more than one unit on a single legally established property.

March 31, 2023 Electric Vehicle Charging (No Timeline Extension Allowed)

No later than March 31, 2023, the City must require the provision of electric vehicle charging capacity to accommodate 40% of parking spaces for new multi-unit developments and new mixed-use developments that include multi-unit dwellings and private commercial space.

December 31, 2023 City-Wide Parking Mandates (Date Updated With Approved Extension)

In addition to the requirements above, by December 31, 2023 the City Council must adopt required parking amendments, summarized below. As part of the required parking amendments, the City must either eliminate minimum off-street parking requirements citywide (Option 1) or pursue one of two parking reform approaches to reduce or eliminate minimum off-street parking requirements (Option 2A or Option 2B). Staff is seeking the Planning Commission's guidance on which option to pursue.

Parking Regulation Improvements

The City must adopt land use regulations that implement the following:

- Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;
- Allow property owners to redevelop existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities.

For both types of improvements above, the City's land use regulations must allow property owners to go below existing mandated minimum parking requirements, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

- Adopt policies and land use regulations that:
 - Allow and encourage the conversion of existing underused parking areas to other uses; and

- Allow and facilitate shared parking.
- New development that includes more than one-quarter acre of surface parking must provide one of the following:
 - Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property, or pay \$1,500 per space into a fund dedicated to equitable solar or wind energy development;
 - Actions to comply with OAR 330-135-0010 which are specific to green energy technology or woody biomass energy technology; or
 - Tree canopy covering at least 50% of parking lot at maturity, no more than 15 years after planting.
- Developments with more than one-quarter acre of surface parking must also provide:
 - Street trees along driveways but not along drive aisles;
 - Street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities;
 - A tree canopy plan in coordination with EWEB, including pre-design, design, building, and maintenance phases;
- The City must establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.

Parking Mandates

In addition to the Parking Regulation Improvements summarized above, the City must pursue one of the following three options:

Option 1: Eliminate Parking Minimums Citywide

The most straightforward option provided in the rules is to repeal all parking mandates throughout the City. This would eliminate current requirements to provide a minimum number of parking spaces for any use, and would instead allow the market, the developer, or lending institution to dictate the number of parking spaces provided for a particular development. Developers would have the option to provide off-street parking but would not be required to do so.

Options 2A and 2B

In lieu of repealing all parking mandates (Option 1), the City can select and implement either a fair parking approach (2A) or a reduced regulation parking management approach (2B). These are further described below. Under either Option 2A or 2B, the City must also implement the following requirements:

- Price at least 10% of on-street parking spaces in the City. Residential parking permits priced at lower than \$15 per month, 50 cents per day, or equivalent do not count towards the required percentage;
- Garages and carports may not be required for residential developments;
- Garage parking spaces must count towards off-street parking mandates;
- Provision of shared parking must be allowed to comply with parking mandates;

- Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a site. If any parking is provided on-site, required parking for people with disabilities shall be on-site. If all parking is off-site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no more than 200 feet from that entrance;
- Parking mandates shall be reduced by:
 - one off-street parking space for each three kilowatts of capacity in solar panels or wind power that will be provided in a development;
 - one off-street parking space for each dedicated car-sharing parking space in a development. Dedicated car-sharing parking spaces shall count as spaces for parking mandates;
 - two off-street parking spaces for every electric vehicle charging station provided in a development. Parking spaces that include electric vehicle charging while an automobile is parked shall count towards parking mandates;
 - one off-street parking space for every two units in a development above minimum requirements that are fully accessible to people with mobility disabilities;
- Any reductions above shall be cumulative and not capped; and
- Parking for multi-family residential units within one-half mile of any frequent transit corridors must be unbundled parking. Unbundled parking means that parking spaces for each unit in a development must be rented, leased, or sold separately from the unit itself. The renter, lessor or buyer of the unit must be allowed to opt out of renting, leasing, or buying the parking space.

Option 2A: Fair Parking Policy Approach

This option requires the City to reduce parking mandates for certain types of development and in key areas. This approach requires amendments beyond the land use code, so adoption of this approach would create complexities in enforcement and in making revisions beyond the land use code. A fair parking policy approach must include at least three of the following five provisions:

1. Require that parking spaces for each residential unit in developments that include five or more leased or sold residential units on a lot or parcel be unbundled parking. The city may exempt townhouses from this requirement.
2. Require that parking spaces serving leased commercial developments be unbundled.
3. Require that employers of 50 or more employees who provide free or subsidized parking for their employees at the workplace provide a flexible commute benefit of \$50 per month or the fair market value of that parking (whichever is greater) to employees eligible for that free or subsidized parking who regularly commute via other modes instead of using that parking.
4. Require a tax on the revenue from commercial parking lots collecting no less than 10% of income, with revenues dedicated to improving transportation alternatives to drive-alone travel.
5. Require a reduction in parking mandates for new multifamily residential development to no higher than one-half space per unit, including visitor parking.

Option 2B: Reduced Regulation Parking Management

The Reduced Regulated Parking Management approach requires the repeal of parking minimums for several uses, as well as the establishment of parking maximums and designation of at least one residential parking district or parking benefit district where on-street parking is managed through permits, payments, or time limits. This option would require that the city implement all of the following:

1. Repeal all parking mandates within one-half mile pedestrian travel of climate-friendly areas;
2. Repeal all parking mandates for all of the following:
 - transit-oriented development and mixed-use development;
 - group quarters including but not limited to dormitories, religious group quarters, adult care facilities, retirement homes, and other congregate housing;
 - studio apartments, one-bedroom apartments and condominiums in residential developments with five or more units on a lot or parcel;
 - change of use of, or redevelopment of, buildings vacant for more than two years.
 - expansion of existing business by less than 30 percent of a building footprint,
 - buildings within a National Historic District, on the National Register of Historic Places, or on a local inventory of historic resources or buildings;
 - commercial properties that have fewer than ten on-site employees or 3,000 square feet of floor space;
 - developments built under Oregon Residential Reach Code;
 - developments seeking certification under any Leadership in Energy and Environmental Design (LEED) rating system;
 - schools;
 - bars and taverns;
3. Repeal requirements to provide additional parking for change of use or redevelopment;
4. Designation of at least one residential parking district or parking benefit district where on-street parking is managed through permits, payments, or time limits.

Public Involvement

Staff are developing a public involvement plan for the CFEC parking changes to develop additional options for engagement now that the alternative timeline request has been approved. Prior to the timeline for approval, staff assumed a limited public involvement approach outside of the legally required City Council and Planning Commission public hearings and open record, including the following:

- Informational website: <https://www.eugene-or.gov/5022/Climate-Friendly-Rules>
- Acceptance of written public comments and testimony through the mail or by email to: CFECParking@eugene-or.gov
- Informational e-newsletters and emails to interested parties
- Public information sessions
- Legally required notices and public hearings

Now that DLCD has approved the six-month extension, staff will be able to provide a more robust, inclusive public engagement process. While a public involvement plan has not been fully scoped, the

focus of the outreach will be on both distributing information broadly across the community and centering the voices of underserved populations. To that end, some of the additional outreach activities may include:

- Racial Equity and Accessibility Lens Toolkit (an internal tool the City is developing to evaluate projects to address racial impacts in decision making)
- Equity Roundtable (similar to that used for the Middle Housing Code Amendments)
- In-person and/or virtual presentations and info sessions to key stakeholders and local partners, including the Eugene Chamber of Commerce, neighborhood groups, Lane County Homebuilders Association, affordable housing providers, City of Eugene Boards and Commissions, and other interested groups
- Development of multi-lingual resources
- Community Survey

NEXT STEPS

Due to the timelines to comply with these rules, staff must start drafting code language and begin the formal land use adoption process to meet the December 31, 2023 deadline. Options 2A and 2B are both significantly more complicated and time consuming to draft than Option 1 (removal of all parking mandates). By the time the question of which option to select goes before Council, it would be difficult to pivot from Option 1 to either Option 2A or 2B. However, staff believes that it would be possible to pivot from Option 2A or 2B to Option 1. Therefore, staff is proposing to draft and begin the formal adoption process with proposed code language for either Option 2A or Option 2B. Staff seeks Planning Commission input and direction on whether to proceed with Option 2A or 2B. Planning Commission's input at this time does not control Planning Commission's final recommendation to Council, and of course, the public will have the opportunity to weigh in with their preferred choice as well. However, staff must begin as soon as possible to draft code language and cannot make the assumption that Council will want to pursue Option 1.

