



## COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## MINUTES

AUGUST 16, 2022

**Council Present:** Councilors Adam Khosroabadi, Lisa Batey, Desi Nicodemus, Council President Kathy Hyzy, and Mayor Mark Gamba

**Staff Present:**

Joseph Briglio, Community Development Director	Ann Ober, City Manager
Kelly Brooks, Assistant City Manager	Peter Passarelli, Public Works Director
Ryan Dyar, Assistant Planner	Natalie Rogers, Climate & Natural Resources Manager
Justin Gericke, City Attorney	Scott Stauffer, City Recorder
Adam Heroux, Associate Planner	Sam Vandagriff, Building Official
Brett Kelder, Senior Planner	Laura Weigel, Planning Manager
Vera Kolias, Senior Planner	

**Mayor Gamba** called the meeting to order at 4:02 p.m.

**Mayor Gamba** advised that Councilor Batey was joining the meeting on Zoom.

### 1. Electric Vehicle (EV) Charging Stations – Discussion

**Kelder** presented two new state requirements that established new rules for EV charging infrastructure and explained that the city needed to incorporate at least the minimal requirements. **Kelder** clarified that the first state requirement, included in Oregon House Bill (HB) 2180, was already addressed in the city's current code, but the Climate Friendly and Equitable Communities (CFEC) requirement went beyond HB 2180 and needed to be implemented in the Milwaukie Municipal Code (MMC) by March 31, 2023. **Kelder** noted the CFEC rules do not apply to new commercial buildings.

**Kelder** explained the differences in charging levels for EVs, pointed out that the state requirements focus on level two charging, and provided definitions on what the state requires when referring to EV capable versus EV ready or EV installed. HB 2180 does allow jurisdictions to go beyond the state building code. **Mayor Gamba, Kelder, and Vandagriff** discussed having conversations with the state building code division and staff at the City of Portland about requiring more parking spaces with EV chargers.

It was noted that Councilor Nicodemus joined the meeting via Zoom at 4:11 p.m.

**Councilor Batey, Mayor Gamba, and Council President Hyzy** noted that current EV chargers had been installed voluntarily as they were not required by code.

The group discussed possible percentage requirements for new parking spaces to be level two capable, what types of buildings fell within those requirements, compliance options, and incentives.

**Mayor Gamba** stated the goal was to get charging stations installed.

**Heroux** noted that homeowners are three times more likely to own EVs because 80% of charging occurs at home and renters often lack the ability to charge at home. The new requirements would likely not have a significant impact on the cost of housing rent, but it will likely increase the EV access for renters which will help reduce transit pollution with more EVs on the road.

**Heroux** presented sections of the climate action plan that reference EVs.

**Kelver** asked for Council’s direction on what percentage of EV capable spaces they would like to include in the code, whether 100% of parking spaces should be enforced on smaller lots, and how staff should proceed if Council would like to offer incentives.

**Councilor Khosroabadi** and **Mayor Gamba** noted that the requirement was for EV capable, not EV ready. **Council President Hyzy** and **Mayor Gamba** supported 100% of parking spaces being EV capable including smaller lots and would like to see a simple incentive.

The group discussed potential barriers and solutions for requiring new developments to have EV chargers installed, variances, other possible incentive combinations, and developments that utilize mechanical parking.

**Councilor Batey** did not see a need to exceed the minimum 40% of parking spaces to be EV capable unless using it to incentivize the installation of EV chargers, and **Batey** and **Heroux** discussed preferential placement for EV parking stalls. **Batey** suggested that EV charging station incentives could be included with other upcoming code discussions such as high-density zones and neighborhood hubs.

**Kelver, Mayor Gamba,** and **Councilor Khosroabadi** discussed percentage requirements and incentives for industrial developments and how having a place to charge at work could increase the number of EV drivers.

**Kelver** recapped that Council is supportive of going beyond the minimum 40% to requiring 100% of parking spaces be EV capable unless 10% of spaces have an EV charger installed then the requirement would drop to 50% and noted that further research was need as to how the requirements would work for mechanical parking.

The group discussed whether it was worth it to investigate situations that may trigger a variance, Portland General Electric (PGE) incentivizes for developers to install charging infrastructure and consider reaching out to existing developments to assist with education on how chargers can be installed and whether the city should incentivize that.

**Kelver** presented a project timeline and confirmed that Council wanted staff to move forward as outlined.

**2. Climate Friendly Equitable Communities (CFEC) – Discussion**

**Weigel** introduced **Dyar** as a new assistant planner. **Dyar** provided an overview, noted all upcoming requirements that had been set in motion by Governor Kate Brown’s Executive Order #20-04, highlighted the key points of the order, and noted that most of the changes would be addressed by the city’s upcoming Transpiration System Plan (TSP) update process. **Mayor Gamba, Council President Hyzy** and **Dyar** discussed the requirement for minimum/maximum for building height.

**Dyar** presented the three divisions of amended CFEC rules. The housing rule would be primarily addressed by the city’s housing capacity analysis (HCA) and the housing production strategy (HPS), most required rules would apply to communities outside of the Metro region. The transportation planning rule was the focus of the report and the third rule related to amending greenhouse gas reduction (GHG) targets.

**Dyar** explained there would be process changes to the TSP which included engagement requirements for underserved populations and focuses on safety and equity. New components included an equity analysis which would be completed by

documenting the engagement process, new requirements that focused on transportation networks specifically pedestrian network for crossings. **Weigel** added that the equity analysis had slowed the TSP timeline down as it had not been done before.

**Dyar** explained that the transportation planning rule included land-use regulations and would need to be coordinated by promoting pedestrian friendly and connected neighborhoods which were currently included in the zoning code. Staff would complete an analysis during the TSP update; however, **Dyar** did not expect drastic changes to the code would be proposed.

The group discussed the new parking reforms that must be adopted by June 2023, whether the city could require underutilized private parking lots to share their parking, when and where parking studies had been conducted around the city, the conversion of underutilized parking to other uses and for other modes of transportation such as bus stops and bicycle parking, new requirements for mitigating heat and how that may look, and the two options for parking mandates one of which must be adopted.

**Weigel** asked for Council direction on whether the city should consider removing parking mandates citywide or focus on maintaining some mandates on just 30% of the city and noted that maintaining the mandates would be difficult for staff and applicants to interpret. The group discussed whether it was worth maintaining mandates for the 30% of the city called out in the staff report, if regulations could be tailored for a specific area like International Way, and how to address and solve existing parking concerns.

It was noted that Councilor Nicodemus left the meeting at 5:35 p.m.

### **3. Adjourn**

**Mayor Gamba** announced that after the meeting Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

**Mayor Gamba** adjourned the meeting at 5:38 p.m.

Respectfully submitted,



---

Nicole Madigan, Deputy City Recorder

This page intentionally left blank.