

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Policy Session Worksheet

**Presentation Date:** October 25, 2023    **Approx. Start Time:** 10:00 AM    **Approx. Length:** 60 min.

**Presentation Title: ZDO-285, *Minor and Time Sensitive Comprehensive Plan and Zoning and Development Ordinance (ZDO) Amendments:*** Climate Friendly and Equitable Communities (CFEC), Parking Components

**Department:** Transportation and Development (DTD)

**Presenters:** Dan Johnson, DTD Director; Martha Fritzie, Principal Planner; and Karen Buehrig, Long Range Planning Manager

**Other Invitees:** Jennifer Hughes, Planning Director; Cheryl Bell, DTD Assistant Director – Development

### WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Direction on which of the three available Pathways to pursue for implementation of the portions of the Climate Friendly and Equitable Communities (CFEC) rules that mandate reduced off-street parking requirements. Implementation will include – at a minimum - amendments to the county's Zoning & Development Ordinance (ZDO).

### EXECUTIVE SUMMARY:

In the 2023-2025 Long-Range Planning Work Program, one of the projects the Board identified as a priority is *Minor and Time-Sensitive Comprehensive Plan and ZDO Amendments*. This project is intended to be completed annually and to focus on relatively minor changes to the County's Comprehensive Plan and Zoning and Development Ordinance (ZDO) to comply with any new state and federal mandates, clarify existing language, correct errors, or adopt optional provisions that require only minimal analysis.

The 2023-2024 *Minor and Time Sensitive Amendments* package (ZDO-285) will be a narrowly-focused package of amendments that primarily responds to certain land use items approved in the 2021, 2022, and 2023 Oregon legislative sessions and recent state rulemaking, including consideration of the following:

1. Accessory dwelling units (ADUs) in rural residential zones (optional, discussed with BCC at 10/11/23 Policy Session).
2. Recreational vehicles (RVs) for residential use as second dwellings (optional, discussed with BCC at 10/11/23 Policy Session).
3. Parking components of state's Climate Friendly and Equitable Communities (CFEC) rules (mandatory).
4. Changes to standards for replacement dwellings in Agriculture and Forest zones (mandatory).
5. Other minor housing-related amendments, generally inside the Metro urban growth boundary, which may include emergency shelters; affordable housing bonuses; affordable housing in commercial zones; prefabricated structures as dwellings and single-room occupancy allowances (mandatory).

**Today's policy session will focus only on item #3 – parking components of the state's CFEC rules.**

## Climate Friendly and Equitable Communities (CFEC) – Parking Components

### Background

In August of 2022, the Land Conservation and Development Commission (LCDC) adopted a series of changes to their existing rules, including changes to the Transportation Planning Rule (TPR), that were designed to help meet the state's goal of reducing greenhouse gas emissions. Collectively, these rules are referred to as the Climate Friendly and Equitable Communities, or CFEC, rules.

The CFEC rules are a mandate; the county is *required* to implement the various portions of these rules by different dates over the next six years. The CFEC rules related to parking management are the subject of this policy session.

The CFEC parking management rules are outlined in [OAR 660-012-0400 through OAR 660-012-0450](#) and likely amendments to these rules can be found [here](#). These rules apply to cities and portions of counties in a metropolitan area within an urban growth boundary that are served by urban water and sanitary sewer services. See *Attachment 1* for map of the affected areas of unincorporated Clackamas County.

On December 7, 2022, Planning Staff presented background and information to the Board about the CFEC parking rules. That policy session focused on the first phase of CFEC rules ("Parking A"), which went into effect on December 31, 2022. Generally, the Parking A rules required the county to remove or reduce the minimum number of off-street parking spaces required for certain types of development and remove the minimum number of off-street parking spaces required for all development within  $\frac{3}{4}$ -mile of a light rail stop and within  $\frac{1}{2}$ - mile of a frequent transit corridor. (see *Attachment 2* for more detail).

At that policy session, the Board directed staff to apply for a time extension to the second phase of CFEC parking rules ("Parking B"), and staff committed to return to the Board in a policy session to discuss the options available for the county to implement Parking B. The state approved the county's time extension, which extends our deadline for Parking B compliance to June 30, 2024.