Staff will commence with public involvement before returning to the City Council for a work session to discuss the Planning Commission's recommendation and the public response. Staff will request direction at that work session on which parking mandate option to develop. The final option will be drafted into code, and staff will return to Planning Commission and City Council for public hearings on the proposed code changes later in 2023.

REQUESTING PLANNING COMMISSION GUIDANCE

At today's meeting, staff seeks guidance from the Planning Commission on the following:

1. Whether to use walking distance or straight-line distance when measuring distances from frequent transit corridors and Climate Friendly Areas,
2. Whether to draft land use code amendments to reflect the Fair Parking Pricing Policy approach (Option 2A) or the Reduced Regulation Parking Management approach (Option 2B).

ATTACHMENTS

- A. DLCD's Climate-Friendly and Equitable Communities Overview of the Rulemaking, July 2022
- B. Oregon Administrative Rules for CFEC Parking Reform
- C. Oregon Administrative Rules for CFEC Effective Dates
- D. Map of Areas within ½ Mile Proximity to LTD Frequent Transit Corridors (straight line)
- E. Map of Areas within ½ Mile Proximity to LTD Frequent Transit Corridors (walking distance)

FOR MORE INFORMATION

Staff Contact: Lydia Bishop
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Staff E-Mail: lbishop@eugene-or.gov

DLCD Climate-Friendly and Equitable Communities Implementation website:
<https://www.oregon.gov/lcd/CL/Pages/CFEC.aspx>

Eugene's Climate-Friendly and Equitable Communities Implementation website:
<https://www.eugene-or.gov/5022/Climate-Friendly-Rules>

Climate-Friendly and Equitable Communities Implementation Guide



This document provides guidance for cities and counties within metropolitan areas that are expected to implement the Climate Friendly and Equitable Communities rules. The information provided in this document are **based on the rules adopted by the Land Conservation and Development Commission on July 21, 2022**. This guide is for information and is not determinative regarding the content or applicability of the adopted rules.

Pages 1-3 contain an overview of the implementation and reporting requirements of the rules. The table of implementation dates on pages 3-8 shows the year in which these requirements become applicable, grouped by metropolitan area. The task summaries on pages 9-12 outline the sections of the Division 12 rules that are involved with the major task groups.

Alternative Dates: Cities, counties, or Metro may, optionally, propose alternative implementation dates for some deadlines as provided in OAR 660-012-0012(3). Alternative dates would be submitted to the department, reviewed against criteria, and approved (or not) by the DLCD Director. Alternative compliance dates for Eugene-Springfield and Salem-Keizer metropolitan area would use this process and the work program process for scenario planning in OAR 660-044-0100. Rules whose implementation dates **can** be modified through this process are in italics in the guide.

Division 12 Exemption: The DLCD Director may grant a full or partial exemption from Division 12 to cities and counties with a population under 10,000 within the urban area (OAR 660-012-0055(7)). The exemption must be requested by the jurisdiction. Exemptions granted shall last for a specified period.

Major Task Groups

Requirements for the implementation of each task are outlined in the schedule. Details of the rules involved with each task are listed after the schedule table.

CFA Study – Study potential climate-friendly areas (CFA) (660-012-0315).

(code changes not mandatory; may apply 660-012-0430 and 0440 directly).

CFA Codes – Designate and make comprehensive plan, zoning map and code changes to implement climate-friendly areas (660-012-0320).

Parking B – Implement parking regulation improvements, and parking mandate reform (660-012-0400 through 0450).

Parking A – For new development applications, apply reduced parking mandates near frequent transit and for certain development types

TSP Updates – These rules only apply at the time of a major update to a transportation system plan (TSP).

TPR Development Regulations – Transportation Planning Rules (TPR) related regulations; required with major transportation system plan updates, no specific update timeline unless indicated. Implement commercial and residential land use regulations (660-012-0330), and bicycle parking (660-012-630).

HNA – Housing Needs Analysis (HNA) (Also known as a Housing Capacity Analysis, or HCA). Update required by OAR Chapter 660-008-0045 for cities over 10,000 population. HNA within Metro must be updated every 6 years; outside of Metro must be updated every 8 years.

HNA is an additional task that is not part of Climate-Friendly and Equitable Communities.

Individually Applicable Rules

Rules separate from the major task groups and with their own applicability date are listed below and in the schedule.

EV Conduit – Cities only; for new multifamily and multi-use development applications, require 40% of spaces have conduit to serve electric vehicle charging (OAR 660-012-0410); implement by March 31, 2023 per OAR 660-012-0012(5)(d); either directly apply state administrative rules or amend local development standards.

Transportation Modeling – transportation modeling or analysis used for a land use decision must comply with OAR 660-012-0210; decision must not increase VMT per capita; effective as of June 30, 2024 per OAR 660-012-0012(5)(a).

Performance Standards – Implement multiple transportation performance standards for plan amendments and development review per OAR 660-012-0215; effective as of June 30, 2025 per OAR 660-012-0012(4)(b).

Additional CFA Designations for UGB Expansions is required beginning June 30, 2027 (OAR 660-008-0010(3)).

Note: **TSP Update** and **TPR Development Regulations** apply to **all** jurisdictions in the table listed below. The proposed rules do not establish an implementation deadline if ‘TSP Update’ and ‘TSP Development Regulations’ are not shown in the schedule. They are **not** exempt from these requirements. A deadline for these tasks may be established through approval of alternate compliance dates.

TPR Reporting

OAR 660-012-0900 requires cities and counties outside of Metro to submit yearly reports. The reporting requirements are listed in the row of each metropolitan area (light blue background). The designation of major reports in this guide are based on expected dates of Regional Transportation Plan (RTP) updates. The timing of a major report will be as determined by actual RTP adoption (OAR 660-012-0900(5)). The reporting requirement applies to each jurisdiction individually, although jurisdictions may coordinate to submit one report for the metropolitan area. Inside Metro, annual reporting will be completed by Metro (cities and counties within Metro **not** required to submit individual reports).

Population Growth

Climate-Friendly Areas- OAR 660-012-0310(4)(a) and (b) specify CFA compliance timelines for jurisdictions that surpass population thresholds of 5,000 or 10,000. Such jurisdictions must submit a **CFA Study** within 545 days of exceeding the population threshold, and adopt **CFA Codes** within 365 days of the deadline for submittal of the CFA Study. Additionally, OAR 660-008-0010(2) requires the designation of additional climate friendly areas as cities over 10,000 grow, in conjunction with required HNA updates.

