



Work Session

WS

Milwaukie City Council

COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

AGENDA

AUGUST 16, 2022

Council will hold this meeting in-person and through video conference. The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-306>.

To participate in this meeting by phone dial 1-253-215-8782 and enter Webinar ID 847 1299 8920 and Passcode: 331507. To raise hand by phone dial *9.

Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov. Council may take limited verbal comments.

Note: agenda item times are estimates and are subject to change.

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|--|-----------|
| 1. Electric Vehicle (EV) Charging Stations - Discussion (4:00 p.m.) | 1 |
| Staff: Brett Kelter, Senior Planner, and
Adam Heroux, Associate Planner | |
| 2. Climate Friendly Equitable Communities - Discussion (5:00 p.m.) | 11 |
| Staff: Laura Weigel, Planning Manager, and
Ryan Dyar, Assistant Planner | |
| 3. Adjourn (5:30 p.m.) | |

Executive Session

After the work session Council will 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.

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions. The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Reviewed: Joseph Briglio, Community Development Director,
Laura Weigel, Planning Manager, and
Natalie Rogers, Climate Action and Sustainability Manager

From: Brett Kelter, Senior Planner, and
Adam Heroux, Associate Planner

Subject: **Requirements for EV Charging Infrastructure**

Date Written: Aug. 4, 2022

ACTION REQUESTED

Staff is briefing Council on changes to state law regarding infrastructure for electric vehicle (EV) charging and seeks direction on corresponding amendments to the zoning code.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[October 2, 2018:](#) Council adopted the Climate Action Plan to achieve carbon neutrality by reducing greenhouse gas emissions and offsetting or capturing as much carbon as the Milwaukie community emits. The plan includes several actions related to EVs, including direction to implement EV-related zoning regulations for commercial buildings and multifamily housing.

[August 18, 2020:](#) Council adopted the 2040 Milwaukie Comprehensive Plan, which includes several policies aimed at increasing the prevalence of EV charging stations in Milwaukie.




[October 6, 2020:](#) Council signed a letter expressing support for Governor Brown's Electric Vehicles Roadmap Initiative and a future Oregon zero-emissions vehicle requirement.

ANALYSIS**Levels of EV Charging and Spectrum of EV Charging Infrastructure**

For a quick introduction to the world of EV charging, it is worth noting that various interest groups and federal agencies share some common definitions for the different levels of EV charging (see Table 1).

However, there is less consistency when it comes to establishing some common language for the spectrum of EV charging infrastructure. Table 2 attempts to set some basic definitions for the purposes of this discussion.

Table 1
Levels of EV Charging*

Level 1	Level 2	Level 3 (aka DC Fast Charging)
 <ul style="list-style-type: none"> • Great for overnight charging • Plug into a typical grounded outlet • All you need is the charging cable that comes with your car 	 <ul style="list-style-type: none"> • Uses 240-volt outlet (dedicated EV-charging) • Ideal for all-electric car charging at home, at work, or on the road • Recharge in just a few hours 	 <ul style="list-style-type: none"> • Recharge in less than an hour • Plug shape matters: <ol style="list-style-type: none"> 1) CHAdeMO standard for Japanese and Korean cars 2) CCS Combo standard for most American and European cars 3) Tesla (unique plug shape)

* These definitions were sourced from Forth, a nonprofit working to “electrify transportation by bringing people together to create solutions that reduce pollution and barriers to access.”

Table 2
Spectrum of EV Charging Infrastructure

EV Capable



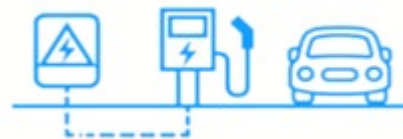
Enough electrical capacity is installed—or space is reserved at the panel—to support future EV charging spots. Additionally, a conduit system labeled for EV-charging is installed from the building electrical service, or from the dedicated space or location for a future electrical service.

EV Ready



EV-capable requirements are met, with the addition of wiring and junction box or 240-volt outlet (like for a clothes dryer).

EV Installed



All EV-capable and EV-ready requirements are met, plus an actual EV charging station is installed.

New Statewide Requirements

Over the last year, the state government has taken several actions toward expanding EV-capable infrastructure in Oregon. Installing this infrastructure during initial construction is much less expensive than the cost of retrofits installed later, so the new rules establish requirements for certain new types of buildings and focus on EV-capable spaces that can accommodate level 2 chargers. This report details the implications of two of these efforts:

1. **Oregon House Bill (HB) 2180 (HB 2180)** – In May 2021, the Oregon Legislature enacted HB 2180, requiring that all newly constructed buildings include EV-capable (level 2) electrical service capacity at no less than 20% of the vehicle parking spaces in the garage or parking area. Effective as of July 1, 2022, these new state building code requirements apply to commercial buildings as well as multifamily and mixed-use buildings with five or more dwelling units. These requirements are implemented by the building department as a part of the building permit process. The law, codified in Oregon Revised Statute (ORS) 455.417, also gives jurisdictions the option to require more EV-capable parking spaces than the state law requires.
2. **Climate-Friendly & Equitable Communities (CFEC)** - On March 10, 2020, Governor Kate Brown issued [Executive Order 20-04](#), directing state agencies to reduce climate pollution. In response, the Land Conservation and Development Commission (LCDC) initiated an update to Oregon's Transportation Planning administrative rules in September 2020. The new rules, adopted in May 2022, apply in Oregon's eight urban areas with populations over 50,000 people, including the Portland Metro region. Oregon Administrative Rule (OAR) 660-12-0410 expands requirements for EV-capable (level 2) infrastructure to an additional 20% of parking spaces beyond the 20% that HB 2180 requires in the building code. Combined, these rules require new mixed-use and multifamily buildings with five or more units to provide EV-capable (level 2) infrastructure serving no less than 40% of the parking spaces provided.

Table 3 summarizes and compares aspects of these two new legal requirements.

Table 3 New Statewide Requirements for EV-Capable Infrastructure		
	HB 2180 (ORS 455.417)	CFEC (OAR 660-12-0410)
Amends the State Building Code	Yes	No
Mandates amendments to Milwaukie city code	No	Yes
Applies to Mixed-Use & Multifamily Buildings with 5+ units	Yes	Yes
Applies to Commercial Buildings	Yes	No
Applies only to New Construction	Yes	Yes
Requires EV-capable parking spaces that support Level 2 chargers	Yes (20%)	Yes (40%)
Effective date	07/01/2022	03/31/2023

OPTIONS FOR COMPLIANCE WITH THE NEW RULES

Achieving minimum compliance

As noted above in Table 3, the changes required by HB 2180 are implemented through the state building code, so it was not necessary to amend the city's zoning code by July 1, 2022, to be compliant with HB 2180. This requires that 20% of parking spaces must be EV-capable (level 2) for new commercial development and for new mixed-use or multi-unit residential development with five or more residential units.

The CFEC rule requires adoption of the HB 2180 requirements into the zoning code, though only for new mixed-use and multi-unit buildings with five or more residential units and not for new commercial buildings. The CFEC rule requires an additional 20% of parking spaces be EV-capable (level 2), for a total of 40% when combined with HB 2180.

Exceeding minimum compliance

HB 2180 gives cities the authority to exceed the state building code requirements of 20% EV-capable parking spaces for multifamily, mixed-use, and commercial buildings. State law allows local jurisdictions to go beyond the state building code *only by increasing the number or percentage of parking spaces required to be EV-capable*; jurisdictions may not require higher levels of EV infrastructure (e.g., the installation of EV charging stations).

Important considerations in the question of whether to have Milwaukie's code require more than the minimum include: (1) the city's goals and policies for climate action, housing, and economic development; and (2) understanding the pros and cons of going beyond the minimum state requirements. Table 4 (next page) highlights a few compliance scenarios and provides the estimated number of EV-capable parking spaces that would be created for projects with different sized parking lots. All scenarios assume EV-capable electric service capacity for level 2 chargers.

Scenario 1 represents the minimum necessary for compliance with the new rules.

Scenario 2 would go a little farther, requiring 50% EV-capable spaces instead of 40%. Compared with Scenario 1, Scenario 2 provides a few additional spaces for some smaller parking lots. For parking lots with five or 10 spaces, Scenario 2 would provide one additional space when compared with Scenario 1. As lots scale up to 100 parking spaces, Scenario 2 would provide up to 10 more EV-capable parking spaces than Scenario 1.

Scenario 3 shows the approach taken by some regional jurisdictions that require 100% of the first six spaces to be EV-capable, regardless of parking lot size. For parking lots of seven or more spaces, Scenario 3 requires at least six EV-capable spaces or no less than 50% EV-capable spaces—whichever number is greater. For parking lots with seven to 12 spaces, this means at least six spaces must be EV-capable. For parking lots of 13 or more spaces, the simple requirement of no less than 50% EV-capable spaces is in effect. Scenario 3 has a larger impact on small parking lots when compared to Scenario 2.

**Table 4
Total EV-Capable Spaces Created by Compliance Scenarios**

Scenarios	Charging Level	(%) EV-Capable Spaces Required	Number of Required EV-Capable Spaces based on Parking Lot Size											
			<i>(Parking Lot Size)</i>											
			2	4	5	6	8	10	12	25	50	75	100	200
Scenario 1 Minimum Compliance	Level 2	40%	1	2	2	3	4	4	5	10	20	30	40	80
Scenario 2 Expanded Compliance	Level 2	50%	1	2	3	3	4	5	6	13	25	38	50	100
Scenario 3 Expanded Compliance	Level 2	100% first 6 spaces or 50%*	2	4	5	6	6	6	6	13	25	38	50	100
*Whichever is greater. This means parking lots with 7-12 spaces are required to have at least 6 EV-ready spaces.									100% EV-capable spaces					
Less than 50% EV-capable spaces									75-99.99% EV-capable spaces					
Not applicable									50-74.99% EV-capable spaces					

Regional consistency between jurisdictions is beneficial for developers who already face barriers navigating dissimilar zoning and development codes. The CFEC and HB 2180 rules provide a basic level of regional consistency for Oregon, though some regional jurisdictions are considering code amendments that substantially exceed minimum CFEC compliance as represented by Scenario 3 and, to a lesser degree, Scenario 2.

Other regional approaches to EV-capable infrastructure include several additional measures meant to acknowledge that EV charging installations are happening already and will continue to occur. These include: 1) added development standards for the location and form of EV installations, 2) updated accessory and primary use categories that include EV charging infrastructure, 3) incentives to include EV charging for car-sharing and carpool parking, and 4) exemptions of EV infrastructure from nonconforming upgrade thresholds.