On March 8, 2023, Planning Staff returned to the Board at a policy session to discuss the three pathways that the CFEC regulations establish for implementation of Parking B. At that policy session, the Board discussed these pathways, but requested the implementation be put on hold temporarily for two main reasons:

- A bill had been introduced in the 2023 legislative session that would have prohibited the state from enforcing the existing CFEC rules and required them to amend or replace the rules. This legislation did not pass.
- In the fall of 2022, one county and 13 cities filed a lawsuit challenging the CFEC. Clackamas County has submitted an *amicus curiae* ("friend of the court") brief in support of the challenge to the CFEC rules. This lawsuit is still pending; there is no known timeline for its resolution.

The county's deadline to implement Parking B is approaching. Implementation requires amendments to the Zoning & Development Ordinance (ZDO), which require public notice, outreach, and hearings. To meet the June 30, 2024 deadline, this process must begin by the end of 2023.

### Important Considerations

- The rules apply to how much, if any, *off-street parking* the county can require for individual developments in the urban area; they do not apply to the county's regulation of on-street parking.
- The rules are mandatory. If the county does not implement one of the three Parking B pathways for compliance by July 1, 2024, Pathway 1 will automatically take effect.

- In prior discussions about parking, some members of the Board have expressed interest in a parking management plan. Regardless of whether the Board proceeds with development of such a plan, one of the CFEC Parking B pathways must be implemented.
- Over the last several months, the Department of Land Conservation and Development (DLCD) has been working on what they have characterized as “clarifications and corrections” amendments to the CFEC rules. These amendments include some changes to the Parking B rules. The public comment period for the proposed amendments has been closed, and LCDC will hold a hearing for consideration of the amendments at their meeting on November 2-3, 2023. Staff expects that the amended rules will be adopted by LCDC as drafted or at least not substantively different than the current draft. The rules discussed in this memo reflect these amendments.

### Parking B Rules and Implementation

The CFEC rules establish three Pathways for implementation of “Parking B”. The rules also include some items that are required, regardless of which Pathway is chosen. These common elements include policies to encourage shared parking, adding certain development standards for parking lots, and establishing parking maximums in certain locations.

Individual requirements of each of the three Parking B Pathways are detailed in *Attachment 3* and summarized below.

- **Pathway 1** requires all off-street parking mandates in urban zoning districts to be removed.
- **Pathway 2** requires
  - maintaining all requirements under “Parking A” *plus*
  - further reducing parking mandates based on factors such as shared parking and electric vehicle charging stations;
  - removing all parking mandates in and near the Clackamas Regional Center (CRC) or removing only some parking mandates and creating a paid parking district in the CRC; and
  - implementing two of five listed “fair parking policy approach” items which include: “unbundling” parking (selling or renting parking separately) for certain residential developments; “unbundling” parking for commercial developments; creating a new tax on parking lot revenue; implementing an employee flexible commute benefit program; and further reducing multifamily housing parking.
- **Pathway 3** requires
  - maintaining all requirements under “Parking A” *plus*
  - further reducing parking mandates based on factors such as shared parking and electric vehicle charging stations;
  - further reducing parking mandates for a wide variety of development types and locations;
  - removing all parking mandates in and near the Clackamas Regional Center (CRC) or removing only some parking mandates and creating a paid parking district in the CRC; and
  - implementing a “reduced regulation parking management approach” by
    - removing parking mandates on a wider range of development and redevelopment types, including mixed-use development, small commercial properties, LEED certified buildings, historic buildings, schools, bars and taverns, and others; and
    - implementing either a residential parking district where on-street parking is managed through paid permits, meters or other payments or requiring parking for multifamily units be unbundled.

Some considerations for each of these Pathways are noted below.