Parking – OAR 660-012-0012(4)(f)(A) allows one year for jurisdictions that surpass population thresholds in OAR 660-012-0400 to comply with the parking rules to which they become subject.

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|--|---|--|--|----------------------------------|--|-------------------------------------|
| Albany Area | TPR major report (5/31) ¹ | | TPR minor report (5/31) | | TPR minor report (5/31) (major in 2028) | TPR minor report (5/31) |
| Albany | Parking A | CFA Study EV Conduit Parking B | CFA Codes Transportation Modeling | <i>Performance Standards</i> | 2028 HNA Additional CFA for UGB expansions after June 2027 | TSP TPR Dev. Regs. |
| Benton County, Linn County, Marion County (fewer than 5,000 population inside UGB) | | | Transportation Modeling | <i>Performance Standards</i> | | |
| Jefferson, Tangent, and Millersburg | Parking A | EV Conduit Parking B | Transportation Modeling | <i>Performance Standards</i> | | |

¹ Next expected RTP updates: 2022: Central Lane, Corvallis; 2023: Albany, Salem-Keizer; 2024: Middle Rogue; 2025: Bend, Rogue Valley. TPR major report expected the year following adoption of RTP update. Future RTP updates expected every 4 years.

Compliance date for tasks in *italics* can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|-------------------------------|--|--------------------------------------|---|--|--|-------------------------|
| Bend Area | TPR minor report (5/31) | | TPR minor report (5/31) | TPR minor report (5/31) | TPR minor report (major report 2026) (5/31) | TPR minor report (5/31) |
| Bend | Parking A | CFA Study EV Conduit Parking B | CFA Codes HNA Transportation Modeling | Performance Standards | Additional CFA for UGB expansions after June 2027, and with HNA Updates | TSP TPR Dev. Regs. |
| Deschutes County ² | Transportation Modeling | | Performance Standards | TSP TPR Dev. Regs. | | |
| Central Lane | Scenario Plan work program (6/30) Scenario Plan (12/31) | | TPR minor report (5/31) | TPR minor report (5/31) | Scenario Plan code amendments and TSP (12/31) TPR minor report (5/31) (major in 2028) | TPR minor report (5/31) |
| Coburg | Parking A | EV Conduit Parking B | Transportation Modeling | Performance Standards | TSP (2026) TPR Dev. Regs. | |
| Eugene Springfield | Parking A | CFA Study EV Conduit Parking B | CFA Codes Transportation Modeling | Springfield HNA Performance Standards | TSP (2026) TPR Dev. Regs. Eugene 2026 HNA Additional CFA for UGB expansions after June 2027 | |
| Lane County ³ | Transportation Modeling | | Performance Standards | TSP (2026) TPR Dev. Regs. | | |

² Deschutes Co. population within UGBs in the metropolitan area is >5,000. However, Parking A, Parking B, CFA Study, and CFA Codes are not assumed to be applicable because the county does not provide urban services to these areas (OAR 660-012-0310(3); OAR 660-012-0400(1)(b)).

³ Lane Co. population within UGBs in the metropolitan area is >5,000. However, Parking A, Parking B, CFA Study, and CFA Codes are not assumed to be applicable because the county does not provide urban services to these areas (OAR 660-012-0310(3); OAR 660-012-0400(1)(b)).

Compliance date for tasks in *italics* can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|---|--------------------------------|--|--|----------------------------------|---|-------------------------------------|
| Corvallis Area | TPR major report (5/31) | | TPR minor report (5/31) | TPR minor report (5/31) | TPR minor report (5/31) (major in 2028) | TPR minor report (5/31) |
| Adair Village | Parking A | EV Conduit Parking B | Transportation Modeling | <i>Performance Standards</i> | | |
| Corvallis Philomath | Parking A | CFA Study EV Conduit Parking B | CFA Codes Transportation Modeling | <i>Performance Standards</i> | Corvallis 2027 HNA Additional CFA for UGB expansions after June 2027 | TSP TPR Dev. Regs. |
| Benton County (fewer than 5,000 population inside UGB) | | | Transportation Modeling | <i>Performance Standards</i> | | |
| Middle Rogue | TPR minor report (5/31) | | TPR major report (5/31) | TPR minor report (5/31) | TPR minor report (5/31) | TPR major report (5/31) |
| Gold Hill Rogue River | Parking A | EV Conduit Parking B | Transportation Modeling | <i>Performance Standards</i> | | |
| Grants Pass | Parking A HNA | CFA Study EV Conduit Parking B | CFA Codes Transportation Modeling | <i>Performance Standards</i> | Additional CFA for UGB expansions after June 2027 | TSP TPR Dev. Regs. |
| Jackson County Josephine County (fewer than 5,000 population inside UGB) | | | Transportation Modeling | <i>Performance Standards</i> | | |

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|---|-------------------------|---|---|--------------------------|--|-----------------------|
| Rogue Valley | TPR minor report (5/31) | | TPR minor report (5/31) | | TPR major report (5/31) | |
| Ashland Central Point Eagle Point Medford Talent | Parking A | CFA Study EV Conduit Parking B Medford HNA | CFA Codes Transportation Modeling | Performance Standards | Central Pt 2027 HNA Ashland 2029 HNA Additional CFA for UGB expansions after June 2027 | TSP TPR Dev. Regs. |
| Jacksonville Phoenix | Parking A | EV Conduit Parking B | Transportation Modeling | Performance Standards | | |
| Jackson County (fewer than 5,000 population inside UGB) | | | Transportation Modeling | Performance Standards | | |

Compliance date for tasks in *italics* can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|---|--|--|---|---|---|-------------------------|
| Salem/Keizer | Scenario Plan work program (6/30) Scenario Plan (6/30) TPR major report (5/31) Scenario Plan code amendments and TSP (6/25) TPR minor report (5/31) | | | | | TPR minor report (5/31) |
| Salem Keizer | Parking A | CFA Study EV Conduit Parking B | CFA Codes Salem and Keizer HNA Transportation Modeling | TSP TPR Dev. Regs. Performance Standards | Additional CFA for UGB expansions after June 2027 | |
| Marion County | Parking A | CFA Study Parking B | CFA Codes Transportation Modeling | TSP TPR Dev. Regs. Performance Standards | | |
| Polk County (fewer than 5,000 population inside UGB) | | | Transportation Modeling | TSP TPR Dev. Regs. Performance Standards | | |
| Turner | Parking A | EV Conduit Parking B | Transportation Modeling | TSP TPR Dev. Regs. Performance Standards | | |

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

| | 2022 | 2023 | 2024 | 2025 | 2026-2028 | 2029 |
|---|-------------------------|--|---|--|---|------|
| Portland Metro | TPR major report (5/31) | | TPR minor report (5/31) | TPR minor report (5/31) (major in 2028) | TPR minor report (5/31) | |
| TPR Rules specific to Metro: OAR 660-012-0140, Transportation System Planning in the Portland Metropolitan Area; OAR 660-012-0012(4)(d), Climate-Friendly Area implementation within Metro; OAR 660-012-0900(2), TPR Reporting. | | | | | | |
| Metro UGMFP Region 2040 Centers [various jurisdictions] | | | Metro to establish requirements for adoption of Centers | Non-adopters to adopt Center boundaries and zoning | | |
| Durham, Johnson City, Maywood Park, Rivergrove, King City, Wood Village | Parking A | EV Conduit Parking B | Transportation Modeling | Performance Standards | | |
| Beaverton, Cornelius, Fairview, Forest Grove, Gladstone, Gresham, Happy Valley, Hillsboro, Lake Oswego, Milwaukie, Oregon City, Portland, Sherwood, Tigard, Troutdale, Tualatin, West Linn, Wilsonville (10k+) | Parking A | EV Conduit Parking B Beaverton, Fairview, Gresham, Happy Valley, Hillsboro Lake Oswego, Milwaukie, Portland, West Linn, Wilsonville HNA | Transportation Modeling | Forest Grove HNA Performance Standards | HNA 2026: Sherwood, Troutdale, Tualatin; 2027: Gladstone, Cornelius, Tigard, Oregon City | |
| Clackamas County, Washington County | Parking A | Parking B | Transportation Modeling | Performance Standards | | |
| Multnomah County ⁴ | | | | | | |

⁴ Cities within Multnomah Co. have land use authority for unincorporated areas within UGB.