ADDITIONAL ANALYSIS

Equity

In the U.S., homeowners are three times more likely than renters to own an EV. More than 80% of EV charging occurs at home, yet renters often lack access to an EV charger. A primary intent of the new rules is to improve renter access to EV charging infrastructure. Access to charging is a major factor in deciding whether to buy an EV. Some other EV barriers for renters include a lack of off-street parking in general, unwillingness of apartment-building owners to voluntarily install costly electrical service capacity, and difficulties getting permission from owners for renters to install their own charging infrastructure. Given that renters typically move more

often than homeowners, lack of charging access at home can negatively affect housing choice for renters who own or want to own an EV.

These new requirements eliminate some barriers to charging station access. While electrical service capacity alone does not create access to EV chargers, its presence substantially reduces some cost barriers to charger installation at these residential and commercial properties. With sustained increases in demand for EV infrastructure forecast over the next 15 years, it is likely that the presence of electrical service capacity will motivate some property owners to install charging stations as an appealing amenity for renters who own EVs.

Milwaukie's 2018 Climate Action Plan (CAP) also includes several strategies meant to increase access to EVs and EV charging infrastructure (see Attachment 1 for excerpts from the CAP executive summary). Installing this charging infrastructure during initial construction is much less expensive than the cost of retrofits installed later. While new development requirements can create increased rent pressures, an economic study commissioned for Portland's EV code project estimated that their proposed changes would contribute to an increase in rents of less than one percent.

Key Questions for Discussion

- Does Council support exceeding the 40% EV-capable requirement?
- Does Council support requiring 100% EV-capable spaces for smaller parking lots?
- If exceeding the CFEC requirements, does Council support exploration of potential incentive options?

NEXT STEPS

Staff plans to begin the code amendment process in late September with a Planning Commission work session followed by hearings with the commission. The commission's recommendation would be sent to Council in January 2023, with the intent of adopting the amendments in time to make them effective by the March 31, 2023, deadline.

BUDGET IMPACTS

No direct impacts to the city budget unless the city constructs new buildings that trigger the requirement, or unless the amendments extend to existing buildings that trigger improvements. The planning department budgets each year for code amendments.

WORKLOAD IMPACTS

No significant impacts. Staff from the planning and building departments allocate time every year to work on code amendment projects; the amendments necessary to comply with HB 2180 and CFEC will be absorbed into each department's regular workload.

CLIMATE IMPACTS

The CAP includes EV-related zoning regulations as a priority mitigation strategy. While alternative methods of transportation provide greater climate benefit, automobiles are expected to remain a significant part of our transportation mix over the lifespan of the CAP. EVs provide an opportunity to reduce local emissions from transportation, though their total climate impact is dependent upon availability of renewable sources of electricity.

Conduit installation during construction is critical for achieving Oregon’s goal that more than 90% of new vehicles are EVs by 2035, especially given that buildings are understood to be 80- to 100-year structures. The CAP also proposes that the city:

- 1) Create a program to install EV charging infrastructure at multi-unit housing complexes;
- 2) Develop incentives for workplace EV charging; and
- 3) Support outreach efforts to encourage shift to electric vehicles.

STAFF RECOMMENDATION

None. Staff asks City Council to provide feedback and direction for staff and the Planning Commission prior to the development of code amendments.

ATTACHMENTS

1. Strategies list from Climate Action Plan executive summary

How will we get there? City-led strategies

The City of Milwaukie has committed to taking the following actions across six different climate action areas. These are steps City leadership and staff can take to spearhead efforts, mobilize partners or support regional, collaborative action. Actions fall into three different categories:

- **Mitigation actions** that will reduce the emissions that come from producing energy to make our goods, grow our food, transport us around and keep us warm and cool
- **Adaptation actions** that will prepare us for changing physical conditions
- **Sequestration actions** that capture carbon and pull greenhouse gases out of the atmosphere

Building Energy and Efficiency

Mitigation	Work with Portland General Electric (PGE) to become “net zero” from electricity by 2035
	Engage NW Natural to develop strategy for becoming “net zero” from natural gas by 2040
	Adopt a commercial and residential building energy score program based on the City of Portland’s program
	Develop micro-grids and energy storage systems in conjunction with purchasing renewable power
	Work with PGE to implement demand-response programs
	Advocate for more energy efficiency State building codes
	Incentivize property owners to encourage multifamily housing energy efficiency upgrades
	Develop a community solar project
Adaptation	Implement solar, battery storage, and micro-grids for resilience in weather events

Vehicles and fuels

Mitigation	Incentivize workplace electric vehicle charging stations in parking lots
	Support outreach efforts to encourage shift to electric vehicles
	Create a program to install electric vehicle charging infrastructure at multi-family housing complexes
	Convert diesel-powered heavy fleet vehicles to low-carbon fuels
	Optimize the City’s light duty fleet and replace the least efficient vehicles with more efficient vehicles
	Work with Clackamas County, Tri-Met and Metro to develop micro-transit from park-and-ride or light rail station to local destinations
	Work with the school district and waste haulers on fleet transitions
Adaptation	Review the location of the fleet yard and fuel storage to examine flood vulnerability. Look at fuel movement during flood conditions and diversify fuel sources to prepare for climate event-related import challenges.
	Implement intergovernmental agreements or MOUs with other agencies for fleet support in emergencies (e.g. large-scale debris removal)

Land use and transportation planning

Mitigation	Implement the Safe Access for Everyone (SAFE) street and sidewalk improvement program to expand bike and pedestrian access
	Partner with Metro and TriMet to increase transit service, particularly to underserved employment areas
	Implement a Transportation Management Agency (TMA) with area partners
	Implement “electric vehicle ready” zoning regulations for commercial buildings and multifamily housing
	Incentivize employers to encourage active transportation and transit
	Continue to promote the purchase of sidewalk credits in areas outside of pedestrian corridors and redirect funds to areas needing this infrastructure
	Promote “neighborhood hubs” through Comprehensive Plan policies
	Implement parking pricing in downtown
	Implement variable system development charges to encourage accessory dwelling unit development
	Lower parking ratios near high capacity corridors
Adaptation	Update flood plain maps with local group coordination and funding
	Provide incentives to increase flood storage capacity
	Reclaim riparian areas for flood storage for safety and property protection
	Plan for future employment land considering flood risk and natural resources

Materials use, purchasing and recovery

Mitigation	Require deconstruction of existing properties or delayed demolition periods
	Promote the repair of equipment and materials and buy used and durable before purchasing new
	Provide education and outreach to avoid edible food waste
	Use less impactful pavement alternatives when paving streets and sidewalks
	Promote existing food waste composting services
	Use mulch and compost in landscaping
	Showcase materials management practices with a demonstration project

Natural resources

Adaptation	Work with the Tree Board to develop a tree planting program focused on shielding low income neighborhoods from heat
	Review intergovernmental water agreements for supply security
	Identify sewer and waterways vulnerable to flooding
	Adjust code to require on-site stormwater storage and water filtration before release that meets future conditions
	Update stormwater masterplan
	De-pave areas where possible to encourage stormwater filtration
	Introduce more monitoring stations to protect drinking water wells
Sequestration	Develop a potable/drinkable water re-use plan
	Increase tree canopy coverage to 40% by 2040

Public health and emergency preparedness

Adaptation	Work with the Federal Emergency Management Agency (FEMA) to update flood plain maps
	Work with partners to support community outreach about how to reduce fire and flood risk
	Plan for cooling and air quality relief centers
	Promote more sophisticated home air filtration systems
	Develop public-facing flood and fire risk zone maps and implement signage on streets to raise awareness



**WS 1. 8/16/22
Presentation**

REQUIREMENTS FOR EV CHARGING INFRASTRUCTURE

City Council Work Session
August 16, 2022

Brett Kelter, Senior Planner
Adam Heroux, Associate Planner



NEW STATE REQUIREMENTS

- House Bill 2180 (HB 2180)
- Climate Friendly & Equitable Communities (CFEC) Rulemaking
- Deadline for code amendments = **March 31, 2023**



Milwaukie's Electric Avenue






HB2180 & CFEC RULE COMPARISON

Table 3 New Statewide Requirements for EV-Capable Infrastructure		
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Effective date	07/01/2022	03/31/2023



LEVELS OF EV CHARGING INFRASTRUCTURE

Table 1
Levels of EV Charging*

Level 1	Level 2	Level 3
 <ul style="list-style-type: none">• Great for overnight charging• Plug into a typical grounded outlet• All you need is the charging cable that comes with your car	 <ul style="list-style-type: none">• Uses 240-volt outlet (dedicated EV-charging)• Ideal for all-electric car charging at home, at work, or on the road• Recharge in just a few hours	 <ul style="list-style-type: none">• Recharge in less than an hour• Plug shape matters:<ol style="list-style-type: none">1) CHAdeMO standard for Japanese and Korean cars2) CCS Combo standard for most American and European3) Tesla (unique plug shape)

* These definitions were sourced from Forth, a nonprofit working to “electrify transportation by bringing people together to create solutions that reduce pollution and barriers to access.”



SPECTRUM OF EV CHARGING INFRASTRUCTURE

Table 2
Spectrum of EV Charging Infrastructure

EV Capable



- Electrical capacity is installed—or space is reserved at the panel.
- A conduit system labeled for EV-charging

EV Ready



- EV Capable requirements are met
- Wiring is installed
- A junction box or 240V outlet is installed

EV Installed



- All EV-capable and EV-ready requirements are met
- An actual EV charging station is installed.



WHAT IS REQUIRED?

- **40% of new parking spaces must be Level 2 capable**
(new multi-unit or mixed-use buildings with 5 units or more)
- **Electrical service capacity**—or space reserved at the panel—
and conduit marked for EV charging
- ❖ **Cannot require installed EV chargers, nor EV-ready wiring
and outlet**



SOME COMPLIANCE OPTIONS

Table 4
Total EV-Capable Spaces Created by Compliance Scenarios

Scenarios	Charging Level	(% EV-Capable Spaces Required)	Number of Required EV-Capable Spaces based on Parking Lot Size												
			<i>(Parking Lot Size)</i>												
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*Whichever is greater. This means parking lots with 7-12 spaces are required to have at least 6 EV-ready spaces.															
Less than 50% EV-capable spaces			100% EV-capable spaces												
Not applicable			75-99.99% EV-capable spaces												
			50-74.99% EV-capable spaces												



EQUITY CONSIDERATIONS

- 80% of EV-charging **occurs at home**
- Homeowners are **3x more likely** to own EVs
- **Renters often lack EV chargers** at home
- **Small impact** on expected rent levels
- Likely to **increase EV access** for renters
- **Reduced local air pollution** from traffic



EVs IN THE CLIMATE ACTION PLAN

- *Implement “electric vehicle ready” zoning regulations for commercial buildings and multifamily housing*
- **Create a program** to install EV charging infrastructure at multi-unit housing complexes;
- **Develop incentives** for workplace EV charging; and
- **Support outreach efforts** to encourage shift to electric vehicles.