Table 1: Summary of CFEC Parking B Pathways and Implementation

CFEC Parking B	Method to Implement	Requires New Programs/ Funding Sources	Major Considerations
Pathway 1	<ul style="list-style-type: none"> <li>• Comp Plan &amp; ZDO amendments</li> </ul>	No	<ul style="list-style-type: none"> <li>• Relatively straightforward Plan and ZDO amendments for staff to draft</li> <li>• Simplest to administer and explain to public</li> <li>• Would not prohibit developer from choosing to provide parking</li> <li>• Because Parking A requirements would remain in effect regardless, the removal of parking mandates under Parking B would primarily be to some single-family neighborhoods and industrial areas</li> <li>• Sizeable portion of the county would not have mandates – this could “level the playing field”</li> <li>• Potential to cause on-street parking problems that do not currently exist</li> </ul>
Pathway 2	<ul style="list-style-type: none"> <li>• Comp Plan &amp; ZDO amendments</li> <li>• County Code amendments</li> <li>• May need business license</li> <li>• May require other method</li> </ul>	<p>Yes</p> <ul style="list-style-type: none"> <li>• “Unbundled” parking program; or</li> <li>• Flexible commute program (business license); or</li> <li>• New tax/fee on parking lots</li> <li>• May also require parking benefit (paid or permitted parking) district program</li> </ul>	<ul style="list-style-type: none"> <li>• Comp Plan and ZDO amendments are complicated and confusing to explain to the public.</li> <li>• County would be able to retain some parking mandates, but once all reductions and exceptions are accounted for, not many parking requirements will be left.</li> <li>• Requires at least one new program to “unbundle” parking; establish and enforce a flexible commute program; and/or to create a new tax/fee on parking lot revenue. <ul style="list-style-type: none"> <li>○ “Unbundling” parking is something that the county has no experience implementing. It is a landlord-tenant issue; it would require additional legal analysis and the development of a program and enforcement mechanism that does not currently exist and would likely require County Code amendments.</li> <li>○ Requiring and enforcing a flexible commute benefits program for large employers would require a new program and system of tracking large employers – possibly a business license.</li> <li>○ Includes a tax/fee on parking lot revenue. Not aware of any parking lots in the county that generate revenue and mechanism to impose new tax/fee would require legal analysis.</li> </ul> </li> </ul>

<b>Pathway 3</b>	<ul style="list-style-type: none"> <li>• Comp Plan &amp; ZDO amendments</li> <li>• County Code amendments</li> <li>• May require other method</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• “Unbundled” parking program; or <ul style="list-style-type: none"> <li>• Parking benefit (paid or permitted parking) district program</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Comp Plan and ZDO amendments are complicated and confusing to explain to the public.</li> <li>• County would be able to retain some parking mandates, but once all reductions and exceptions are accounted for, even fewer parking requirements will be left than under Pathway 2.</li> <li>• Requires a new program to either “unbundle” parking or to establish on-street parking pricing <ul style="list-style-type: none"> <li>○ “Unbundling” parking is something that the county has no experience implementing. It is a landlord-tenant issue; it would require additional legal analysis and the development of a program and enforcement mechanism that does not currently exist and would likely require County Code amendments.</li> <li>○ The county currently does not have the mechanism to administer an on-street parking pricing program. This type of parking management program seems more appropriate for smaller cities or cities that already have an office established and infrastructure (parking meters, pay stations, signage, etc.) purchased and installed.</li> </ul> </li> </ul>
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**Pathway 1** is by far the easiest and least costly to implement. It would be the simplest to administer and to explain to the public and could be implemented solely by the Planning & Zoning Division.

- These rules would not prohibit the county from *allowing* a developer to provide off-street parking; they simply prohibit the county from requiring it. Staff is aware of two proposed developments within the “Parking A” transit buffer that are not required to provide off-street parking, but in both cases the developer is choosing to provide off-street parking. In one case, the developer would provide less than would be required by the ZDO and in the other case, they would comply with the requirements of the ZDO.
- Because the “Parking A” provisions will remain in effect regardless, the biggest impacts of this Pathway would be to the county’s industrial areas and the single-family neighborhoods that are not already impacted by Parking A.

For the single-family neighborhoods, removal of all parking mandates could remedy a situation of inequity created by Parking A. Under Parking A rules, neighbors with similar properties may be subject to different development standards, different development potential and even possibly property valuation, because the development potential of the property that does not have to provide parking may be higher (i.e. more dwelling units could fit). But any impacts of on-street parking would be shared by all properties.

