

Clackamas County Planning Directors



Climate-Friendly and Equitable
Communities Rulemaking

September 13, 2021



EXECUTIVE ORDER NO. 20-04

**DIRECTING STATE AGENCIES TO TAKE ACTIONS TO REDUCE AND
REGULATE GREENHOUSE GAS EMISSIONS**

WHEREAS, climate change and ocean acidification caused by greenhouse gas (GHG) emissions are having significant detrimental effects on public health and on Oregon's economic vitality, natural resources, and environment; and

WHEREAS, climate change has a disproportionate effect on the physical, mental, financial, and cultural wellbeing of impacted communities, such as Native American tribes, communities of color, rural communities, coastal communities, lower-income households, and other communities traditionally underrepresented in public processes, who typically have fewer resources for adapting to climate change and are therefore the most vulnerable to displacement, adverse health effects, job loss, property damage, and other effects of climate change; and

WHEREAS, climate change is contributing to an increase in the frequency and severity of wildfires in Oregon, endangering public health and safety and damaging rural economies; and

WHEREAS, the world's leading climate scientists, including those in the Oregon Climate Change Research Institute, predict that these serious impacts of climate change will worsen if prompt action is not taken to curb emissions; and

WHEREAS, the Intergovernmental Panel on Climate Change has identified that global temperatures should be limited to 1.5 degrees Celsius or less as necessary to avoid the most severe impacts of climate change and remaining below this threshold is consistent with the goal of the Paris Agreement to keep the global average temperature rise at least 80

Governor Brown's Executive Order 20-04

“Exercise any and all authority and discretion”
to meet Oregon’s climate pollution reduction
goals

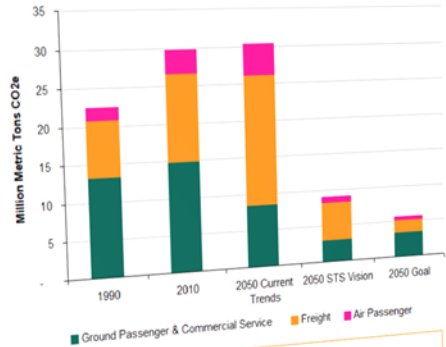
Prioritize equity, priority populations,
specifically historically marginalized
communities



EVERY MILE COUNTS

Reducing Greenhouse Gas Emissions from Transportation in Oregon

One of the best ways to reduce the carbon emissions that cause climate change is to **modify the way we travel**. Oregon is developing strategies and designs to encourage cleaner ways of getting from Point A to Point B, including increasing public transit options, promoting land use that encourages walking and biking, and supporting cleaner fuel options for driving.



KEY OBJECTIVES

- Reduce Vehicle Miles Traveled Per Capita
- Support Use of Cleaner Vehicles and Fuels
- Consider Greenhouse Gas Emissions in Decision-Making

PRIORITY ACTIONS

- Transportation electrification.** Expand electric vehicle rebate program, identify needed charging infrastructure.
- Cleaner fuels.** Expand market-based Clean Fuels Program, providing data and information on the use of cleaner alternative fuels for freight trucks, and developing a roadmap and strategy to support alternative fuel adoption.
- Transportation options.** Explore employer options to reduce driving, such as telecommuting, parking regulations, and employee incentives.
- Local greenhouse gas reduction planning.** Plan and build cities where Oregonians can walk, bike, and take transit to get where they need to go.