Task Summaries

Parking A

Reduced Mandates – OAR 660-012-0430 and OAR 660-012-0440

Effective date December 31, 2022 per OAR 660-012-0012(5)(e)– applies to development applications submitted after that date; either directly apply state administrative rules or amend local development standards

- Reduced mandates for specific developments – cannot mandate more than 1 space/unit for residential developments with more than 1 unit
- No mandates for small units, affordable units, childcare, facilities for people with disabilities, shelters
- Reform near transit - no parking mandates allowed within $\frac{3}{4}$ mile of light or heavy rail stations or $\frac{1}{2}$ mile of frequent transit corridors

Parking B

Parking Regulation Improvement – OAR 660-012-0405

By June 30, 2023 per OAR 660-012-0012(4)(f) - amend development standards

- Preferential placement of carpool/vanpool parking
- Allow redevelopment of any portion of a parking lot for bike or transit uses
- Allow and encourage redevelopment of underutilized parking for other uses
- Allow and facilitate shared parking
- Parking lots more than $\frac{1}{4}$ acre in size must install 50% tree canopy OR solar panels, solar/wind fee-in-lieu, or green energy per OAR 330-0135-0010; requires street trees and street-like facilities along driveways
- Adopt parking maximums in locations such as downtowns, regional or community center, and transit-oriented developments.

Parking Maximums and Evaluation in More Populous Cities – 660-012-0415

By June 30, 2023 per OAR 660-012-0012(4)(f)

- Cities >100,000 population, or >25,000 population if in Portland Metro, set certain parking maximums in specified areas
- Cities >200,000 population also:
 - Study use of on-street timed parking in CFA and transit areas (OAR 660-012-0435 & 0440)
 - Implement parking management before authorizing new 100+ stall parking garages
 - Implement TDM management strategies before authorizing new 300+ stall garages
 - Adopt design requirements so ground floor of parking garage convertible to other uses

Parking Mandate Reform

Effective date June 30, 2023 per OAR 660-012-0012(4)(f)

| Option 1 OAR 660-012-0420 | Options 2 and 3 OAR 660-012-0425 through 0450 | |
|---|--|--|
| Repeal all parking mandates within the jurisdiction | Reduce parking burdens – adopt eight land use regulations related to reduced mandates based on factors such as shared parking, solar panels, parking space accessibility, on-street parking; unbundling of parking from rent for multifamily units near transit (OAR 660-012-0425) | |
| | Cities with populations 100,000+ adopt on-street parking prices equivalent to at least 50¢/day per spot for 5%/10% of total on-street parking supply by September 30, 2023/2025 (OAR 660-012-0450; effective dates per OAR 660-012-0012(4)(g)) | |
| | <p align="center">Parking Reform Approaches <i>Choose ONE of the following (option 2 -or- option 3)</i></p> <p align="center"><i>Policies to take effect no later than June 30, 2023 (effective date per OAR 660-012-0012(4)(f))</i></p> | |
| | <p align="center">Option 2 OAR 660-012-0445(1)(a) - Adopt at least 3 of 5 policies below</p> | <p align="center">Option 3 OAR 660-012-0445(1)(b) - Adopt regulations minimizing or exempting required parking for 15 development types (summarized below)</p> |
| no additional action needed | <ol style="list-style-type: none"> 1. Unbundle parking for residential units 2. Unbundle leased commercial parking 3. Flexible commute benefit for businesses with more than 50 employees 4. Tax on parking lot revenue 5. No more than ½ space/unit mandated for multifamily development | <p>No mandates for a variety of specific uses, small sites, vacant buildings, studio/one bedrooms, historic properties, LEED or Oregon Reach Code developments, etc.</p> <p>No additional parking for redevelopments/additions.</p> <p>Adopt parking maximums.</p> <p>No parking mandates within ½ mile walking distance of Climate-Friendly Areas.</p> <p>Designate district to manage on-street residential parking.</p> |

Climate-Friendly Areas

| CFA Study ORAR 660-012-0315 Due December 31, 2023 per ORAR 660-012-0012(5)(b) | CFA Codes ORAR 660-012-0320 via ORAR 660-012-0315(6) Due Date December 31, 2024 per ORAR 660-012-0012(4)(c) | |
|--|---|--|
| <ul style="list-style-type: none"> CFA location and size standards per ORAR 660-012-0310(2) <u>>10,000 population</u> Dwelling Unit Capacity of at least 30% of current housing needs analysis (ORAR 660-012-0315(1); capacity calculated per methodology in ORAR 660-012-0315(2)) <u>Population 5,000 -10,000</u> Designate at least 25 acres of CFA (ORAR 660-012-0315(3)) Displacement analysis, fair and equitable outcomes plan, and narrative summary of public engagement (ORAR 660-012-0315(4)) | <i>Required for all CFAs:</i> <ul style="list-style-type: none"> Allowed uses per ORAR 660-012-0320(2) Inclusion of existing abutting residential and employment zones without zoning amendments per ORAR 660-012-0320(3) Prioritization of public buildings, open spaces per ORAR 660-012-0320(4) Block length maximums per ORAR 660-012-0320(5) Address other development regulation requirements per ORAR 660-012-0320(7) Eliminate mandates in and near climate-friendly areas or adopt parking management policies; unbundle parking for multifamily units (ORAR 660-012-0435) | |
| | Housing and Employment Targets ORAR 660-012-0320(8) or (9) | |
| | Option A Residential minimum density standards and allowed building height not less than specified by ORAR 660-012-0320(8) | Option B Standards other than Option A proposed by jurisdiction that achieve target dwelling unit and employment per acre |

Transportation System Plan Update

- TSP updates may use ORAR 660-012-0015 if ORAR 660-018-0020 is notice provided by December 31, 2022 (ORAR 660-012-0012(2)(a)).*
- Minor TSP updates need not meet all updated requirements if the updated portions of the plan meet new requirements, and ORAR 660-018-0020 notice is provided by June 30, 2027 (ORAR 660-012-0012(2)(b)).*
- Compliance deadline for Eugene-Springfield and Salem -Keizer determined by ORAR 660-044-0015 Scenario Planning.*
- Cities and Counties over 5,000 population and outside the Portland metropolitan areas must adopt major TSP update by December 31, 2029 (ORAR 660-012-0012(4)(a)).*

Generalized Scope and Process

- Overall TSP update requirements (ORAR 660-012-0100 and 0105)
- Public Engagement and Equity
 - TSP Planning Engagement generally (ORAR 660-012-0120)
 - Equity and Underserved Populations (ORAR 660-012-0125, identifying underserved populations; ORAR 660-012-0130, Decision-Making with Underserved Populations; ORAR 660-012-0135, Equity Analysis)