- There are potential drawbacks to this option. Just because some developers are choosing to provide off-street parking, it certainly does not mean that all developers will choose this option. Removing parking mandates across the entire urban area could create on-street parking problems that do not currently exist in some residential neighborhoods. On the other hand, if that did occur, the county could implement parking districts to address the issues where they are occurring.

Seven cities in the state have already implemented this pathway and removed all parking mandates (Albany, Beaverton, Bend, Central Point, Corvallis, Portland and Tigard). In Clackamas County, Staff has heard that the cities of Milwaukie and Wilsonville are currently pursuing this pathway.

Both **Pathway 2** and **Pathway 3** are significantly more complicated, time-consuming, and costly to implement and administer than Pathway 1.

- Both require involvement of other departments/agencies besides DTD/Planning & Zoning.
- Both will require at least one new program and additional funding.
  - Under Pathway 2, even if the Board were to choose reduced parking for multifamily housing as one of the two required items, the remaining four items to choose from all involve the creation of a new program.
  - Pathway 3 requires either a new program for unbundling parking or one for the designation of a residential parking district with paid on-street parking.

Both Pathway 2 and particularly Pathway 3 include a sizeable number of new regulations that would need to be included in the county's ZDO. These new regulations would result in reduced parking requirements for many uses, are complicated and, when combined with Parking A requirements, would have the practical effect of removing parking mandates for the vast majority of development that the county would see in the urban unincorporated area. Some development in industrial areas and parts of some single-family residential neighborhoods would be able to retain some off-street parking requirements.

The primary question around Pathway 2 and Pathway 3 is whether there is enough value added by implementing all of the items in these Pathways compared to the significant time and expense that it would take to implement and administer on an ongoing basis.

Statewide, no jurisdictions have implemented either Pathway 2 or Pathway 3. Staff is aware of one city (Sherwood) considering Pathway 2.

### FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget?  YES  NO

Yes, for amendments to the ZDO and preliminary research on the programs unrelated to land use/zoning. No, for new landlord-tenant, tax, or parking management programs.

What is the cost? \$ Existing staff time for amendments to the ZDO and preliminary research on the programs unrelated to land use/zoning. Unknown for implementation and ongoing administration of new landlord-tenant, tax, or parking management programs.

What is the funding source? Staff time for Pathway 1 can be funded through existing budgeted General Fund allocation for the Long-Range Planning program. However, if Pathways 2 or 3 are pursued, additional staffing from other county programs or additional funding for consultants must be identified. Grant funds may be available through the Department of Land Conservation & Development (DLCD) in the future but may not coincide with the timing requirement for implementation of the Parking B rules.

### STRATEGIC PLAN ALIGNMENT:

1. How does this item align with your Department's Strategic Business Plan goals?

The project aligns with the Long-Range Planning program's purpose of providing land use and transportation plan development, analysis, coordination and public engagement services to residents; businesses; local, regional and state partners; and County decision-makers so they

can plan and invest based on a coordinated set of goals and policies that guide future development.

2. How does this item align with the County's Performance Clackamas goals?  
The project aligns with the goal to "ensure safe, healthy, and secure communities".

### LEGAL/POLICY REQUIREMENTS:

The county is legally required to implement the Climate Friendly and Equitable Communities rules, as identified in OAR 660, Division 12. The provisions under Parking A became effective on December 31, 2022. If the county does not implement the provisions under Parking B by June 30, 2024, then the county may not enforce any parking mandates in the urban area after that date.

As noted above, there is an active lawsuit that may affect the mandated rules and timelines for implementation. Staff will continue to monitor these actions and will adjust the county's plans for implementation of the CFEC rules, as necessary, based on the outcomes.

### PUBLIC/GOVERNMENTAL PARTICIPATION:

A *Minor and Time Sensitive Amendments* package does not include extensive public outreach; however, given the likely interest in the parking changes, something such as a virtual open house may be appropriate.

Public notice will be provided as required by law for any proposed amendments to the Comprehensive Plan or the ZDO that come before the Planning Commission or Board for consideration at public hearings.