KEY QUESTIONS FOR DISCUSSION

- Does Council support **exceeding the 40%** EV-capable requirement?
- Does Council support **requiring 100%** EV-capable spaces for smaller parking lots?
- If exceeding the CFEC requirements, does Council support exploration of **incentive options** (without going below state minimum)?



PROPOSED REVIEW SCHEDULE

Meeting	Date
Council work session	Aug 16
PC work session	Sept 27
PC hearing	Nov 8
Council work session	TBD
Council hearing	Jan 2023



END OF PRESENTATION





Milwaukie Community Climate Action Plan

- **10/2/18**
CAP approved

- **8/18/20**
Comp Plan
approved

- **10/6/20**
Council letter
supporting EV
Roadmap
Initiative



OTHER ASPECTS OF PORTLAND'S APPROACH

- **Adding development standards** (e.g., placement) for voluntary and required EV-ready installations.
- **Clarifying how EV-ready installations are categorized** in land use code (e.g., primary versus accessory use).
- **Targeting certain incentives to include EV charging** for car sharing and carpool parking.
- **Exempting EV improvements** from nonconforming development thresholds



PORTLAND CHARGER PLACEMENT

- **The chargers and equipment can be placed in areas adjacent to parking spaces, but are not allowed within required perimeter landscaping areas.**
- **The chargers may project into a portion of a parking space.** However, the chargers cannot project more than a 2-foot square into the minimum required parking dimension.
- **Electrical equipment, generators or transformers associated with EV chargers must be screened from the street** and adjacent residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment.



PORTLAND FAR INCENTIVE

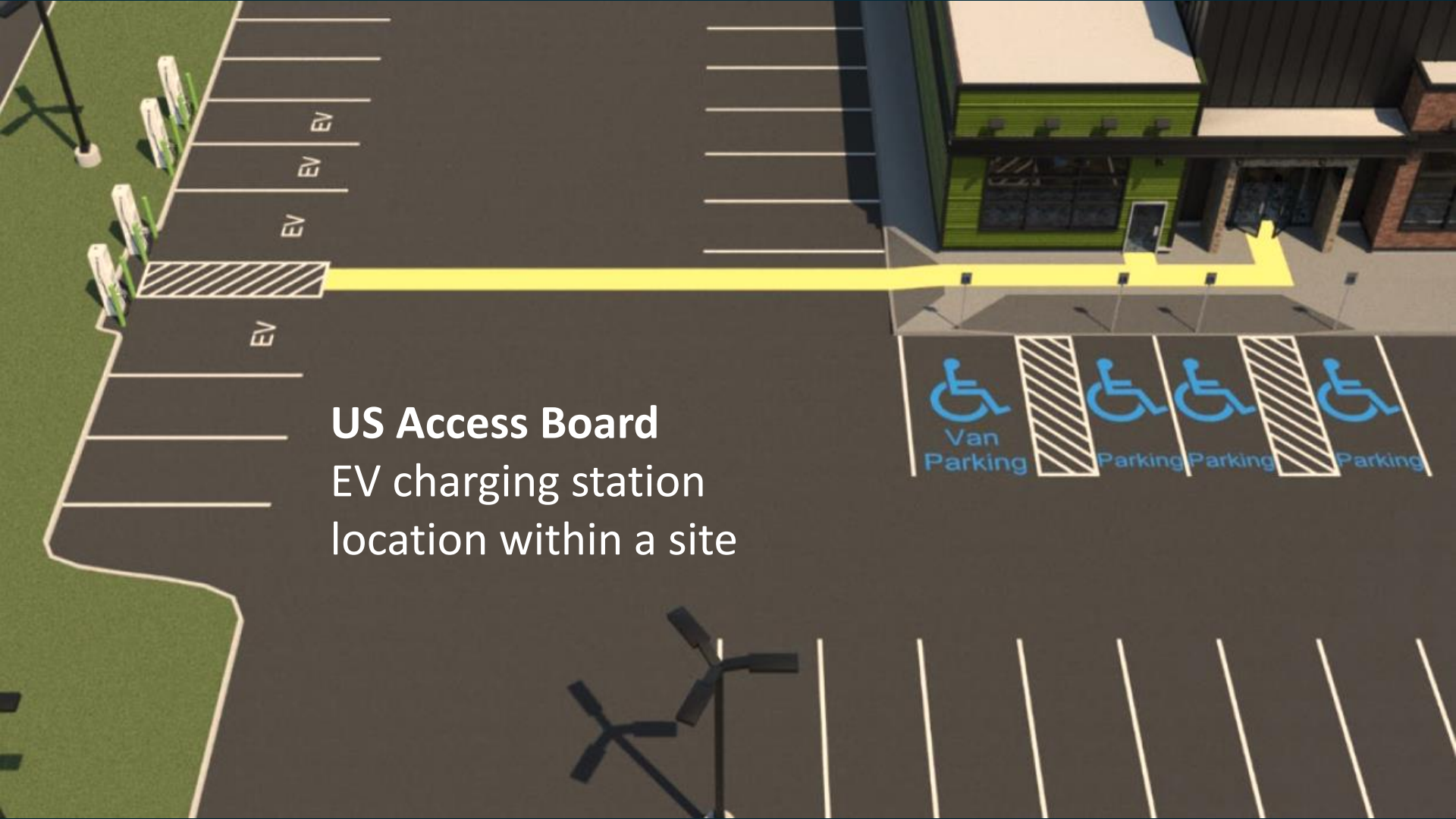
- 0.5 to 1 FAR bonus incentive for providing structured parking over surface parking if it includes installed chargers adjacent to 50% of spaces, or at least 6+ chargers, whichever is greater.



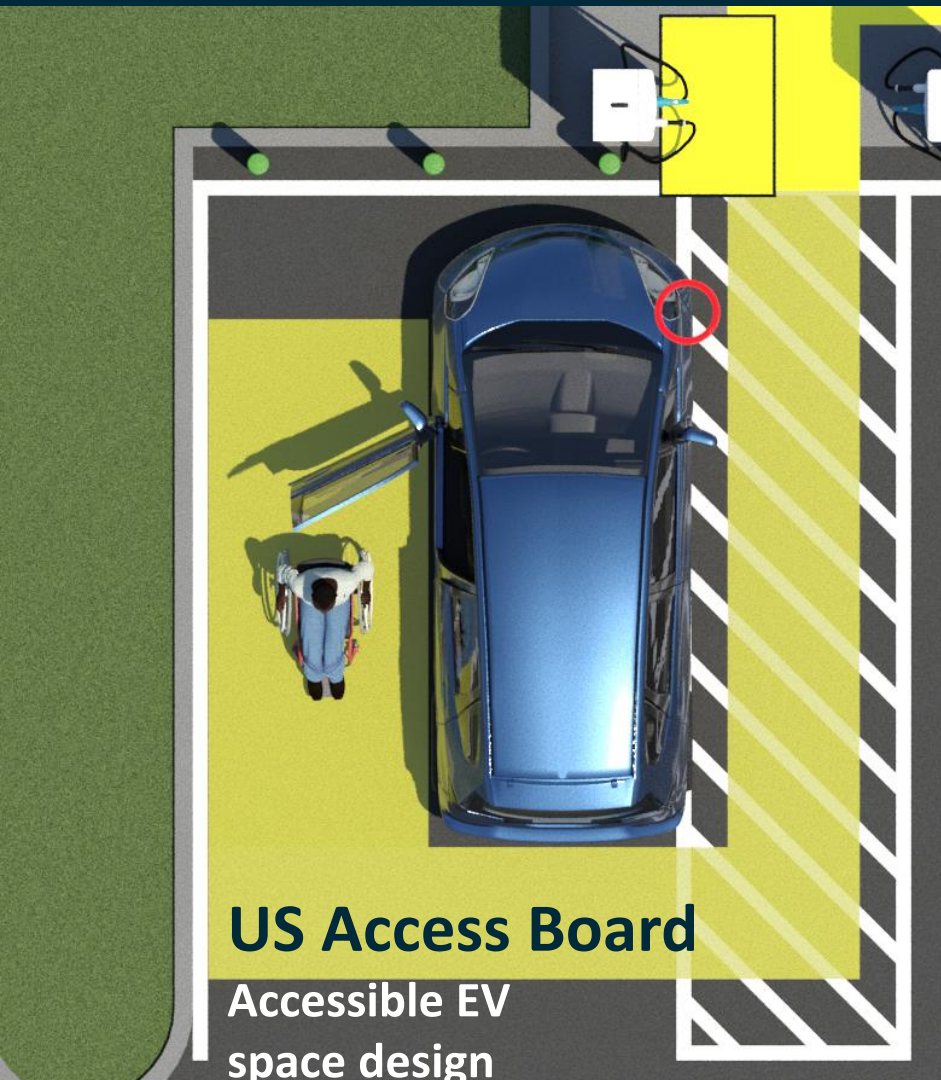


DETACHED VERTICAL STRUCTURES

- Detached vertical structures for Level 2 or higher EV charging must be located within 5 ft of a vehicle area
- Detached structures holding conduit and charger are detached vertical structures.

An aerial view of a parking lot. On the left, there is a row of five EV charging stations, each with a white charging cable and a green sign. A yellow path leads from the charging stations to a building on the right. In the foreground, there are four accessible parking spaces, each with a blue wheelchair icon and the text 'Van Parking' or 'Parking'. The spaces are separated by diagonal hatching. The building has a green facade and a brick section. There are also some trees and a light pole in the background.