- System Inventories and Existing Conditions
 - General inventory requirements (OAR 660-012-0150)
 - Transportation System Planning Area (OAR 660-012-0110)
 - Land use assumptions (OAR 660-012-0340)
 - Modal inventory requirements: Pedestrian (OAR 660-012-0505); Bicycle (OAR 660-012-0605); Transit (OAR 660-012-705); Streets and Highways (OAR 660-012-0805)
 - Funding projections (OAR 660-012-0115)
- Goals, Targets, and Project Prioritization
 - VMT Targets – base year and horizon year (OAR 660-012-0160)
 - Adoption of Transportation Performance Standards (OAR 660-012-0215)
 - Project Prioritization (OAR 660-012-0155)
- TSP Contents
 - Modal design and planning requirements: Pedestrian (OAR 660-012-0510); Bicycle (OAR 660-012-0610); Transit (OAR 660-012-710); Streets and Highways (OAR 660-012-0810)
 - Modal projects: Pedestrian (OAR 660-012-0520); Bicycle (OAR 660-012-0620); Transit (OAR 660-012-720); Streets and Highways (OAR 660-012-0820)
 - Transportation Options Planning (OAR 660-012-0145) – transportation demand management, transit options and incentives
 - Enhanced review of select roadway projects (OAR 660-012-0830) – for facilities that may increase driving capacity
 - Prioritization framework (OAR 660-012-0155)
 - Unconstrained Project List (OAR 660-012-0170) – combination of modal projects; must meet VMT per capita targets from OAR 660-012-0160; Project Prioritization Framework (OAR 660-012-0155)
 - Financially-Constrained Project List (OAR 660-012-0180)
 - Created from unconstrained list per procedures in OAR 660-012-0180(3)
 - Sum of projects on list not to exceed 125% of funding available from OAR 660-012-0115

Transportation Planning Rule Development Regulations

Land use requirements (OAR 660-012-0330)

Effective date per OAR 660-012-0012(4)(e) – TSP Adoption

note – implementation of OAR 660-012-0330 within a CFA is required upon adoption of CFA Zoning (OAR 660-012-0320(7))

- Neighborhood circulation (OAR 660-012-0330(3))
- Mixed use and commercial districts (OAR 660-012-0330(4))
- Bicycle parking regulations in compliance with OAR 660-012-0630 (OAR 660-012-0330(4)(g))
- Slow streets for neighborhoods (OAR 660-012-0330(5))
- Auto-oriented land uses (OAR 660-012-0330(6))
- Allow for Low car districts (cities of 100k+, OAR 660-012-0330(7))
- Protection of transportation facilities (OAR 660-012-0330(8))

660-012-0400**Parking Management**

(1) OAR 660-012-0400 through OAR 660-012-0450 apply to:

(a) Cities within metropolitan areas; and

(b) Portions of counties in a metropolitan area within an urban growth boundary, where the population of the unincorporated area within the urban growth boundary is 5,000 or more, and the area is served with urban water and sanitary services.

(2) Cities and counties shall adopt comprehensive plans and land use regulations that implement provisions of OAR 660-012-0405 through OAR 660-012-0415.

(3) Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022

LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022

660-012-0405**Parking Regulation Improvements**

(1) Cities and counties shall adopt land use regulations as provided in this section:

(a) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and

(c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

(2) Cities and counties shall adopt policies and land use regulations that allow and encourage the conversion of existing underused parking areas to other uses.

(3) Cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.

(4) Cities and counties shall adopt land use regulations for any new development that includes more than one-quarter acre of surface parking on a lot or parcel as provided below:

(a) Developments must provide one of the following:

(A) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property. Panels may be located anywhere on the property. In lieu of installing solar panels on site, cities may allow developers to pay \$1,500 per parking space in the development into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;

(B) Actions to comply with OAR 330-135-0010; or

(C) Tree canopy covering at least 50 percent of the parking lot at maturity but no more than 15 years after planting.

(b) Developments must provide street trees along driveways but are not required to provide them along drive aisles; and

(c) Developments must provide street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities.

(d) Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.

(e) In providing trees under subsections (a), (b) and (c), the following standards shall be met. The tree spacing and species planted must be designed to maintain a continuous canopy. Local codes must provide clear and objective standards to achieve such a canopy. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for planting and tree care no lower than 2021 American National Standards Institute A300 standards, and a process to ensure ongoing compliance with tree planting and maintenance provisions.

(5) Cities and counties shall establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0410

Electric Vehicle Charging

(1) This rule applies to cities within a metropolitan area.

(2) Cities shall ensure new development supports electric vehicle charging pursuant to amendments to the state building code adopted pursuant to ORS 455.417.

(3) As authorized in ORS 455.417(4), for new multifamily residential buildings with five or more residential dwelling units, and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, cities shall require the provision of electrical service capacity, as defined in ORS 455.417, to accommodate 40 percent of all vehicle parking spaces.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012, ORS 197.712 & ORS 455.417

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0415

Parking Maximums and Evaluation in More Populous Communities

(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas and in regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440.

(a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;

(b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;

(c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building;

(d) In setting parking maximums, cities and counties shall consider setting maximums equal to or less than 150 percent of parking mandates in their adopted land use regulations in effect as of January 1, 2020. A city or county that sets a higher parking maximum must adopt findings for doing so. In no case shall the city or county exceed the limits in subsections (a) through (c) in climate-friendly areas and for developments on parcels or lots within one-half mile of transit corridors and three-quarters mile of rail transit stops listed in OAR 660-012-0440; and

(e) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.

(2) Cities with populations over 200,000 shall, in addition to the requirements in section (1) of this rule:

(a) Study the use of priced on-street timed parking spaces in those areas subject to OAR 660-012-0435 or 660-012-0440. This study shall be conducted every three years or more frequently. Cities shall adjust prices to ensure availability of on-street parking spaces at all hours. This shall include all spaces in the city paid by minutes, hours, or day but need not include spaces where a longer-term paid residential permit is required;

(b) Use time limits or pricing to manage on-street parking spaces in an area at least one year before authorizing any new structured parking on city-owned land including more than 100 spaces in that area after March 31, 2023;

(c) Adopt procedures ensuring prior to approval of construction of additional structured parking projects of more than 300 parking spaces designed to serve existing uses, developer of that parking structure must implement transportation demand management strategies for a period of at least six months designed to shift at least 10 percent of existing vehicle trips ending within one-quarter mile of the proposed parking structure to other modes; and

(d) Adopt design requirements requiring applicants to demonstrate that the ground floor of new private and public structured parking that fronts a public street and includes more than 100 parking spaces would be convertible to other uses in the future, other than driveways needed to access the garage.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0420

Exemption for Communities without Parking Mandates

(1) Cities and counties that adopt land use regulations that do not include parking mandates are exempt from OAR 660-012-0425 through OAR 660-012-0450.

(2) Cities and counties that retain land use regulations with parking mandates shall conform with OAR 660-012-0425 through OAR 660-012-0450.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0425

Reducing the Burden of Parking Mandates

(1) This rule applies to cities and counties that:

(a) Are within a metropolitan area; and

(b) Have not adopted land use regulations without parking mandates as provided in OAR 660-012-0420.