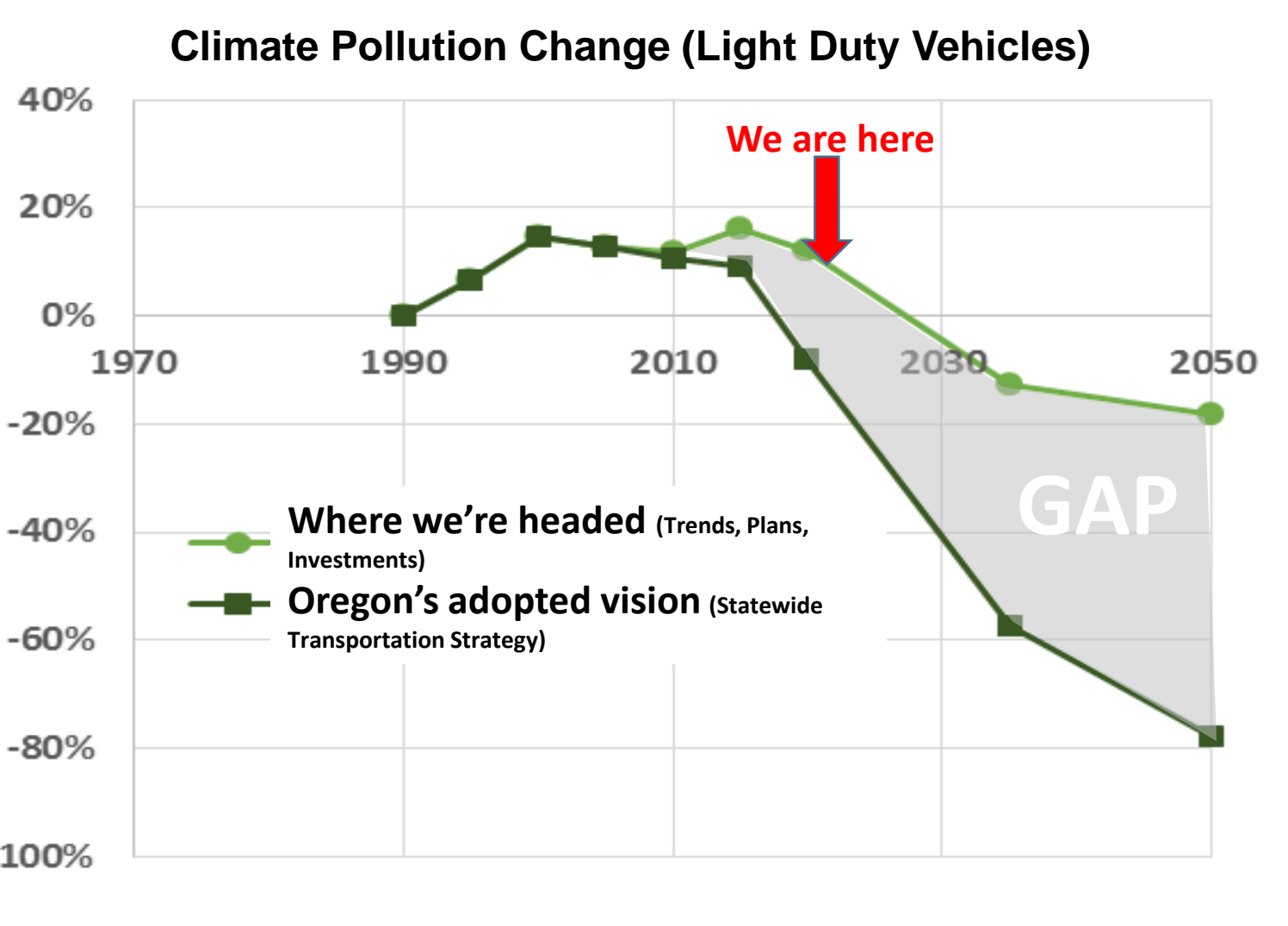
Every Mile Counts

Four Agency Work on Statewide Transportation Strategy (EO Section 9)

- Two-year plan - collaborative effort to reduce climate pollution
- Goal to get state back on track with STS Vision
- Identifies initial objectives and priority actions
- Final work plan submitted to Governor June 30th
- Four Agency Memorandum of Understanding
- DLCDD Several Actions Including Rulemaking