US Access Board
EV charging station
location within a site



US Access Board

Accessible EV
space design

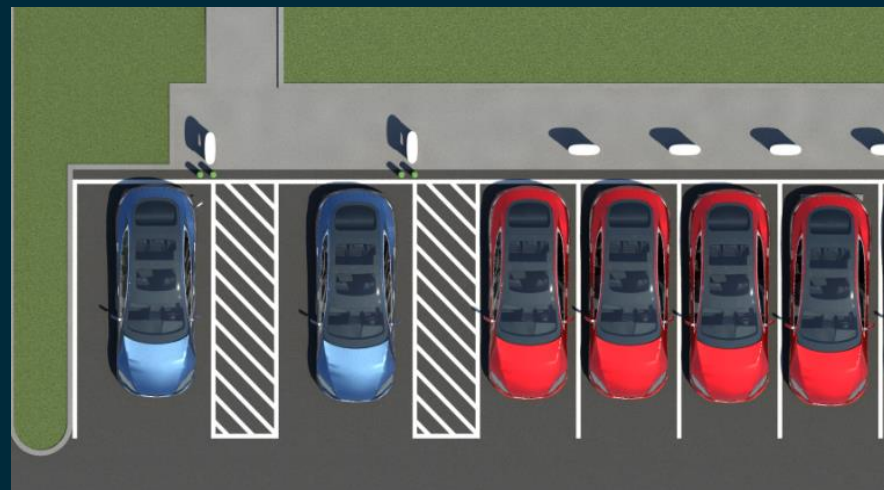
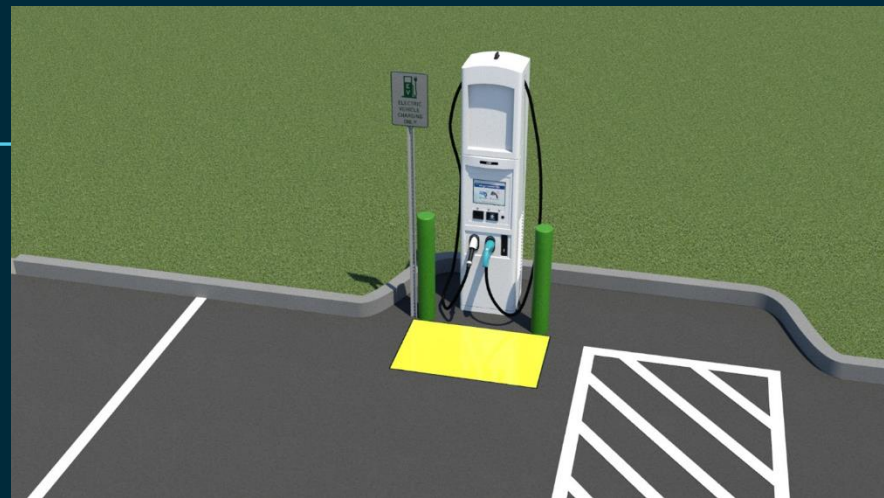


EXHIBIT 1

Cost ranges for charging infrastructure components.

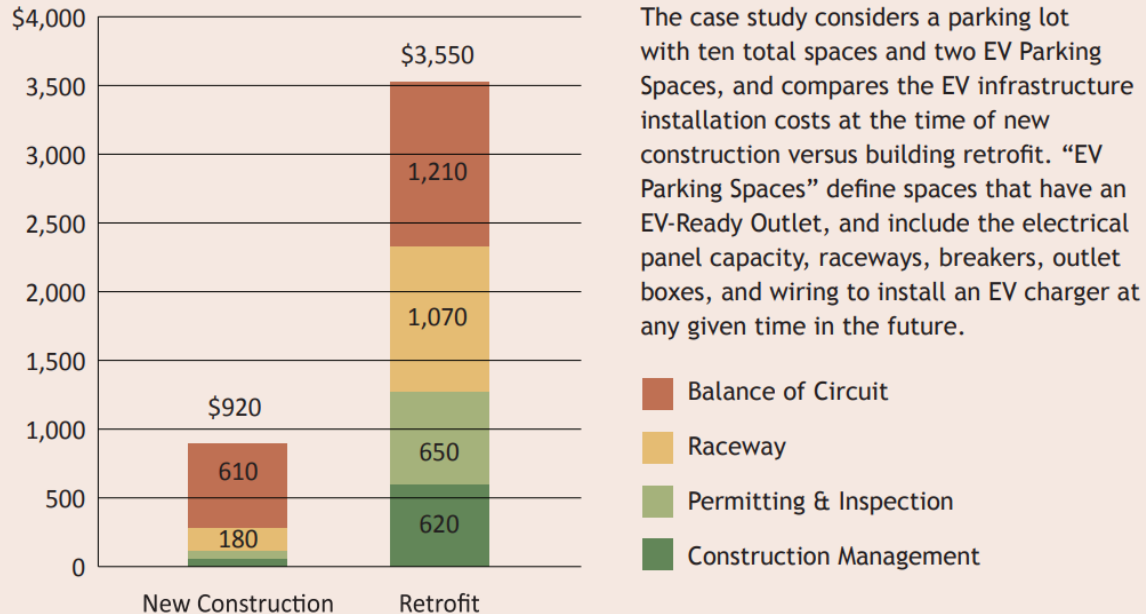
COST ELEMENT	LOWEST COST	HIGHEST COST
Level 2 residential charger	\$380 (2.9 kW)	\$689 (7.7 kW)
Level 2 commercial charger	\$2,500 (7.7 kW)	\$4,900 (16.8 kW); outlier: \$7,210 (14.4 kW)
DCFC (50 kW)	\$20,000	\$35,800
DCFC (150 kW)	\$75,600	\$100,000
DCFC (350 kW)	\$128,000	\$150,000
Transformer (150–300 kVA)	\$35,000	\$53,000
Transformer (500–750 kVA)	\$44,000	\$69,600
Transformer (1,000+ kVA)	\$66,000	\$173,000
Data contracts	\$84/year/charger	\$240/year/charger
Network contracts	\$200/year/charger	\$250/year/charger
Credit card reader	\$325	\$1,000
Cable cost	\$1,500	\$3,500



RETROFIT VS NEW CONSTRUCTION COST

Cost per EV Parking Space: New Construction vs Retrofit

Case Study prepared for the City and County of San Francisco (2016)



COST PER SPACE BY DEVELOPMENT

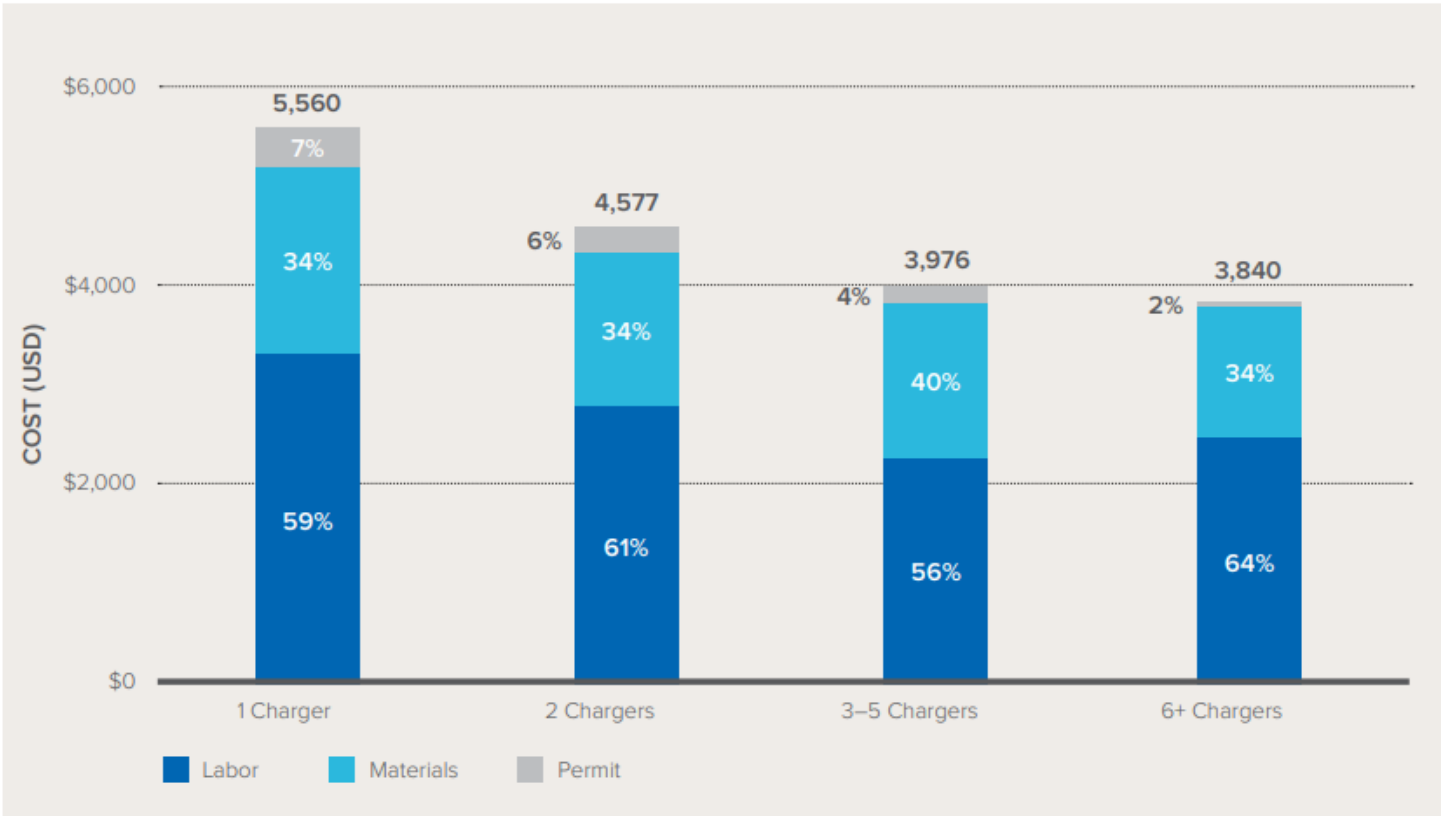
Table 1. Estimated Cost of Installing EV Infrastructure (price per spot)

Code Scenario:	Market Rate 25% Level 2 75% Level 1		Affordable Housing 10% Level 2 90% Level 1	
	New Construction	Retrofit ⁴	New Construction	Retrofit
60-Unit MUD	\$1,410	\$4,443	\$1,049	+\$3,982
150-Unit MUD	\$1,197	\$4,101	\$1,002	+\$3,854
60-Space Office Building	\$1,166	\$3,232	N/A	N/A



EXHIBIT 14

Average commercial Level 2 installation costs per charging station by cost category, by number of chargers per site.