(2) Cities and counties shall adopt and enforce land use regulations as provided in this section:

(a) Garages and carports may not be required for residential developments;

(b) Garage parking spaces shall count towards off-street parking mandates;

(c) Provision of shared parking shall be allowed to meet parking mandates;

(d) Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a site. If any parking is provided on site, required parking for people with disabilities shall be on site. If all parking is off-site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance;

(e) Parking mandates shall be reduced by one off-street parking space for each three kilowatts of capacity in solar panels or wind power that will be provided in a development;

- (f) Parking mandates shall be reduced by one off-street parking space for each dedicated car-sharing parking space in a development. Dedicated car-sharing parking spaces shall count as spaces for parking mandates;
- (g) Parking mandates shall be reduced by two off-street parking spaces for every electric vehicle charging station provided in a development. Parking spaces that include electric vehicle charging while an automobile is parked shall count towards parking mandates; and
- (h) Parking mandates shall be reduced by one off-street parking space for every two units in a development above minimum requirements that are fully accessible to people with mobility disabilities.
- (3) Any reductions under section (2) shall be cumulative and not capped.
- (4) Cities and counties shall require the parking for multi-family residential units in the areas in OAR 660-012-0440 be unbundled parking.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0430

Reduction of Parking Mandates for Development Types

- (1) This rule applies to cities and counties that:
- (a) Are within a metropolitan area; and
 - (b) Have not adopted land use regulations without parking mandates as provided in OAR 660-012-0420.
- (2) Cities and counties may not require more than one parking space per unit in residential developments with more than one dwelling unit on a single legally-established property.
- (3) Cities and counties may not require parking for the following development types:
- (a) 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;
 - (b) Child care facility as defined in ORS 329A.250;
 - (c) Single-room occupancy housing;
 - (d) Residential units smaller than 750 square feet;
 - (e) Affordable housing as defined in OAR 660-039-0010;
 - (f) Publicly supported housing as defined in ORS 456.250;
 - (g) Emergency and transitional shelters for people experiencing homelessness; and
 - (h) Domestic violence shelters.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012, ORS 197.712, ORS 329A.250, ORS 443.400 & ORS 456.250

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0435

Parking Reform in Climate Friendly Areas

- (1) This rule applies to cities and counties that:
- (a) Are within a metropolitan area; and

(b) Have not adopted land use regulations without parking mandates as provided in OAR 660-012-0420.

(2) Cities and counties shall adopt land use regulations addressing parking mandates in climate-friendly areas as provided in OAR 660-012-0310. Cities and counties in Metro shall adopt land use regulations addressing parking mandates in regional centers and town centers designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. In each such area, cities and counties shall either:

(a) Remove all parking mandates within the area and on parcels in its jurisdiction that include land within one-quarter mile distance of those areas; or

(b) Manage parking by:

(A) Adopting a parking benefit district with paid on-street parking and some revenues dedicated to public improvements in the area;

(B) Adopting land use amendments to require no more than one-half off-street parking space per dwelling unit in the area; and

(C) Adopting land use regulations without parking mandates for commercial developments.

(3) Cities and counties that opt to retain parking mandates under OAR 660-012-0400 shall require the parking for multi-family residential units in the areas listed in section (2) be unbundled parking.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022

LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022

660-012-0440

Parking Reform Near Transit Corridors

(1) This rule applies to cities and counties that:

(a) Are within a metropolitan area; and

(b) Have not adopted land use regulations without parking mandates as provided in OAR 660-012-0420.

(2) Cities and counties may not require parking spaces for developments on a lot or parcel that includes lands within three-quarters mile of rail transit stops.

(3) Cities and counties may not enforce parking mandates for developments on a lot or parcel that includes lands within one-half mile of frequent transit corridors, including:

(a) Priority transit corridors designated under OAR 660-012-0710;

(b) Corridors with bus service arriving with a scheduled frequency of at least four times an hour during peak service; and

(c) Corridors with the most frequent transit route or routes in the community if the scheduled frequency is at least once per hour during peak service.

(4) Cities and counties may use either walking distance or straight-line distance in measuring distances in this rule.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022

LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022

660-012-0445

Parking Management Alternative Approaches

(1) In lieu of adopting land use regulations without parking mandates under OAR 660-012-0420, cities and counties shall select and implement either a fair parking policy approach as provided in subsection (a) or a reduced regulation parking management approach as provided in subsection (b).

(a) A fair parking policy approach shall include at least three of the following five provisions:

- (A) A requirement that parking spaces for each residential unit in developments that include five or more leased or sold residential units on a lot or parcel be unbundled parking. Cities and counties may exempt townhouse and rowhouse development from this requirement;
 - (B) A requirement that parking spaces serving leased commercial developments be unbundled parking;
 - (C) A requirement for employers of 50 or more employees who provide free or subsidized parking to their employees at the workplace provide a flexible commute benefit of \$50 per month or the fair market value of that parking, whichever is greater, to those employees eligible for that free or subsidized parking who regularly commute via other modes instead of using that parking;
 - (D) A tax on the revenue from commercial parking lots collecting no less than 10 percent of income, with revenues dedicated to improving transportation alternatives to drive-alone travel; and
 - (E) A reduction of parking mandates for new multifamily residential development to no higher than one-half spaces per unit, including visitor parking.
- (b) A reduced regulation parking management approach shall include all of the following:
- (A) A repeal of all parking mandates within one-half mile pedestrian travel of climate-friendly areas;
 - (B) A repeal of parking mandates for transit-oriented development and mixed-use development;
 - (C) A repeal of parking mandates for group quarters, including but not limited to dormitories, religious group quarters, adult care facilities, retirement homes, and other congregate housing;
 - (D) A repeal of parking mandates for studio apartments, one-bedroom apartments and condominiums in residential developments of five or more units on a lot or parcel;
 - (E) A repeal of parking mandates for change of use of, or redevelopment of, buildings vacant for more than two years. Cities and counties may require registration of a building as vacant two years prior to the waiving of parking mandates;
 - (F) A repeal of requirements to provide additional parking for change of use or redevelopment;
 - (G) A repeal of parking mandates for expansion of existing businesses by less than 30 percent of a building footprint;
 - (H) A repeal of parking mandates for buildings within a National Historic District, on the National Register of Historic Places, or on a local inventory of historic resources or buildings;
 - (I) A repeal of parking mandates for commercial properties that have fewer than ten on-site employees or 3,000 square feet floor space;
 - (J) A repeal of parking mandates for developments built under the Oregon Residential Reach Code;
 - (K) A repeal of parking mandates for developments seeking certification under any Leadership in Energy and Environmental Design (LEED) rating system, as evidenced by either proof of pre-certification or registration and submittal of a complete scorecard;
 - (L) A repeal of parking mandates for schools;
 - (M) A repeal of parking mandates for bars and taverns;
 - (N) Setting parking maximums consistent with OAR 660-012-0415(1), notwithstanding populations listed in that section; and
 - (O) Designation of at least one residential parking district or parking benefit district where on-street parking is managed through permits, payments, or time limits.
- (2) Cities and counties may change their selection between subsections (1)(a) and (b) at any time.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

(1) Cities with populations over 100,000 shall either:

(a) Adopt land use regulations without parking mandates; or

(b) Price at least 10 percent of on-street parking spaces, and report the percentage of on-street parking spaces that are priced as provided in OAR 660-012-0900. Residential parking permits priced at lower than \$15 per month, 50 cents per day per space, or equivalent amounts do not count towards this total.

(2) Cities may change their selection made between subsections (1)(a) or (b) at any time.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.012 & ORS 197.712

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

660-012-0012**Effective Dates and Transition**

(1) The rules in this division adopted on July 21, 2022, and amendments to rules in this division adopted on that date, are effective August 17, 2022, except as provided in this rule.