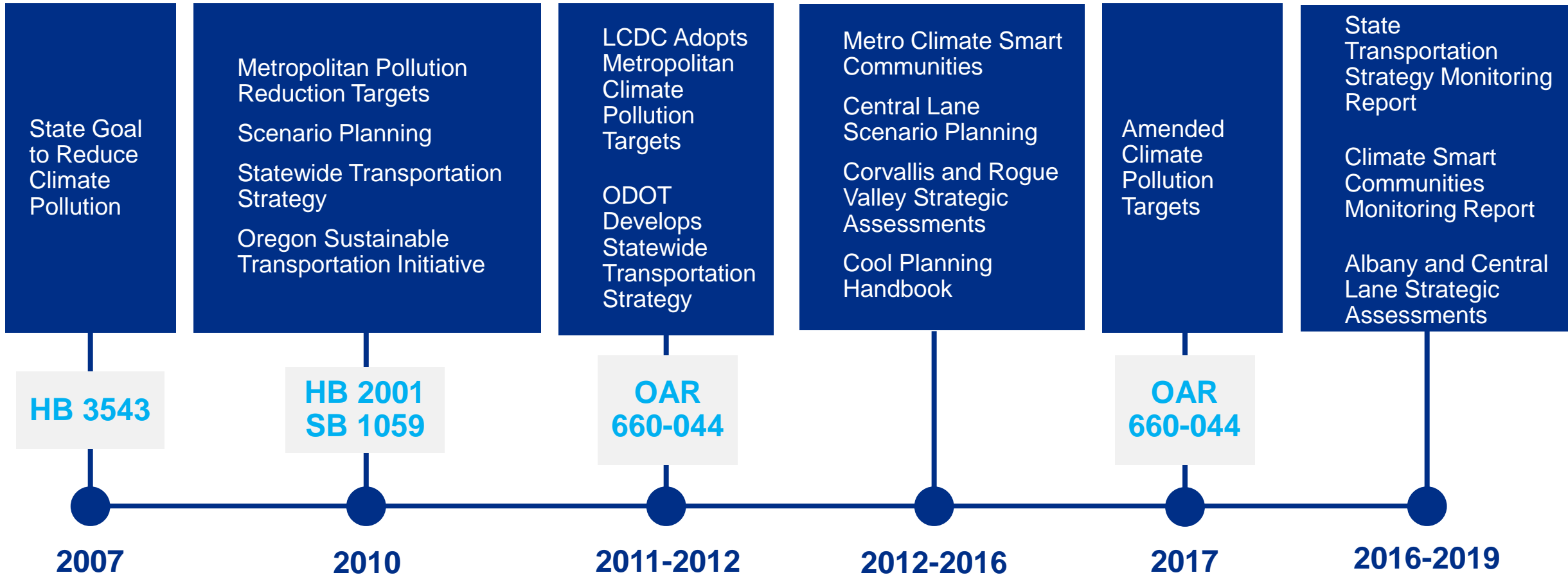


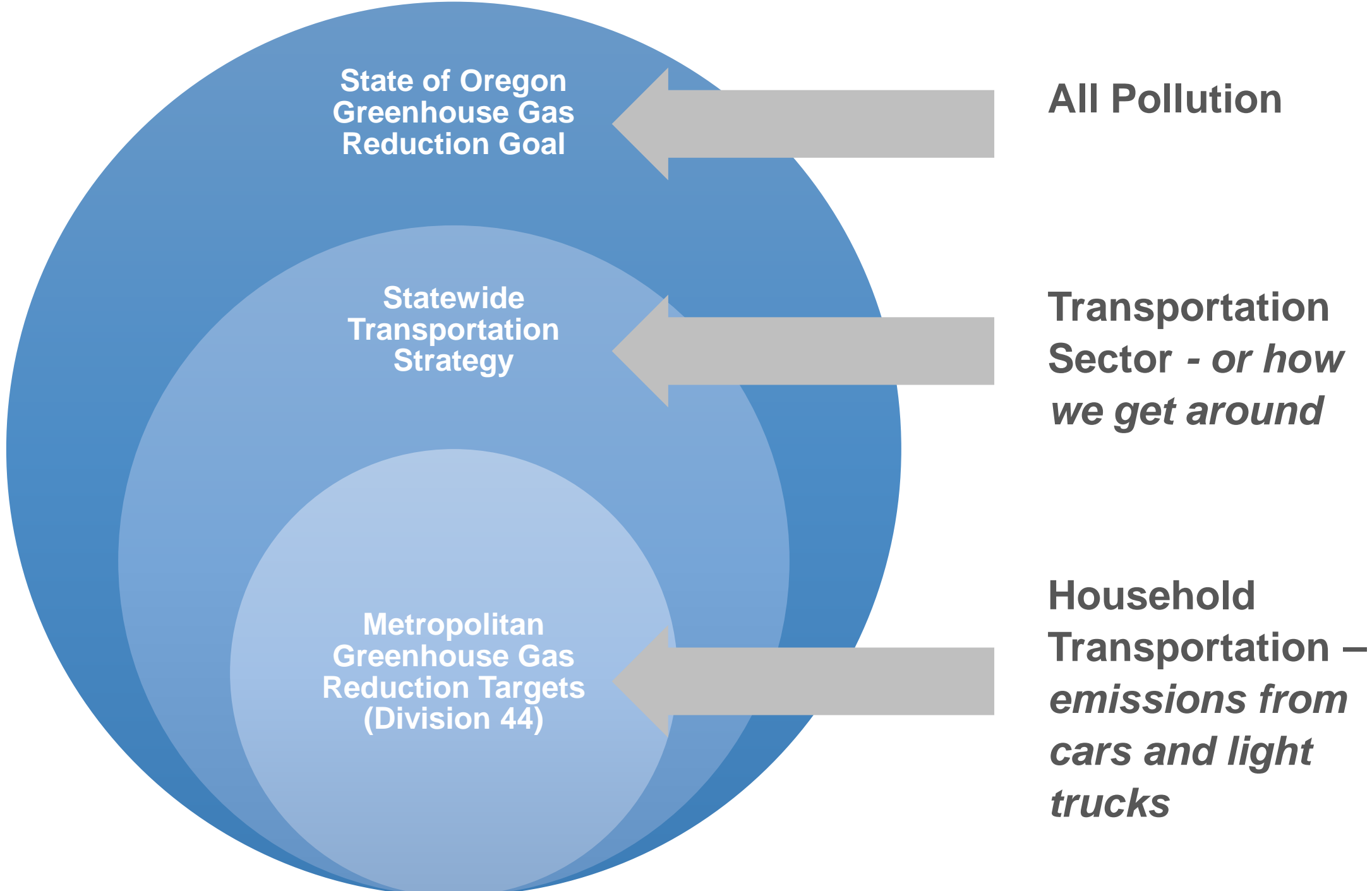
Missing Oregon's Pollution Reduction Targets





Greenhouse Gas Emissions Mitigation Timeline





Oregon's Eight Metropolitan Areas



1. Climate-Friendly and Equitable Requirements

- Update land use and transportation planning requirements

Two Categories of Rulemaking Actions

2. Planning for Climate Reductions in Metropolitan Areas

- Regional scenario planning
- Interim requirements

- 
- 
- Actions work together
 - Performance Monitoring and Reporting

1. Climate-Friendly and Equitable Transportation Planning Requirements

- Update land use and transportation planning requirements



This includes:

1. Climate-friendly areas allowing high levels of mixed-use development, focused transportation investments
2. Planning for high-quality pedestrian, bicycle, and transit infrastructure
3. Limit off-street parking mandates
4. Limit motor vehicle congestion standards
5. Prioritize and select transportation projects to meet climate and equity goals
6. Support electric vehicle charging

Applicability in the Metro Region - Conversations Ongoing

- ✓ **Scenario Planning Work under Division 44 is complete and implementation is ongoing via Climate Smart Communities**

- Draft Division 8 and 12 rules require action by local governments regarding parking management and the designation of Climate-Friendly Areas
- Other amendments to the Transportation Planning Rules could have implications for transportation planning in the Metro Region

Metro suggestions include:

- To use the Regional Transportation System Plan as the primary tool to set policy and targets
- To use the 2040 Growth Concept, Urban Growth Management Functional Plan, and related work to inform ongoing progress towards targets

What is a Climate-Friendly Area?