Source: *Electric Vehicle Supply Equipment Installed Cost Analysis*, EPRI, 2013



COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Date Written: Aug. 4, 2022

Reviewed: Laura Weigel, Planning Manager

From: Ryan Dyar, Assistant Planner

Subject: **Climate Friendly Equitable Communities Rulemaking**

ACTION REQUESTED

Staff is briefing Council on changes to the Oregon Administrative Rules (OARs) that resulted from the Climate Friendly Equitable Communities (CFEC) rulemaking and seeks direction on implementing new parking requirements.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

October 2, 2018: Council adopts the Climate Action Plan to achieve carbon neutrality by reducing greenhouse gas (GHG) emissions and offsetting or capturing as much carbon as the Milwaukie community emits.

August 18, 2020: Council adopts the Milwaukie Comprehensive Plan, which includes several policies aimed at reducing GHG emissions.

September 21, 2021: Council adopts Council Goals for 2021-2022 of climate change mitigation and resilience action, and equity, justice, and inclusion.

ANALYSIS

Background and Summary of Climate Friendly Equitable Communities Rulemaking

On March 10, 2020, Governor Kate Brown signed [*Executive Order 20-4*](#) directing various state agencies and commissions to take action to reduce and regulate GHG emissions.¹ The order directed the Land Conservation and Development Commission (LCDC), which oversees the implementation of Oregon's statewide land-use planning program, and its agency, the Department of Land Conservation and Development (DLCD), to conduct administrative rulemaking towards that end.

¹ Executive Order 20-04 called on state commissions and agencies to pursue—to the extent that the law allows—expedited processes, including expedited administrative rulemaking to accelerate reductions in GHG emissions. The hastened pace of the rulemaking process was frequently cited as a concern by people directly engaged with the rulemaking and those commenting from outside the process.

In response, DLCD initiated the CFEC rulemaking process.² The rules were temporarily adopted by LCDC on May 19th, 2022, and permanently adopted on July 21, 2022. Many rules took effect on June 1st, 2022, while other requirements will be phased in.³ The process amended three divisions of [Oregon Administrative Rules \(OAR\) Chapter 660](#): Division 8 (Housing), Division 44 (Metropolitan Greenhouse Gas Reduction Rule), and Division 12 (Transportation Planning Rule). The purpose of these rules and the implications of the amendments for Milwaukie are discussed below.

OAR Chapter 660, Division 8 (Housing Rule)

Division 8 implements [Statewide Planning Goal 10 \(Housing\)](#). It includes rules related to how communities prepare technical housing reports, including the Housing Capacity Analysis and Housing Production Strategy (HPS). Milwaukie is currently engaged in planning processes to produce these two reports.

Only one amendment to this division applies to Milwaukie. The amendment stipulates that the city's HPS must specify local strategies for promoting housing development in Region 2040 Centers⁴ for marginalized populations. Specifically, the HPS must list municipal strategies for:

- Promoting housing development that is regulated for affordability.
- Promoting housing development that is accessible to people living with a disability.
- Removing barriers and increasing housing choices for members of state and federally protected classes.
- Preventing displacement of state and federal protected populations.

These new requirements are being incorporated in the Housing Capacity Analysis and Housing Production Strategy work and will be reflected in the final reports.

OAR Chapter 660, Division 44 (Metropolitan Greenhouse Gas Reduction Rule)

This division sets reduction targets for GHG emissions from light-duty vehicle travel for the Portland Metropolitan Area and requires Metro to identify land-use and transportation policies that will reduce GHG emissions; this process is referred to as scenario planning and Metro fulfilled this requirement through the [Climate Smart Strategy in 2014](#).⁵

² A 40-member Rulemaking Advisory Committee (RAC) was convened to advise DLCD in its rulemaking charge. The DLCD created an [Outreach and Engagement Document](#) that documents public engagement during the rulemaking process.

³ Under rule OAR 660-012-0012 cities, counties, or Metro may propose alternative implementation dates through submission of a work program subject to approval by DLCD and LCDC.

⁴ [Climate Friendly Areas \(CFAs\)](#) is a key concept that emerged from the DLCD rulemaking process. Oregon's eight Metropolitan Planning Areas are required to designate CFAs under the new rules in OAR 660 Division 12. Metro jurisdictions are exempt from this requirement; instead, existing [Region 2040](#) centers under Title 6 of the Urban Growth Management Functional Plan are considered de facto CFAs within Metro. Milwaukie adopted a Region 2040 Town Center in 1997 (see Attachment 1 for Region 2040 Center boundary).

⁵ Although DLCD is currently contemplating adding one, there is currently no statewide planning goal related to addressing climate change.

The amendments adopted through the rulemaking extend the scenario planning requirements to Salem-Keizer and Eugene-Springfield. Under the new rules, smaller metropolitan planning areas will also be required to report on actions taken to reduce emissions but at this time are not required to engage in scenario planning. Division 44 was also amended to make the reduction targets mandatory—previously there was no penalty for failing to meet the rule’s GHG reduction targets.

Staff does not anticipate that the city will need to take any action to comply with the amended administrative rule; however, the new mandatory nature of the reduction targets will likely affect regional planning processes and requirements in the future.

OAR Chapter 660, Division 12 (Transportation Planning Rule)

Division 12 implements [Statewide Planning Goal 12 \(Transportation\)](#). The administrative rules regulate how cities coordinate land use and transportation planning. Division 12 specifies the process for producing a Transportation System Plan (TSP) and defines the required elements of a TSP. Amendments to this division constitute the most significant changes for Milwaukie. While many of the changes are technical in nature, broadly, the amendments require local jurisdictions to plan for greater development in areas where services are located, remedy the inequitable distribution of transportation burdens and benefits for underserved populations, prioritize investments for reaching destinations without a single-occupancy vehicle, plan for electric vehicles, and require jurisdictions adopt a more nuanced approach to parking management.

The first three paragraphs below discuss changes to the TSP planning process and will be addressed through the upcoming update. The final paragraph, Reform Parking Regulation, discusses new requirements that must be implemented separately and before the TSP update is complete. Many of these requirements must be in effect by June 30th, 2023; however, as discussed below, Parking Reform Near Transit Corridors must be directly administered for development applications submitted after December 31, 2022.

New Planning Process Requirements: Recognizing that past planning processes and policies have harmed underserved populations (and that these populations are often most exposed to risks associated with climate pollution), Division 12 has been amended to require that cities and counties center the voices and interests of underserved populations in transportation planning processes. Jurisdictions are now required to engage underserved communities when updating TSPs and as the plan is being implemented (i.e., as projects are being built). Jurisdictions will report on their work towards remedying the inequitable distribution of transportation burdens and benefits in annual reports coordinated by Metro and reviewed by DLCD.

Division 12 has also been amended to require that jurisdictions prioritize transportation investments based on new criteria. The criteria require that jurisdictions prioritize transportation projects that reduce per-capita vehicle-miles-traveled (VMT), lead to more walkable communities, promote safety, and improve transportation outcomes for underserved populations.

New and Enhanced TSP Components: In line with new community engagement requirements, Division 12 has been amended to require that jurisdictions include an equity analysis as a component of their TSP. This analysis will document concentrations of underserved populations, efforts to engage underserved communities in transportation planning processes, existing transportation inequalities, and how proposed plans and policies will work to address those inequities. Jurisdictions are required to adopt key performance measures that help them monitor progress towards improving transportation outcomes for underserved populations.

In addition to the equity analysis, TSPs are now required to include a more robust asset inventory for the following transportation systems: bicycle, pedestrian, public transportation, street, and highway. Division 12 has historically required that TSPs include network elements for each transportation mode; however, the new inventory requirements are more prescriptive, spelling out specific types of infrastructure (e.g., enhanced pedestrian crossings) and infrastructure characteristics (e.g., pedestrian crossing distances). The amendments include criteria to prioritize improvements by mode, more clearly describe what constitutes a complete modal system (i.e., bicycle or public transportation network), and require that jurisdictions plan for networks that contain those characteristics.

Coordinated Land Use and Transportation Planning: The primary purpose of Division 12 is to coordinate land-use and transportation planning activities. CFEC has amended the division to extend and add to existing land-use requirements. Under the amended rules, jurisdictions are required to adopt land-use regulations that support development patterns that are conducive to people traveling by means other than a single-occupancy vehicle.⁶ Under the rules, land-use regulations must meet these requirements no later than the date of adoption of a major or minor transportation system plan update; Milwaukie will therefore review and amend its ordinances as necessary through the upcoming TSP process.

Reforming Parking Regulation⁷: Division 12 has been amended to require that jurisdictions reform how parking is regulated in urban areas. A one-page summary describing the need for parking regulation reform can be found on the [DLCD CFEC website](#). Some parking rules must be adopted; for others, jurisdictions can choose between alternative approaches. For example, Milwaukie must amend its land-use regulations to allow for existing underutilized parking areas to be redeveloped for other uses, promote shared-parking agreements, adopt off-street parking maximums in pedestrian-oriented environments, and require that new development mitigate the heat-island effect when providing parking areas larger than one-quarter acre. The city must also choose one of the following options in Table 1 to implement.

⁶ Examples of required land-use regulations include pedestrian circulation requirements in commercial and mixed-use zones, building entrances that are oriented toward pedestrian facilities (as opposed to a parking lot), and development that maximizes access to adjacent public transportation stations or stops. Additionally, amendments require jurisdictions to adopt land-use regulations that promote slow traffic through neighborhoods, neighborhood block dimensions that promote pedestrian connectivity, and regulations that ensure auto-oriented uses don't preclude access to people walking, using a mobility device, or bicycling.

⁷ This section of rules also requires that cities adopt regulations to require developers of new multifamily and mixed-use buildings with more than five units to provide electrical service capacity per ORS 455.417 to accommodate 40% of all vehicle parking spaces. This topic will not be further discussed here, as it is covered extensively in a separate staff report.

Table 1: Parking Reform Options		
		Outcome
Option A	Remove parking mandates citywide: Milwaukie no longer mandates that minimum parking quantities be provided with new development or redevelopment.	Milwaukie removes parking mandates and adopts the parking regulation improvements described above. No further action is required.
Option B	Retain some parking mandates: If Milwaukie chooses to retain some parking mandates, the city must also adopt requirements in Table 2 and 3.	Milwaukie continues to mandate parking in a small portion of the city and must comply with rules limiting where, when, and how parking mandates apply.

If choosing to keep some parking mandates (Option B), the city must amend its land-use regulations to comply with the following rules in Table 2. These rules have been summarized for clarity, but the full rules can be viewed in [OAR 660-012-0425 – OAR 660-012-0450](#).