(2) A city or county subject to the requirements as provided in OAR 660-012-0100 may make interim updates to the local transportation system plan using requirements as provided in OAR 660-012-0015 if the city or county:

(a) Has submitted notice of the proposed change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later than December 31, 2022; or

(b) The interim update is not a major transportation system plan update as provided in OAR 660-012-0105, and the city or county has submitted notice of the proposed change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later than June 30, 2027. Interim updates must comply with applicable requirements in this division within the scope of the transportation system plan amendment but need not bring the entire transportation system plan in compliance with all applicable regulations.

(3) Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or deadlines in section (4) of this rule.

(a) A submitted proposal for alternative dates shall include:

(A) A description of any work already underway to begin complying with the new or amended requirements of this division;

(B) Proposed dates for accomplishing requirements in lieu of effective dates or deadlines provided in this rule; and

(C) A schedule for updating local transportation system plans to comply with new or amended requirements of this division.

(b) Proposed alternative dates must demonstrate consistent progress toward meeting the updated requirements of this division. Proposed alternative dates must include at least some work implemented by December 31, 2023. Proposed alternative dates must include completion of all elements included in the alternative dates, except for a major update to the transportation system plan, by June 30, 2027.

(c) Proposed alternative dates should be designed to sequence work in a logical progression, considering acknowledged plans, other work, and the work of other jurisdictions within the metropolitan area. Cities and counties in a metropolitan area may submit joint proposed alternative dates for a metropolitan area.

(d) Proposed alternative dates may not be submitted to the department after January 31, 2023.

(e) Local governments in regions required to submit a work program as provided in OAR 660-044-0015 may submit a single combined work program that proposes alternative dates as provided in this rule and meets the requirements as provided in OAR 660-044-0100. Notwithstanding subsection (d), the combined work program must be submitted by the date provided in OAR 660-044-0015.

(f) The director shall review the proposed alternative dates to determine whether the proposed alternative dates meet the following criteria:

(A) Ensures urgent action;

(B) Coordinates actions across jurisdictions within the metropolitan area;

(C) Coordinates with work required as provided in OAR 660-044-0100;

(D) Sequences elements into a logical progression; and

(E) Considers availability of funding and other resources to complete the work.

(g) Upon the director finding the proposed alternative dates meet the criteria in (f), the alternative dates shall be used.

(h) The director may modify alternative dates at any time as necessary to achieve the purposes of this division.

(4) The dates in this section apply unless alternative dates are approved by the director as provided in section (3).

(a) Cities outside the Portland Metropolitan Area with a population over 5,000 in the urban area, and counties outside the Portland Metropolitan Area with an unincorporated population over 5,000 in the urban area, must adopt a major transportation system plan update as provided in OAR 660-012-0105 by December 31, 2029.

(b) The provisions of OAR 660-012-0215 requiring the adoption of multiple transportation performance standards take effect on June 30, 2025.

(c) A city or county that is subject to the requirements of OAR 660-012-0310 shall adopt land use requirements for climate-friendly areas and a climate-friendly comprehensive plan element as provided in OAR 660-012-0315 by December 31, 2024.

(d) Metro shall amend the urban growth management functional plan in conjunction with its next growth management analysis under ORS 197.296 and no later than December 31, 2024, to require local government adoption of Region 2040 centers and land use regulations as described in the acknowledged urban growth management functional plan. Within the Metro urban growth boundary, a county with planning jurisdiction in unincorporated areas provided with urban water, sanitary sewer, stormwater, and transportation services, or a city shall comply with the adopted requirements of the urban growth management functional plan by December 31, 2025.

(e) Cities and counties shall adopt land use regulations to meet the requirements of OAR 660-012-0330 no later than the date of adoption of a major transportation system plan update as provided in OAR 660-012-0105.

(f) Cities and counties shall adopt comprehensive plan amendments and land use regulations meeting requirements provided in OAR 660-012-0400, OAR 660-012-0405, and OAR 660-012-0415 through OAR 660-012-0450 no later than June 30, 2023, except as provided below. If a city or county has not done so, it may not apply parking mandates after that date.

(A) Cities and counties that pass population thresholds in OAR 660-012-0400, OAR 660-012-0415, or OAR 660-012-0450 must adopt comprehensive plan amendments and land use regulations meeting requirements within 12 months of passing those population thresholds.

(B) If cities and counties adopt an approach in OAR 660-012-0445, policies must take effect no later than June 30, 2023.

(C) Cities and counties adopting an approach in OAR 660-012-0435 shall do so concurrently with adoption of any climate-friendly area under OAR 660-012-0315.

(g) Cities choosing to report on the share of on-street parking spaces that are priced as provided in OAR 660-012-0450(1)(b) must:

(A) Demonstrate at least five percent of on-street parking spaces are priced by September 30, 2023; and

(B) Demonstrate at least 10 percent of on-street parking spaces are priced by September 30, 2025.

(5) The following dates may not be adjusted through proposed alternative dates as provided in section (3):

(a) The provisions of OAR 660-012-0210 take effect June 30, 2024.

(b) A city or county that is subject to the requirements of OAR 660-012-0310 shall submit a study of climate-friendly areas as provided in OAR 660-012-0315(4) and (5) by December 31, 2023.

(c) The provisions of OAR 660-012-0310(4)(a) and (b) take effect June 30, 2023.

(d) Cities shall implement the requirements for electric vehicle charging as provided in OAR 660-012-0410 no later than March 31, 2023.

(e) Cities and counties shall implement the requirements of OAR 660-012-0430 and 660-012-0440 when reviewing development applications submitted after December 31, 2022.

(6) Cities and counties with voter-approved bond-funded projects where the election occurred before January 1, 2022 may use approved bond funding as a factor when prioritizing projects in an unconstrained project list as provided in OAR 660-012-0170(4).

(7) The first reporting year for the reporting requirements provided in OAR 660-012-0900 is 2023, with reports due no later than May 31, 2024.