- A livable, mixed-use area that contains, or is planned to contain, a mixture of higher-density housing, jobs, businesses, and services.
- Areas are served by, or planned to be served by, high-quality pedestrian, bicycle, and transit services.
- Provided with shade, weather protection, and other amenities for residents, employees, and visitors.
- People-oriented, not auto-oriented. Most daily needs met without need for car trip.

Cities and Counties within the Portland Metro Region



- Current draft: cities and counties who have yet to adopt town or regional center boundaries must do so by March 31, 2023.
- All town and regional centers, as identified in Metro's Title 6 would be adopted (recognized) as Climate-Friendly Areas in local comprehensive plans.
- Cities and counties would demonstrate that development allowances within centers are equivalent to those in Division 12 rule 0325, or will achieve the same or better results in terms of climate and equity goals.



Land Use Requirements for Climate- Friendly Areas

- Must allow mixed-use development, including residential, office, retail, services, and public uses.
- Must be permitted through a non-discretionary review process.
- Minimum residential densities of 15 units/net acre.
- Allowed building height no less than 100 feet.
- No setbacks from property lines, except to meet life safety requirements.



Land Use Requirements for Climate- Friendly Areas

- Uses and standards must apply throughout a Climate-Friendly Area (CFA).
- May not adopt conflicting requirements.
- Block length of 250 feet maximum for new development.
- Cities and counties to prioritize location of government offices and parks, open space, and similar amenities in CFAs.
- Special standards for auto and bike parking, ped., bicycle, transit, and street infrastructure in CFAs.

- Cities > 10,000 shall evaluate CFA land needs through Housing Capacity Analysis updates every 6 or 8 years.
- Cities may rely on development trend data for purposes of Housing Capacity Analyses prior to December 31, 2025.
- Beginning January 1, 2026, cities must demonstrate at least 30% of needed housing within CFAs to justify UGB expansion.
- Fair and equitable housing analysis required for CFA areas for cities > 10,000.

Housing Rule Amendments

OAR 660-008



Source: DLCD

Most cities have a parking *management* problem, not a parking *supply* shortage



Parking Oversupplied: Multifamily Developments

King County: 40% avg. unused Bay Area: 28% avg. unused

Albany, OR: 30% avg. unused Hillsboro: 25% avg. unused





18TH & WILLAMETTE

INTEGRATED FOURPLEX + 1 BED

4 UNITS \ 1 BUILDING \ 1 LOT

Eugene

ZONING REQUIREMENTS			
MAXIMUM BUILDING	ACTUAL BUILDING		
COVERAGE	50% COVERAGE		34%
MAXIMUM # OF UNITS	2	ACTUAL # OF UNITS	4
MINIMUM # OF UNITS	none	ACTUAL # OF UNITS	n/a
REQUIRED	ACTUAL		
PARKING/DWELLING	1	PARKING/DWELLING	0.75

More Parking -> More Driving

Bundled parking correlates with:

- Higher car ownership
- Higher rates of driving even with same car ownership

Parking behaviour: Bundled parking and travel behavior in American cities

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Bundled parking and vehicle ownership: Evidence from the American Housing Survey