NOTE: The implementation of OAR 660-012-0440, Parking Reform Near Transit Corridors (see Table 2), results in the elimination of parking mandates for approximately 80% of the city by area or 81% of tax lots in the city. In other words, if the city chooses to keep parking mandates, those mandates would only be applied to roughly one-fifth of properties. Moreover, for the 19% of properties where mandates could still apply, the rules require that the city act to either exclude additional development types or require that parking be managed and paid in some situations (see Table 3). Attachment 3 shows the tax lots where parking mandates could be enforced after January 1, 2023.

Table 2: Required Reforms Under Option B

<p>Reducing the Burden of Parking Mandates: Land-use regulations must be amended to allow builders to meet parking mandates through a variety of approaches intended to reduce climate pollution and increase transportation equity. For example, builders can reduce the number of required spaces by adding ADA-accessible spaces beyond what’s required, providing dedicated shared parking spaces, providing electric vehicle parking spaces, or providing onsite renewable energy infrastructure. Lastly, regulations must be updated to require that all parking be unbundled when builders choose to provide it with multi-family residential units located near transit corridors or within Region 2040 Centers (see definition of transit corridors below).</p>
<p>Parking Reform Near Transit Corridors: Land-use regulations must be amended to eliminate parking quantity requirements for all new development in areas within one-half mile of frequent transit corridors; the rules define this as bus service arriving with a scheduled frequency of at least four times an hour during peak service and the most frequent transit routes in the community if the scheduled frequency is at least once per hour. Parking quantity regulations must also be eliminated within three-quarters mile of rail transit stops. Jurisdictions must directly administer this administrative rule when reviewing development applications submitted after December 31, 2022. The impacted area is shown in Attachment 1.</p>
<p>Parking Reform in Climate-Friendly Areas: Land-use regulations must be amended to either remove parking mandates within Milwaukie’s Region 2040 Center or manage parking by establishing a parking management district. For Milwaukie, this requirement is inconsequential, as the parking reform near transit corridors rule in effect requires that the city remove parking mandates within its Region 2040 Center.</p>
<p>Reduction of Parking Mandates for Development Types: Land-use regulations must be amended so that parking is not required for affordable housing, various types of shelters, residences smaller than 750 sq ft, single-room occupancy housing, childcare facilities, and various types of group homes.</p>

In addition to the reforms in Table 2, if Milwaukie continues to include parking quantity mandates in its land-use ordinances, it must also implement one of the parking management strategies shown in Table 3, the fair pricing, or the reduced regulation approach. The fair pricing approach seeks to shift the costs of building and maintaining parking onto those utilizing that parking, as opposed to all individuals accessing a development. Whereas the reduced regulation approach goes beyond the exclusions mentioned in Table 2 to exclude even more development types from parking mandates.

Table 3: Additional Required Reforms Under Option B, Parking Management Alternative Approaches

<p>Fair Pricing:</p> <ul style="list-style-type: none"> • Parking spaces for certain types of developments are unbundled, meaning sold separately from the unit being rented or sold. • Large employers that provide free or subsidized parking provide a flexible commute benefit for employees that regularly commute via other modes. • Commercial parking lots are taxed with revenues dedicated to improving transportation alternatives. • Reduction in parking mandates for new multifamily residential development to no higher than one-half space per unit. 	<p>Reduced Regulation:</p> <ul style="list-style-type: none"> • Parking must be repealed for various types of multifamily development, including group quarters, studio and one-bedroom apartments, and condominiums. • Parking mandates must be repealed for various commercial properties, including schools, bars, and commercial properties that have fewer than ten employees or less than 3,000 square feet of floor space. • Parking mandates must be repealed for buildings seeking certain types of certifications, such as LEED, a historic designation, or buildings built under the Oregon Residential Reach Code. • Parking mandates must be repealed for a change of use, redevelopment, or expansion of an existing business by less than 30%.
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As stated above, the city must reform its parking regulations by June 30, 2023. The purpose of this meeting is to inform Council about the new requirements and potentially receive some initial direction as to whether the Council would prefer to remove parking mandates city-wide or pursue Option B. With Council direction, staff will work through the code amendments with Planning Commission and return to Council with a recommendation from the Commission in early 2023. If the city has not adopted any parking reforms by June 30, 2023, the city will no longer be able to enforce its parking quantity mandates per OAR 660-012-012.

NEXT STEPS

Parking Reform

- Planning Commission work session September 13, 2022
- Planning Commission hearing on November 8, 2022
- City Council Hearing tentatively scheduled for January 17, 2023

Other

- Transportation System Plan Update currently underway with adoption slated for spring 2024

- Housing Capacity Analysis and Housing Production Strategy currently underway with adoption slated for Spring 2023.

BUDGET IMPACTS

There are no impacts on the city budget to implement the parking reforms, as staff are equipped to handle the task.

When the city applied for a Transportation Growth Management grant from the Oregon Department of Transportation (ODOT) and DLCD in early 2021 to update its TSP, the new rules were not in place. Consequently, the tasks to implement the new rules were not included in the project scope. Staff are currently negotiating the TSP budget with the consultant and ODOT/DLCD. Both agencies are aware of the implications for the project budget.

WORKLOAD IMPACTS

As described above, compliance with the new rules will add fiscal and time costs. Some of these tasks will have ongoing workload implications, while others will be initially time intensive but should decrease over time. As discussed above, the TSP project scoping has been extended to ensure the new rules will be effectively addressed through the update. This delay extends a process that is already long because the Oregon Department of Justice takes between four to six months to review the scope of work. As a result, the TSP update kick-off has been impacted.

Code amendments enacting parking reform will have less of an impact on staff if the city decides to remove all parking mandates. If the city continues to mandate parking, staff may need to reprioritize upcoming projects, shifting less time-sensitive work to a later date.

In the long term, rules require Metro to submit an annual report to DLCD on behalf of all jurisdictions that describes whether and how it is meeting the GHG reduction goals set in Division 44. While Milwaukie will not directly be required to prepare these reports, regional coordination, and cooperation in tracking progress towards these targets will likely be required.

CLIMATE IMPACTS

The CFEC process was initiated to reduce GHG emissions and help communities—especially those most harmed by climate change and prior planning policies—become more resilient in response to a warming planet.

Roughly 38% of Oregon’s GHG pollution comes from the transportation sector. Analysis in the [Oregon Statewide Transportation Strategy Monitoring Report \(2018\)](#) shows that in order to meet the state’s pollution reduction targets, Oregon needs cleaner fuels, improved vehicle efficiency, and a reduction in VMT. The amended rules aim to curtail transportation-related GHG pollution by requiring local governments to prioritize transportation infrastructure and land-use regulations that increase the viability of other modes and by shortening the distance residents must travel to access goods and services. The amendments require that jurisdictions adopt TSPs where analysis shows that the impact of new transportation projects results in fewer per capita VMT by the end of the plan’s horizon year (typically a 20-year period).

ATTACHMENTS

Attachments are provided has listed below. All material is available for viewing upon request.

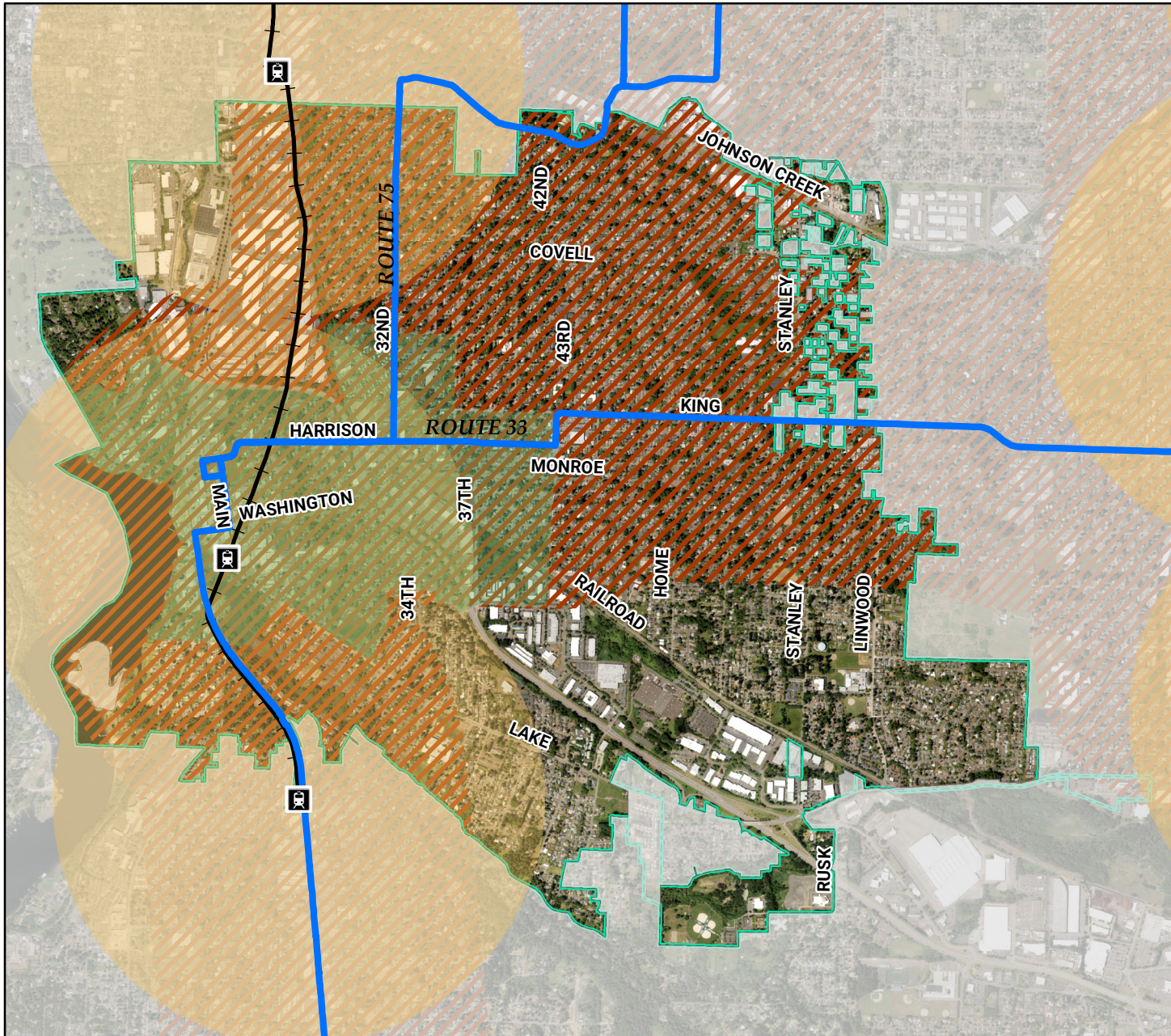
1. Parking Reform Near Transit Corridors Map
2. CFEC Rule Applicability and Implementation Dates
3. Tax Lots Eligible for Parking Mandates








Attachment #1



Parking Reform Near Transit Corridors

Eliminate parking quantity requirements in buffered areas per ORS 660-12-0440. Effective January 1, 2023.