### OPTIONS:

1. Direct Staff to develop Comprehensive Plan and ZDO amendments to implement the CFEC "Parking B" rules using Pathway 1 (no parking mandates).
2. Direct Staff to develop Comprehensive Plan and ZDO amendments to partially implement the CFEC "Parking B" rules using one of the following pathways *and* complete preliminary research on the non-planning-related programs and County Code amendments required for full implementation:
  - a. Pathway 2 (Fair Parking Policies Approach); or
  - b. Pathway 3 (Reduced Regulation Approach).
3. Do nothing, thereby allowing the requirements of Pathway 1 in Parking B (no parking mandates) to take effect and be implemented directly out of State law on July 1, 2024 (or possibly earlier, if the State were to withdraw the county's time extension).

### RECOMMENDATION:

Staff respectfully recommends Option 1 - Direct Staff to develop Comprehensive Plan and ZDO amendments to implement the CFEC "Parking B" rules using Pathway 1 (no parking mandates).

### ATTACHMENTS:

1. Map of areas affected by CFEC rules
2. Summary of CFEC requirements for "Parking A," includes map of transit buffer areas with no parking requirements
3. Summary table of CFEC pathways for compliance with "Parking B"

**SUBMITTED BY:**

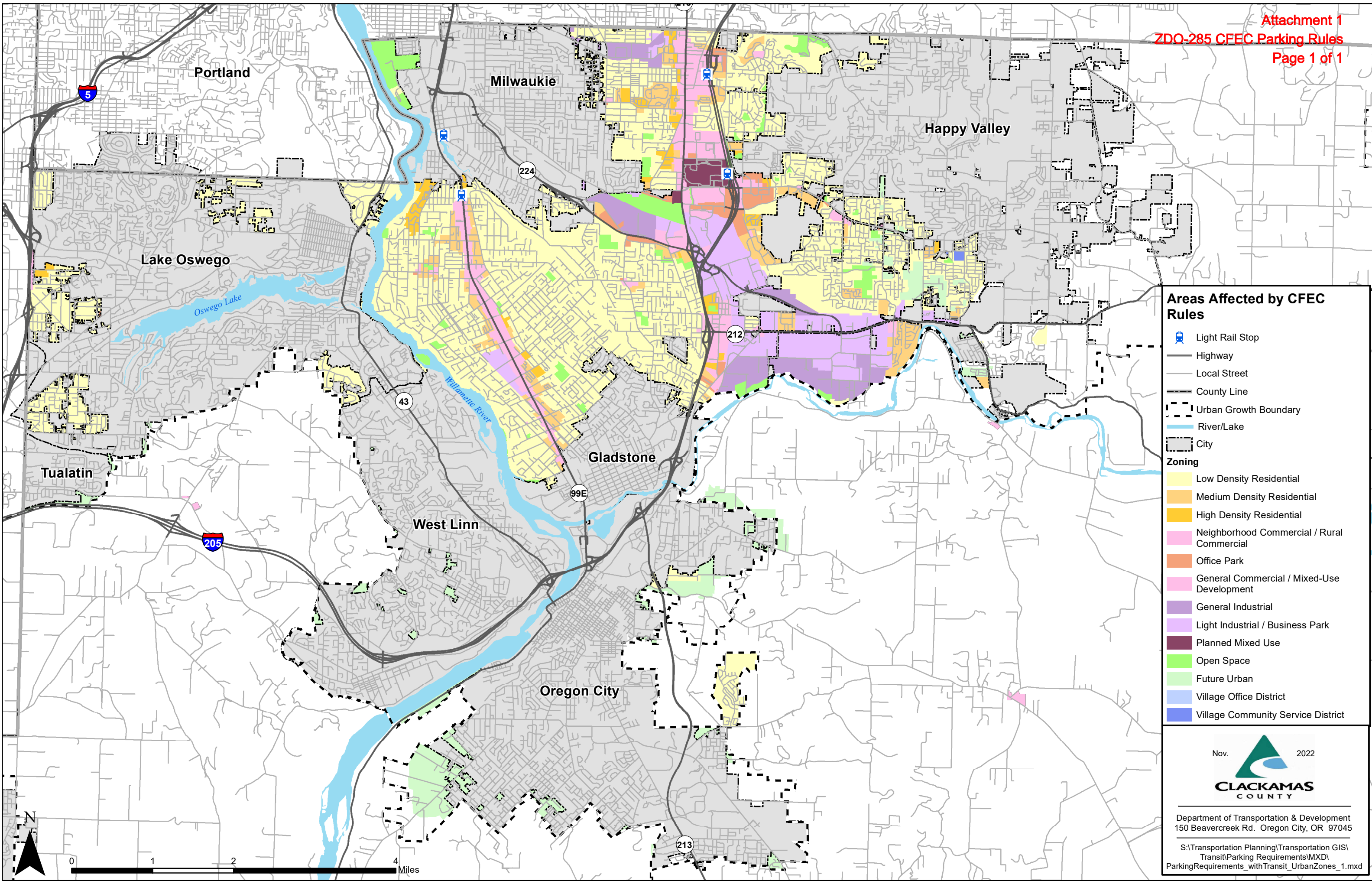
Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval *Dan Johnson*