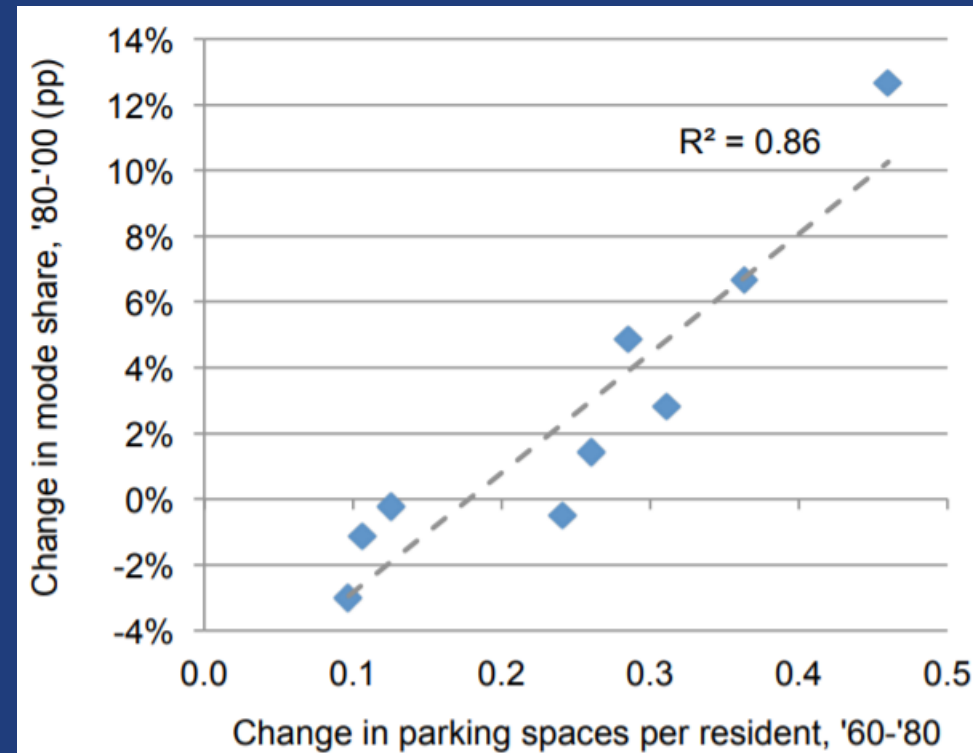
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Abstract: This article estimates the effect of bundled residential parking—parking whose price is included in the rent or purchase price of housing—on household vehicle ownership. Using data from the American Housing Survey, I show that the odds of households with bundled parking being vehicle-free are 50–75 percent lower than the odds of households without bundled parking, while households in dense center cities near transit are twice as likely to be without vehicles if they lack

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2016



Electric Vehicle Charging

**Address chicken-and-egg situation
by boosting charging availability**

Work in concert with House Bill 2180 (2021):
Require charging availability in 20% of spaces for parking lots 5+
spaces





Improving Parking Management

Overview of Draft Rules

- ✓ **Implement best practices for parking code details**
- ✓ **Cities choose a parking reform approach**
- ✓ **Populous communities do more parking management**



Three Main Reform Options

Rule 0410

1

Repeal
parking
mandates

2

Reduce parking
mandates for
certain **types**
of development
and in key **areas**

and adopt fair
parking **policies**

3

Further reduce
parking
mandates for
types of
development
and in more
areas



Reduced Mandates for Types

Options 2 and 3
Rule 0410

No mandates for these types

- Affordable housing (<80% AMI)
- Publicly subsidized housing
- Residential units <750 sq feet
- Single-room occupancy
- Childcare facilities
- Emergency, transitional, domestic violence shelters
- Facilities/residences for people with disabilities and in treatment

Reduced Mandates for Areas

Options 2 and 3

Area reductions in parking mandates

No mandates ½ mile around
priority transit corridors

In **Climate-Friendly Areas**, choose:

- (a) No mandates
- (b) Parking benefit district +
no commercial mandates +
no residential mandates >½ space/unit

Independent variable	Individual R Square	Stepwise R Square
Gravity measure of transit frequency	55.5%	55.5%
Percent of units designated affordable	27.6%	67.1%
Average occupied bedroom count	34.3%	73.7%
Gravity measure of intensity (population + jobs)	53.3%	76.2%
Units per residential square feet	17.1%	78.7%
Average rent	6.7%	80.0%
Parking price as a fraction of average rent	18.1%	81.0%

Table 1: Independent Variables and Summary of Regression Results.