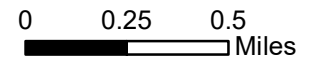


-  MAX Light Rail Stop
-  Frequent Bus Service Route(s)
-  MAX Light Rail
-  City of Milwaukie Boundary
-  Region 2040 Center
-  MAX Light Rail Stop Buffer (3/4 Mile)
-  Frequent Bus Service Buffer (1/2 Mile)



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Assistant Planner
 City of Milwaukie
 6101 SE Johnson Creek Blvd.
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Attachment #2

Key	
	Applies
	Potentially / Partially Applies
	Does not apply
	Takes effect quickly

660-12-0XXX	New Rules 0100-0215: General Provisions	Applicable in Milwaukee	Required Date
100	Transportation Systems Plan in Metropolitan Areas		TSP Update
105	Transportation System Plan Updates		TSP Update
110	Transportation System Planning Area		TSP Update
115	Funding Projects		TSP Update
120	Transportation System Planning Engagement		TSP Update
125	Underserved Populations		TSP Update
130	Decision-Making with Underserved Populations		TSP Update
135	Equity Analysis		TSP Update
140	Transportation System Planning in the Portland Metropolitan Area		TSP Update
145	Transportation Options Planning		TSP Update
150	Transportation System Inventories		TSP Update
155	Prioritization Framework		TSP Update
160	Reducing Vehicle Miles Traveled		TSP Update
170	Unconstrained Project List		TSP Update
180	Financially Constrained Project List		TSP Update
190	Transportation System Refinement Plans		TSP Update
200	Temporary Projects		TSP Update
210	Transportation Modeling and Analysis		TSP Update
215	Transportation Performance Standards		TSP Update
660-12-0XXX	New Rules 0300-0360 Coordinated Land Use and Transportation Planning	Applicable in Milwaukee	Required Date
300	Coordinated Land Use and Transportation System Planning		TSP Update
310	Climate Friendly Areas		
315	Designation of Climate Friendly Areas		
320	Land Use Requirements in Climate Friendly Areas		
325	Transportation Review in Climate Friendly Areas		1-Jun-22
330	Land Use Requirements		TSP Update
340	Land Use Assumptions for Transportation Planning		TSP Update
350	Urban Growth Boundary Expansions		
360	Key Destinations		TSP Update
660-12-0XXX	New Rules 0400-450: Parking	Applicable in Milwaukee	Required Date
400	Parking Management		30-Jun-23
405	Parking Regulation Improvements		30-Jun-23
410	Electric Vehicle Charging		30-Jun-23
415	Parking Maximums and Evaluation in More Populous Communities		
420	Exemption for Communities without Parking Mandates		30-Jun-23
425	Reducing the Burden of Parking Mandates		30-Jun-23
430	Reduction of Parking Mandates for Development Types		31-Dec-22
435	Parking Reform in Climate Friendly Areas		30-Jun-23
440	Parking Reform Near Transit Corridors		31-Dec-22
445	Parking Management Alternative Approaches		30-Jun-23
450	Parking Management in More Populous Communities		
660-12-0XXX	New Rules 0500-520: Pedestrian System	Applicable in Milwaukee	Required Date
500	Pedestrian System Planning		TSP Update
505	Pedestrian System Inventory		TSP Update
510	Pedestrian System Requirements		TSP Update
520	Pedestrian System Projects		TSP Update
660-12-0XXX	New Rules 0600-630: Bicycle System	Applicable in Milwaukee	Required Date
600	Bicycle System Planning		TSP Update
605	Bicycle System Inventory		TSP Update
610	Bicycle System Requirements		TSP Update
620	Bicycle System Projects		TSP Update
630	Bicycle Parking		TSP Update
660-12-0XXX	New Rules 0700-720: Public Transportation System	Applicable in Milwaukee	Required Date
700	Public Transportation System Planning		TSP Update
705	Public Transportation System Inventory		TSP Update
710	Public Transportation System Requirements		TSP Update
720	Public Transportation System Projects		TSP Update
660-12-0XXX	New Rules 0800-830: Street and Highway System Planning	Applicable in Milwaukee	Required Date
800	Street and Highway System Planning		TSP Update
805	Street and Highway System Inventory		TSP Update
810	Street and Highway System Requirements		TSP Update
820	Street and Highway System Projects		TSP Update

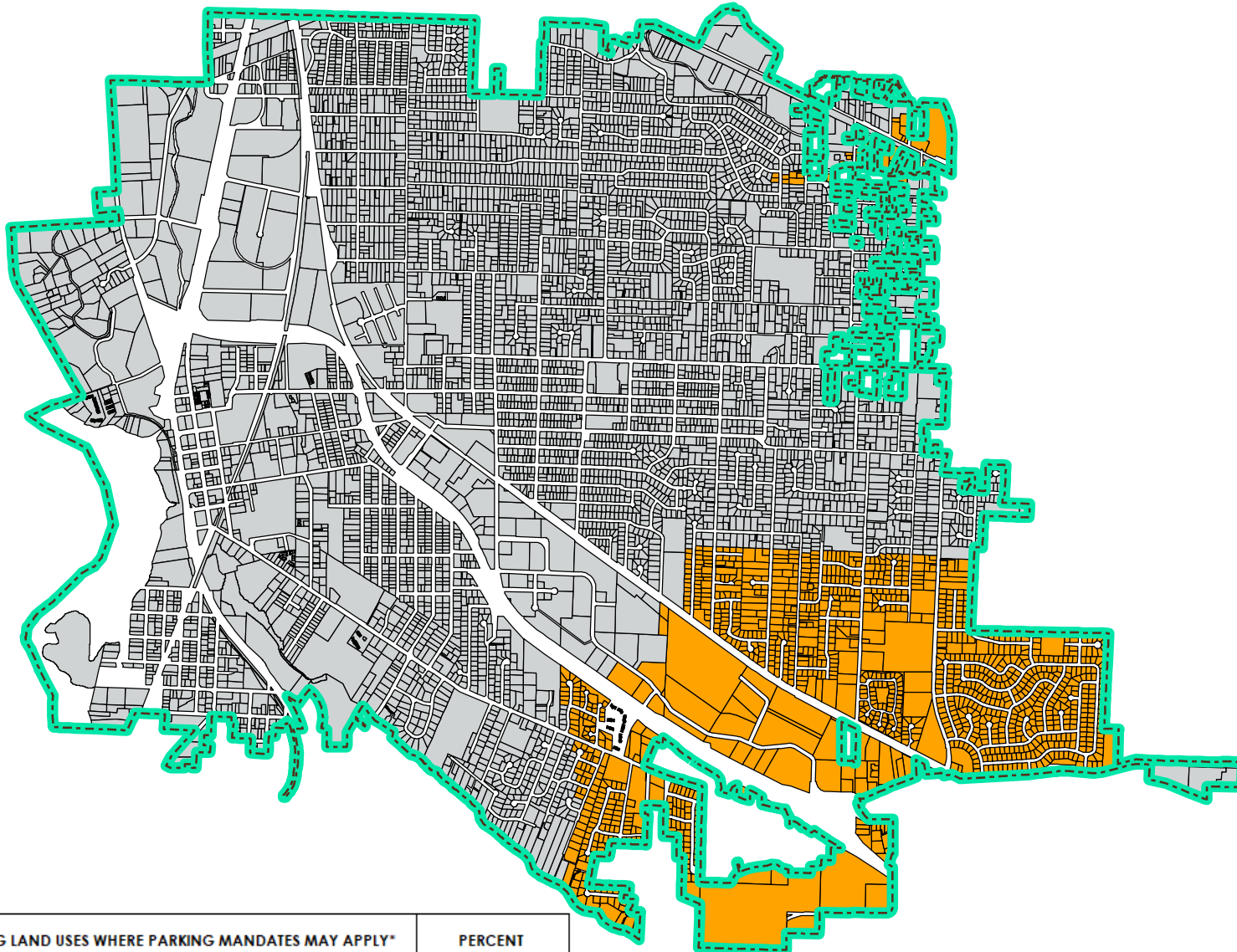
830	Enhanced Review of Select Roadway Projects		TSP Update
660-12-0XXX	New Rules 0900-920: Reporting and Compliance	Applicable in Milwaukee	Required Date
900	Reporting		Annually, May 31
905	Land Use and Transportation Performance Measures		Annually, May 31
910	Land Use and Transportation Performance Targets		TSP Update
915	Review of Reports		
920	Compliance Hearings		

Attachment #3



Tax Lots Eligible for Parking Mandates

Map showing tax lots where the city could still require parking, subject to certain limitations.



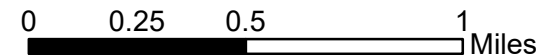
Tax Lots Eligible for parking mandates?

- No
- Yes
- City of Milwaukie Boundary



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EXISTING LAND USES WHERE PARKING MANDATES MAY APPLY*	PERCENT
COMMERICAL	3%
INDUSTRIAL	19%
MULT-UNIT RESIDENTIAL	3%
PARKS/SCHOOLS	11%
SINGLE-UNIT RESIDENTIAL	54%
VACANT/UNDEVELOPED	10%

WS 23

* Land use data from RLIS. General categories appear correct but not fully vetted on a parcel level by staff .



Climate-Friendly and Equitable Communities

Implementation in
Milwaukie

1. Governor Brown's Executive Order #20-04
2. Goal of reducing transportation-related greenhouse gas emissions by reducing the need to drive single-occupancy vehicles
3. Rules change how jurisdictions update TSPs and coordinate transportation and land-use planning
4. Most changes to be addressed through **TSP update process**.
5. **Parking rules** take effect sooner (**Jan 1, 2023**, and **June 30, 2023**)

AMENDED RULES

Three amended divisions of the Oregon Administrative Rules (OAR)

OAR Chapter 660...