Statutory/Other Authority: ORS 197.040

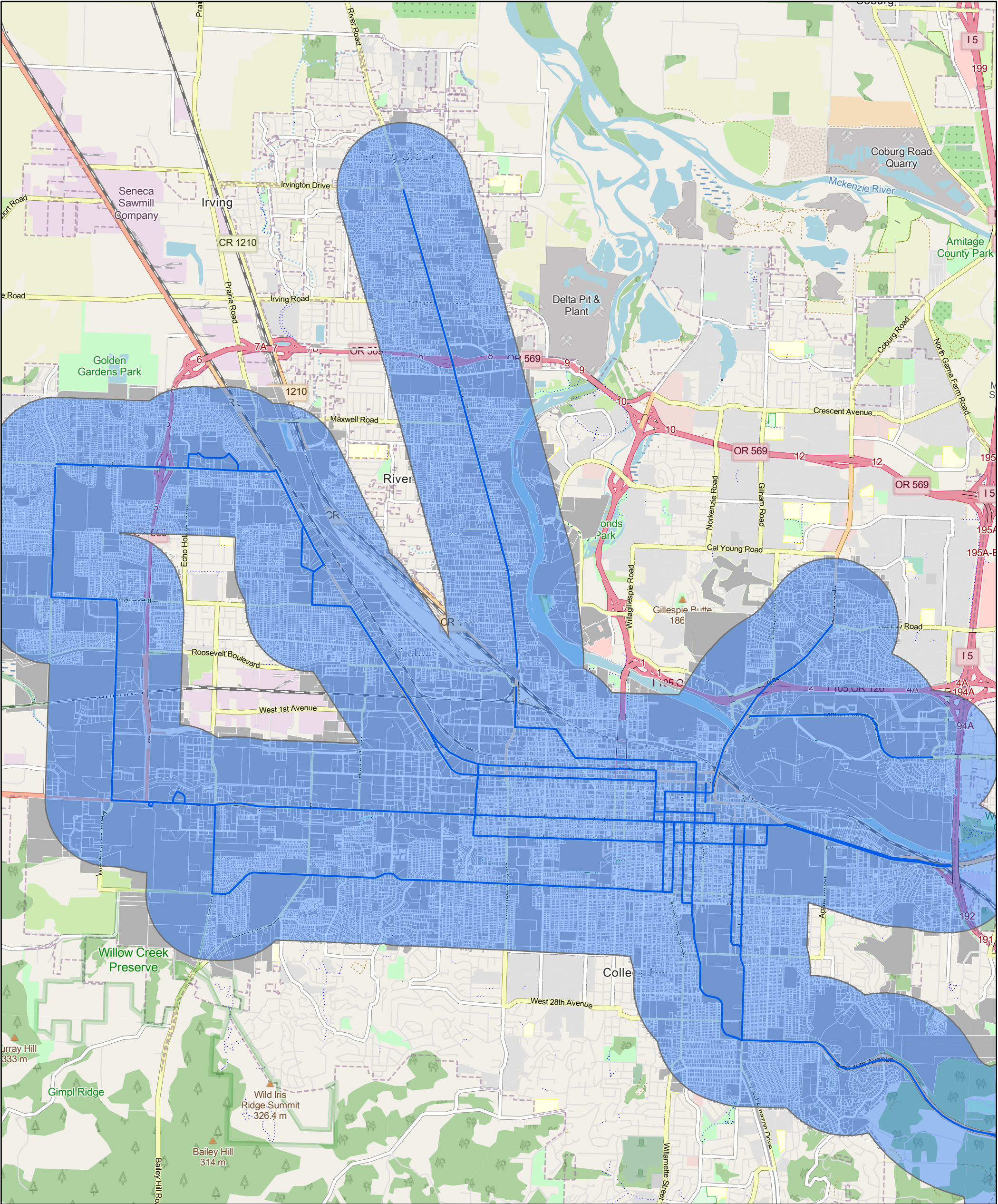
Statutes/Other Implemented: ORS 197.712, ORS 197.296 & ORS 455.417

History:

[LCDD 3-2022, adopt filed 08/17/2022, effective 08/17/2022](#)

[LCDD 2-2022, temporary adopt filed 06/01/2022, effective 06/01/2022 through 11/27/2022](#)

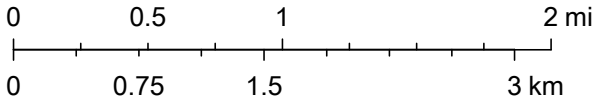
Taxlots within 1/2 Mile Straight-line Distance of LTD Frequent Transit Corridors



11/15/2022

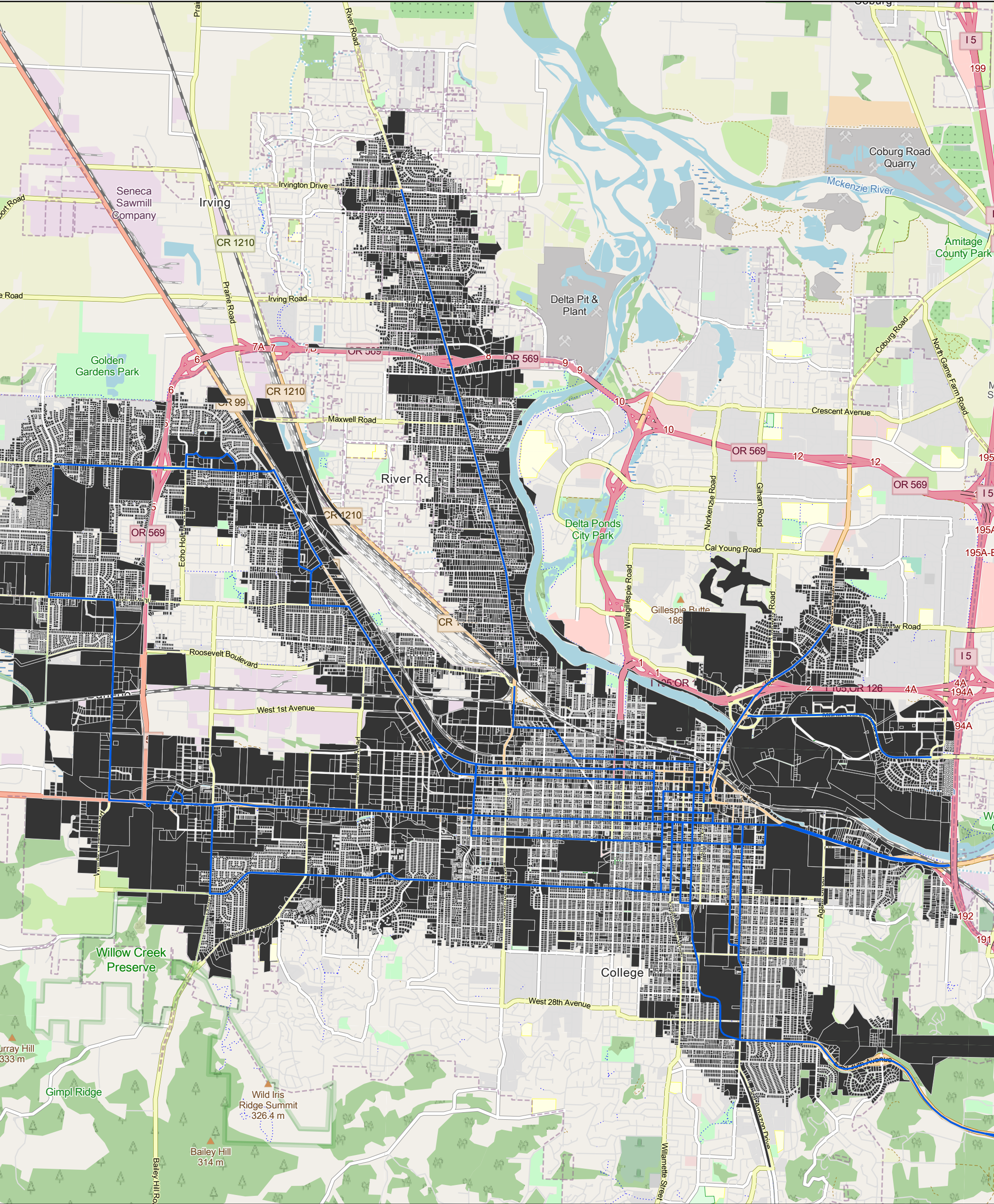
- FrequentTransitCorridors 2022
- FTCs 2022 HalfMiBuffer Crow
- Taxlots HalfMileCrow FTC

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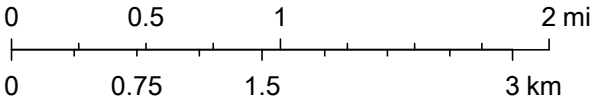
Taxlots within 1/2 Mile Walking Distance of LTD Frequent Transit Corridors



11/15/2022

- FrequentTransitCorridors 2022
- Taxlots HalfMileWalk FTC

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