Source: DLCD



Option 2 Fair Pricing

Rule 0410 (5)

Select at least 3:

Parking rented separate from units,
residential


Parking rented separate from units,
commercial

Flexible commute benefits
(parking cash out)

Tax on parking lot revenue

Also:

Cap requirements .75 space/unit multifamily



Option 3 Further Reduced Mandates

Option 3
Rule 0410 (5)

No mandates:

- Studios/one bedrooms
- Dormitories/group quarters
- Transit-oriented/mixed-use
- New uses/expansions
- Buildings in historic districts
- LEED/Reach Code
- Buildings vacant 2+ years
- Small businesses
- ½ mile around Climate-Friendly Areas

Also:

- Cap requirements 1 space/unit multifamily
- Adopt parking maximums
- One residential/benefit district

More Populous Communities

Rule 0415

* Additional requirements for
populations 150,000+

**50,000+ population
or 25,000+ within Metro**
EV charging on major remodel

**100,000+ population or
25,000+ within Metro**
Adopt parking maximums in Climate-
Friendly Areas and along priority transit
corridors

Choose either:

Sufficient parking: repeal all mandates

Parking is scarce in areas and has value:
price 5%+ of on-street parking by Dec 31, 2022 and
price 10%+ by Dec 31, 2024

Cities are Removing and Reducing Parking Mandates

Edmonton, Alberta

San Diego, CA

Fayetteville, AR

Richmond, VA

Hartford, CT

Buffalo, NY

St. Paul, MN

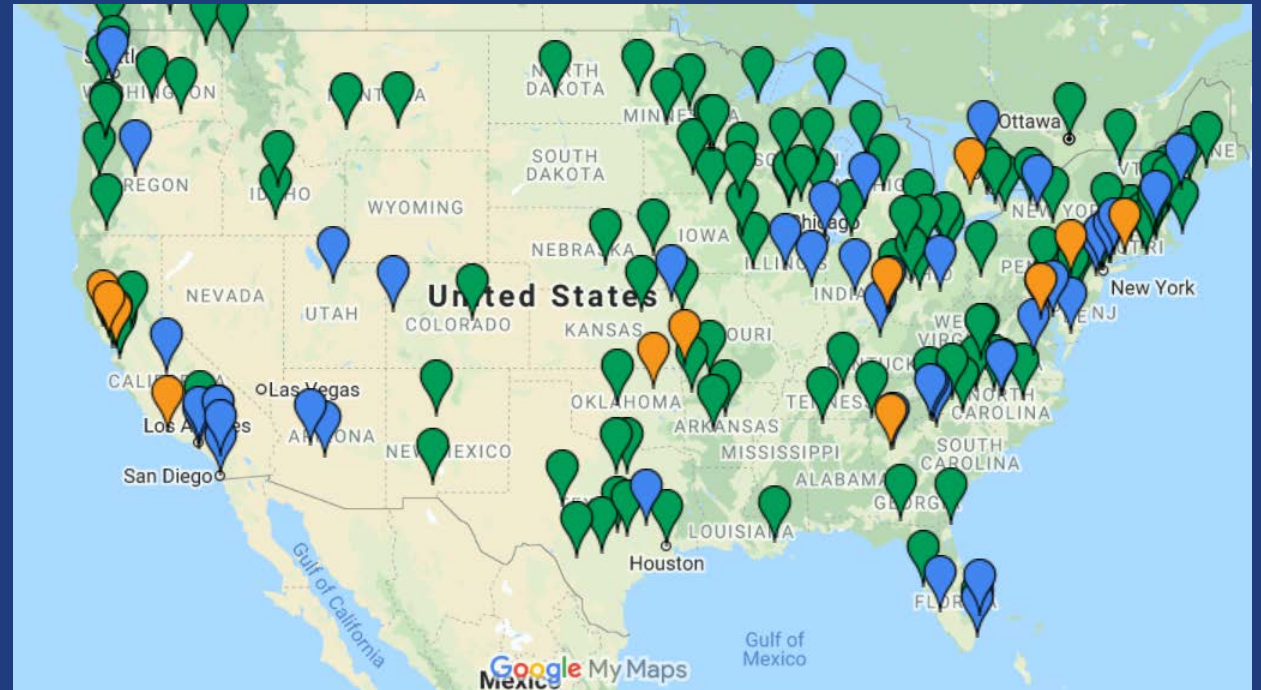
Santa Monica, CA

Portland, OR

Salem, OR

Mexico City, Mexico

New Zealand (all metro areas 10,000+ population)