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact  
Martha Fritzie @ 503-742-4529 or [mfritzie@clackamas.us](mailto:mfritzie@clackamas.us)





**Areas Affected by CFEC Rules**

- Light Rail Stop
- Highway
- Local Street
- County Line
- Urban Growth Boundary
- River/Lake
- City

**Zoning**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial / Rural Commercial
- Office Park
- General Commercial / Mixed-Use Development
- General Industrial
- Light Industrial / Business Park
- Planned Mixed Use
- Open Space
- Future Urban
- Village Office District
- Village Community Service District



Nov. 2022

Department of Transportation & Development  
 150 Beaver Creek Rd. Oregon City, OR 97045

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## Attachment 2: Summary of Climate Friendly and Equitable Communities (CFEC) “Parking A” Requirements

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In August of 2022, the Land Conservation and Development Commission (LCDC) adopted a series of changes to their existing rules, including changes to the Transportation Planning Rule (TPR), that were designed to better support climate friendly and equitable communities (CFEC). These new rules apply in Oregon’s eight urban areas with populations over 50,000 people, including the Portland Metro region. The new rules include a variety of required compliance dates for local jurisdictions to implement the changes and amend their development codes to reflect the new rules. While many of the changes take effect when the county’s Transportation System Plan is updated, mandatory reductions in parking requirements take effect in two phases, the first on December 31, 2022 (“Parking A”) and the second on June 30, 2024 (“Parking B”), in Clackamas County.

A summary of the **Parking A** requirements is provided below. These rules are already in effect – they **went into effect on December 31, 2022** - but jurisdictions were not required to amend their zoning codes for Parking A and could instead implement the rules directly from the state law. The county is implementing the Parking A rules directly from state law at this time, and staff anticipates proposing amendments to the Zoning & Development Ordinance (ZDO) in conjunction with amendments needed for Parking B compliance.

