

14

Transportation Planning Rule Implementation

The purpose of this chapter is to provide an overview of recommended changes to the Milwaukie Municipal Code with the objective of complying with Oregon's Transportation Planning Rule (TPR) and Metro's Regional Transportation Plan (RTP).

OREGON TRANSPORTATION PLANNING RULE OVERVIEW

The Oregon Transportation Planning Rule ("TPR", or Oregon Administrative Rule Chapter 660, Division 12) requires local governments to implement a transportation system plan that is supported by local land use regulations. The rule sets requirements to protect transportation facilities and enhance pedestrian and bicycle travel.

TPR requirements are fairly broad and allow local governments flexibility in how they comply with the rule. For example, OAR 660-012-0045(2)(b) requires local governments to "protect transportation facilities . . . for their identified functions." The TPR does not define a standard to protect a facility or restrict local governments from self-identifying the function of their facilities.

TPR rules for ODOT-regulated facilities, such as Oregon State Highways 99E and 224, are more restrictive and are regulated by the State in coordination with the City. State, regional, and County facilities within the city are regulated by the respective owner of the facility but are also subject to City regulations.

The Milwaukie Municipal Code has been periodically updated to comply with the TPR, with the most recent updates occurring in 1994, and 2002, and 2007. ~~To remain TPR compliant, one No comprehensive plan amendment and three or Zoning code Ordinance amendments are recommended as part of the 2007/2013 TSP update. Adoption of these amendments is expected to occur concurrently with TSP adoption, unless otherwise noted.~~

RECOMMENDED CHANGES

~~The four recommended amendments are summarized below. Proposed language is shown in boldface in the grey-shaded boxes.~~

~~1. **Transportation projects exempt from design standards and procedures.**~~

~~The TPR requires that local codes separate transportation projects into three categories for review purposes. The categories are: those that are exempt from design standards~~

and procedures, those that are subject to limited review (e.g., Type I) under objective standards, and those that are subject to more extensive review (e.g., Type II) because they are significant or require discretionary decision-making.

The Milwaukie zoning code clearly identifies which projects are in the second and third categories in Milwaukie Municipal Code (MMC) sections 19.1405.1 and 19.405.2. However, no projects are explicitly categorized as exempt. The City has interpreted its current code as exempting activities such as public agency maintenance of, repair to, or operational changes to an existing transportation facility from land use regulations. Since this is not explicit in the code, some of these activities could qualify as "development" per MMC section 19.103, and would therefore be subject to all the transportation planning, design standards, and procedures of MMC Chapter 19.1400, per the catch-all category "other," listed in MMC section 19.1403.A. The City would like to explicitly exempt these types of projects.

Proposed change/addition:

MMC Section 19.1403.1 Limitations

D. The following activities and uses are exempt from the requirements of this section:

- ~~1. Operation, maintenance, and repair of existing transportation facilities.~~
- ~~2. Public capital improvement projects.~~

2. ~~Carpool/vanpool spaces.~~

According to the TPR, employee parking in new developments must provide "preferential parking for carpools and vanpools." The Milwaukie code has a provision that quantifies the number of carpool/vanpool spaces that must be provided (10 percent) but it does not require that the carpool spaces have preferential status. Other jurisdictions typically satisfy this provision through a spatial directive. That is, carpool/vanpool spaces must be closer to the main entrance to the building than general-purpose spaces.

Proposed change/addition:

MMC Section 19.506 Carpool and Vanpool Parking

- 1. Applicability.** New industrial, institutional, and commercial development with fifty (50) or more employees shall provide carpool/vanpool parking.
- 2. Number of Spaces.** Carpool/vanpool parking shall be provided for at least ten percent (10%) of the required parking.
- 3. Location.** Parking for carpools/vanpools shall be closer to the main entrances of the building than other employee or student parking, except parking spaces designated for use by the disabled.
- 4. Standards.** Carpool/vanpool spaces shall be regular-sized, per requirements in Section 19.503.10, and shall be clearly designated with signs or pavement markings for use only by carpools/vanpools.

3. ~~Redevelop parking for transit uses.~~

~~The TPR states that a portion of parking areas in existing development "shall be allowed" to redevelop for transit-oriented uses, such as bus stops, shelters, and stations. While Milwaukie's code does not appear to prohibit the redevelopment of parking areas to support transit-oriented uses, neither does it provide an explicit allowance for this.~~

~~The following change/addition is an example of how the City could meet this TPR requirement. The City should incorporate such a change in its next regular code update when it reviews all of MMC Section 19.503.8 to ensure that the new proposed change is compatible with this section's existing requirements.~~

~~Proposed change/addition:~~

~~MMC Section Modification of Minimum and Maximum Parking~~

~~**E. The planning director is authorized to reduce up to 10 percent of existing required parking spaces at a conversion ratio of one parking space for each 100 square feet of transit facility for developments which incorporate transit-related facilities such as bus stops and pull-outs, bus shelters, or other transit-related facilities. The procedure for planning director review shall be in accordance with subsection 19.1011.1, Type I Administrative Review.**~~

~~**F. Maximum parking allowed may be increased up to fifteen percent of the applicable standard, subject to subsection A above, and further subject to compliance with all zoning standards and management of related stormwater runoff.**~~

4. ~~Transit-supportive land uses.~~

~~The TPR requires that "types and densities of land uses" along existing or planned transit routes be supportive of transit. The rule does not specify which land uses are required or what level of density could be considered supportive of transit. The City's zoning map shows generally higher densities and commercial development along the designated transit corridors. Explicit policy direction supporting higher densities along transit corridors would ensure compliance. The following change/addition is an example of how the City could provide this policy direction. Such a change could be implemented in a number of places in the Comprehensive Plan and should be discussed during the City's Periodic Review process.~~

~~Proposed change/addition:~~

~~Milwaukie Comprehensive Plan~~

~~—— Chapter 5-Transportation, Public Facilities, and Energy Conservation~~

~~—— Transportation Element~~

~~—— Transportation Planning Rule~~

~~Land uses and transportation improvements along all corridors should be designed to promote transit, bicycling and walking. **Specifically, land uses and densities along existing or planned transit routes should be planned to support transit.**~~