- Division 8 (Housing Rule)
- Division 12 (Transportation Planning Rule[TPR])
- Division 44 (Greenhouse Gas Reduction Targets)

TPR New Planning Process Requirements

- Engagement and Reporting with Underserved Populations
- Project Prioritization Factors
 - Reducing per capita vehicle miles traveled (VMT)
 - Supporting compact, pedestrian-friendly development patterns
 - Safety – reducing fatalities and serious injury
 - Improving equitable outcomes
 - Supporting economies
 - Other factors determined locally

New Enhanced TSP Components

- **Equity Analysis**—documents how underserved populations are impacted by projects and involved in the planning process
- **Robust Transportation Network Inventories**—comprehensive documentation of network infrastructure and adjacent/planned land uses

Coordinated Land-Use and Transportation Planning

Land-use regulations must...

- Promote pedestrian-friendly and connected neighborhoods
- Ensure compatibility between auto-oriented land uses and a walkable community.
- Protection of transportation facilities for their intended function

Parking Regulation Reform

Milwaukie must adopt parking reforms by **June 2023**

- Update zoning code to...
 - Promote shared parking
 - New commercial development promotes vanpooling
 - Conversion of underutilized parking
 - Mitigate urban heat island (> 1/4-acre parking lot)
 - Parking maximums for downtown

Parking Reform Options

Milwaukie must adopt either Option A or B by **June 2023**

Option A Remove parking mandates citywide:

Milwaukie no longer mandates that minimum parking quantities be provided with new development or redevelopment.

Option B Retain some parking mandates:

If Milwaukie chooses to retain some parking mandates, the city must also adopt the additional regulations

Additional Reforms Under Option B

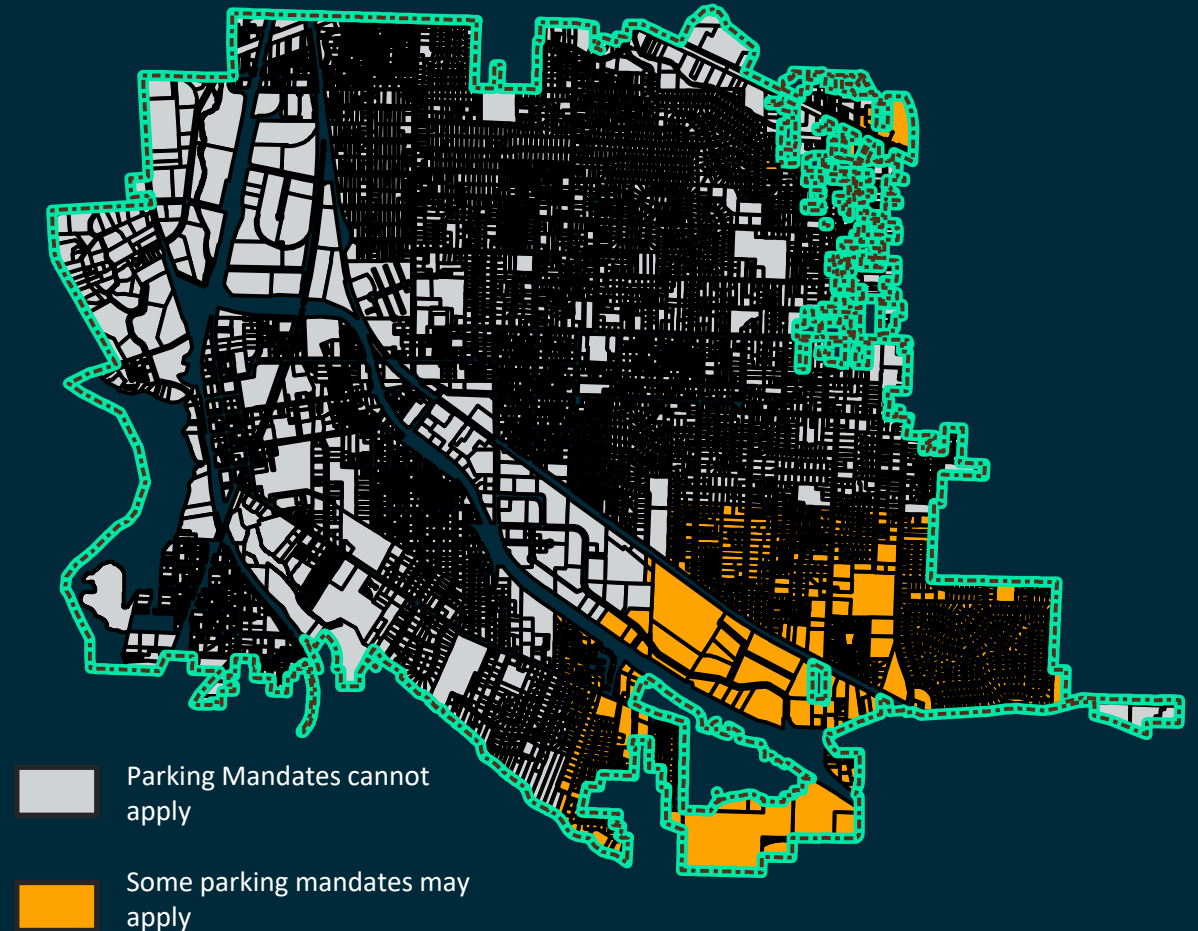
Under Option B, Milwaukie can continue to mandate parking in some situations but must also adopt reforms below that limit when, where, and how parking mandates are applied.

- **Reduce the Burden of Parking Mandates**
- **Parking Reform Near Transit Corridors**
- **Parking Reform in Climate Friendly Areas**
- **Reduction of Parking Mandates for Development Types**

Parking Near Frequent Transit Corridors

Under Option B, Milwaukie can no longer enforce parking quantity mandates as of Jan 1, 2023.

- $\frac{1}{4}$ of Region 2040 Center
- $\frac{3}{4}$ mile of MAX Transit stop
- $\frac{1}{2}$ Mile of Frequent Bus Line



Additional Reforms Under Option B

Under Option B, for the fifth of properties where parking mandates still apply, Milwaukee must also choose to either adopt

1. Fair Pricing Regulations

- Parking is unbundled from units being rented /sold
- Large employers offer commute benefits
- Commercial parking lots are taxed and invested through benefits district
- Reduction in unit/parking space ratio for multifamily

2. Reduced Regulations

- Green building
- Small commercial, schools, bars
- Small unit multifamily/condos/group homes

Parking Reform

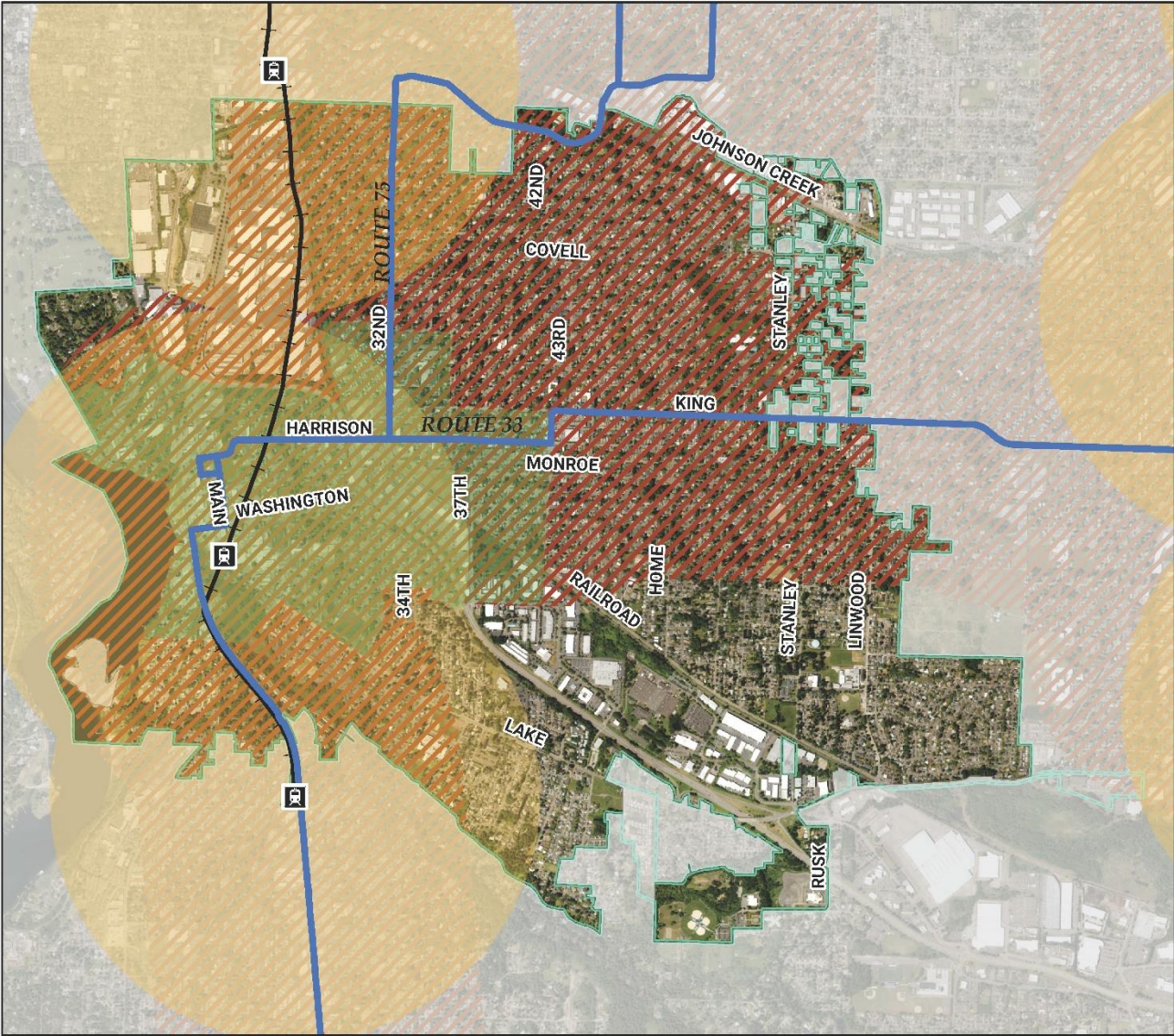
- Planning Commission work session September 13, 2022
- Planning Commission hearing on November 8, 2022
- City Council Hearing tentatively scheduled for January 17, 2023

Other

- Transportation System Plan Update currently underway with adoption slated for June 2024



Attachment #1



Parking Reform Near Transit Corridors

Eliminate parking quantity requirements in buffered areas per ORS 660-12-0440. Effective January 1, 2023.

-  MAX Light Rail Stop
-  Frequent Bus Service Route(s)
-  MAX Light Rail
-  City of Milwaukie Boundary
-  Region 2040 Center
-  MAX Light Rail Stop Buffer (3/4 Mile)
-  Frequent Bus Service Buffer (1/2 Mile)



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