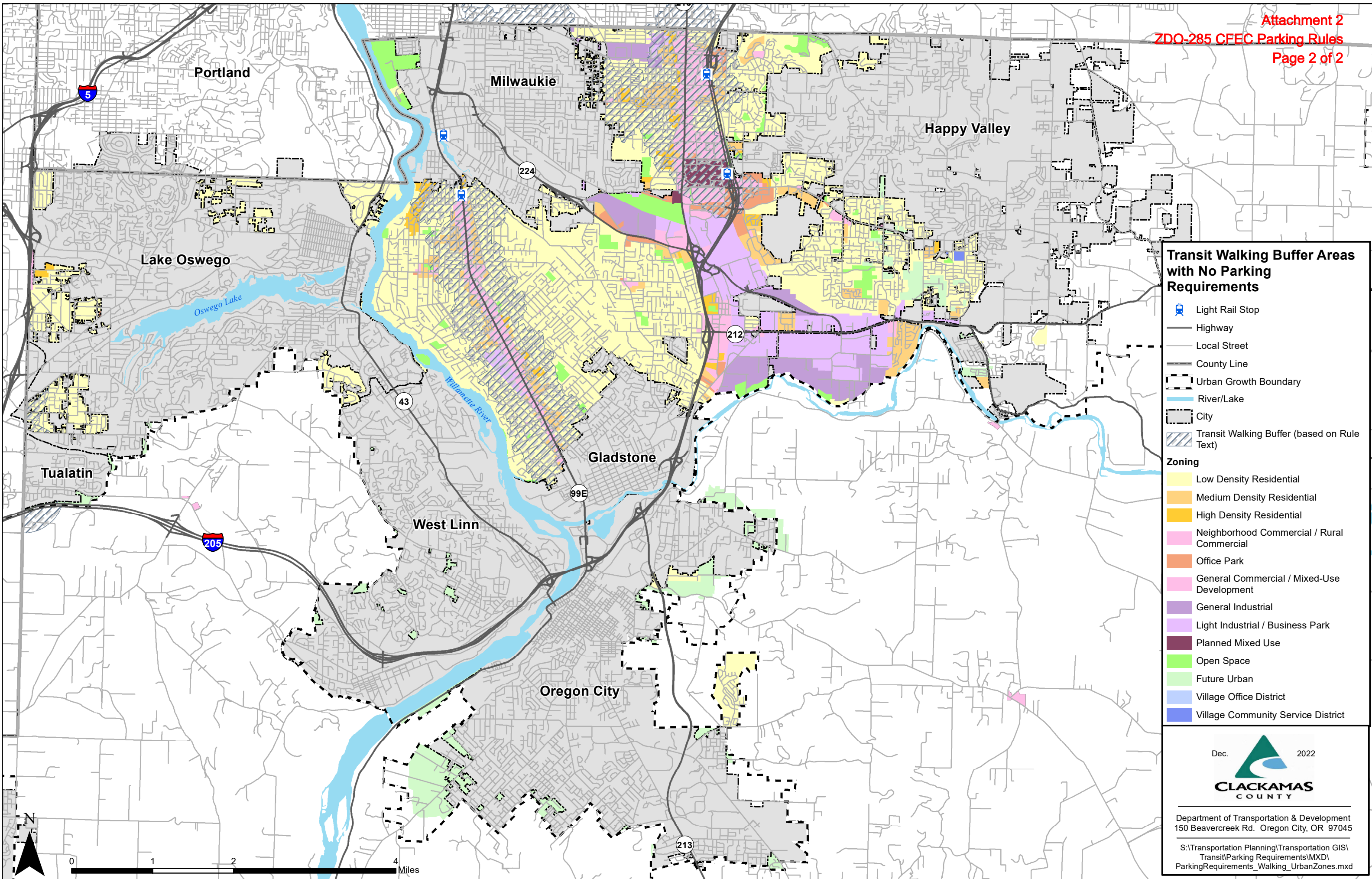
Parking A requires the county to remove or reduce the minimum number of off-street parking spaces required for certain types of development and for development within certain proximity to transit, as follows:

- **No more than one parking space per dwelling unit** can be required for residential developments with more than one unit on a lot.
- **No off-street parking is required** for the development of:
  - Child care facilities
  - Single-room occupancy (SRO) housing
  - Dwellings smaller than 750 sq. ft.
  - Affordable housing (at or below 80% AMI)
  - Publicly-supported housing
  - Shelters; and
  - Certain group homes.
- **No off-street parking is required** for *any* new development on a lot that is completely or partially within:
  - 3/4-mile of rail transit stop or
  - 1/2-mile of frequent transit corridor (as defined in the Rule)

The rules allow for this distance to be measured by either walking distance or straight-line distance. Based on general policy direction and concerns identified by the Board, the county is implementing this using walking distance. See **attached reference map**, which shows the areas identified as within this “walking distance” buffer.

It is important to note that the rules do not prohibit developers from *choosing* to provide off-street parking (or more off-street parking than the minimum for those uses that retain a minimum); rather, they prevent the county from *requiring* that they do so.