Key point

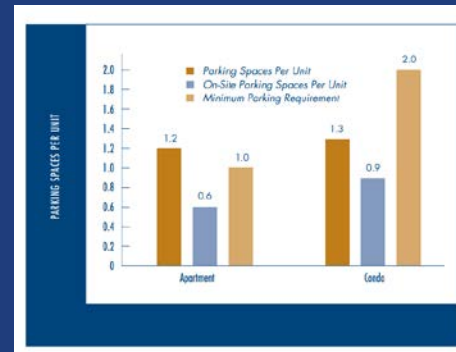
No parking mandated

does not mean

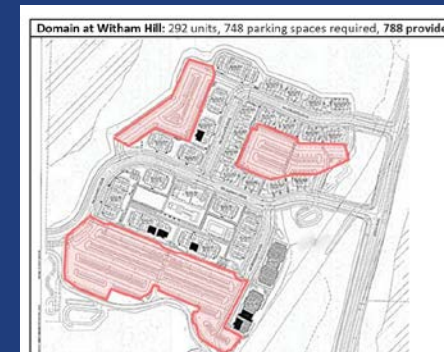
No parking provided



13th and Olive in Eugene built two new 700 stall parking garages even though none was required



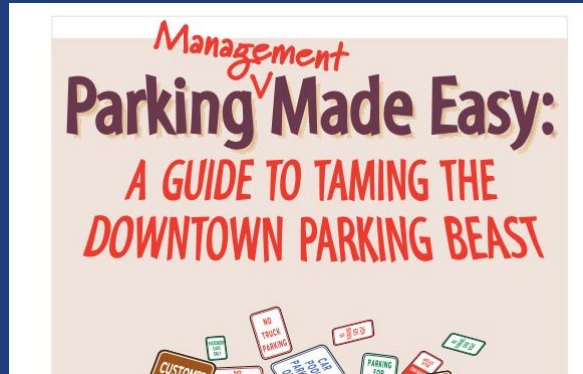
Los Angeles downtown builders provide average 1.2 parking spaces/unit after reduced regulations



Edge Corvallis student housing providing 2.7 spaces/unit (2.56 mandated)

Publications to Help

www.oregon.gov/LCD/TGM/Pages/Parking.aspx



8

Quick Ways Cities Can Improve Parking Codes

Is your community concerned about housing costs, the cost of doing business, walkability, climate pollution, historic preservation or age-friendly development? Have you seen wasted land, turned away restaurant proposals in downtowns, or wished housing was cheaper to build?

There's something easy you can do – improve your parking code. Parking requirements affect all of these issues. While a thorough updating of parking codes is in order for most cities, these improvements can be made quickly.

Eight things cities can do today:

1. Allow required parking to be off-site, within walking distance



Downtown Parking Management

A Powerful Tool to Meet Community Goals

The Costs of Mismanaged Parking

Storing cars is an expensive challenge

Lost Business

Customers want to get to businesses. If parking is poorly managed, and all the spots are taken, customers may shop elsewhere. But *too much* parking can also harm businesses, by degrading the walking environment in local business districts. If an area is dominated by parking lots, people will park only at the place they were planning on going and leave directly, instead of parking nearby, walking past other businesses, and lingering downtown.

Cities should aim to get supply just right – not too much, but enough. Some call

If all the spots are taken, customers may choose to shop elsewhere.

If there's too much parking, a place becomes uninviting.

A Strategic Guide to Implementing

Parking Reform



Reducing costly parking mandates can be a challenging task for planners and decision-makers.

Too often, the politically easiest thing to do is to continue the pattern of the past: force new development to provide excessive parking, avoiding potential conflict with those accustomed to abundant, “free” (subsidized) parking. This conveniently hides the large costs of parking, but makes it harder to walk and easier to drive, artificially driving up the demand for parking and the costs of housing, doing business, and getting around.

How to break the cycle? Here are some recommendations on how cities might go about reforming the extremely costly, counter-productive market distortion of mandated car parking.



Discussion, Questions, and Comments



For comments: DLCD.CFEC@dlcd.oregon.gov

Land Conservation and Development Commissioners will consider two key questions regarding Climate Friendly Areas on September 23, 2021