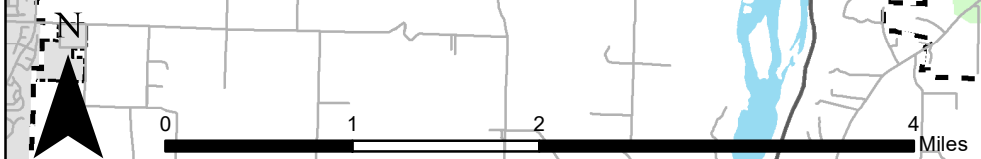


**Transit Walking Buffer Areas with No Parking Requirements**

- Light Rail Stop
- Highway
- Local Street
- County Line
- Urban Growth Boundary
- River/Lake
- City
- Transit Walking Buffer (based on Rule Text)

**Zoning**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial / Rural Commercial
- Office Park
- General Commercial / Mixed-Use Development
- General Industrial
- Light Industrial / Business Park
- Planned Mixed Use
- Open Space
- Future Urban
- Village Office District
- Village Community Service District



<b>PATHWAY 1</b>	
Remove all parking mandates	
<b>PATHWAY 2 &amp; PATHWAY 3</b>	
<p><b>Must allow for all of the following. Parking reductions must be cumulative; may not be capped</b></p> <ul style="list-style-type: none"> <li>a) May not require garages or carports for residential development</li> <li>b) Must count garage parking spaces toward off-street parking requirements</li> <li>c) Must allow shared parking to count toward parking minimums (find definition - it changed)</li> <li>d) Required parking may be off-site - within 2,000 feet (walking distance), but if any (non-loading) parking is included on-site, then all required parking for disabled must be on site. If all off-site, disabled parking must be located shortest possible distance within 200 ft</li> <li>e) Parking requirements must be reduced by 1 off-street space for each 3 kilowatts of capacity in solar panels or wind power provided in development</li> <li>f) Parking requirements must be reduced by 1 off-street space for each dedicated car-sharing space</li> <li>g) Parking requirements must be reduced by 2 off-street space for each electric vehicle charging station in development</li> <li>h) Parking requirements must be reduced by 1 off-street space for every 2 units above minimum requirements that are fully accessible to people with mobility disabilities</li> </ul>	
<p><b>Within Regional and Town Centers, county must either:</b></p> <ul style="list-style-type: none"> <li>a) Remove all parking mandates within the boundary and within 1/4-mile distance of the boundary; <u>OR</u></li> <li>b) Manage parking by:                             <ul style="list-style-type: none"> <li>1. Adopting a parking benefit district with paid on-street parking and some revenues dedicated to public improvements in the area</li> <li>2. Requiring no more than 1/2 off street parking space per dwelling unit (that is not a townhouse), and</li> <li>3. Removing parking mandates for commercial developments</li> </ul> </li> </ul>	
<b>PATHWAY 2</b>	<b>PATHWAY 3</b>
<p>Implement a "fair parking policy approach" <b>by including at least <u>2</u> of the following 5 provisions</b></p> <ul style="list-style-type: none"> <li>A. Unbundle parking for multifamily developments at time of lease creation, lease renewal, or sale. Townhouses are exempt.</li> <li>B. Unbundle parking for leased commercial developments, upon lease creation or lease renewal</li> <li>C. Employers with 50 or more employees who provide free or subsidized parking for employees must also provide flexible commute benefit of \$50 (or fair market value) to employees who do not use parking</li> <li>D. Tax on commercial parking lot revenue</li> <li>E. Require no more than 1/2 off street parking space per dwelling unit for multi-family development</li> </ul>	<p>Implement a "reduced regulation parking management approach" <b>by including <u>all</u> of the following provisions</b></p> <ul style="list-style-type: none"> <li>A. Repeal all parking mandates for:                             <ul style="list-style-type: none"> <li>• all development within 1/2-mile of Regional or Town Centers</li> <li>• mixed-use development</li> <li>• group quarters (dormitories, adult care homes, retirement homes, congregate housing, etc.)</li> <li>• studio and one-bedroom units in multifamily housing</li> <li>• change of use or redevelopment of buildings vacant for &gt; 2 years</li> <li>• change of use or redevelopment of any building where at least 50% of building floor area is retained</li> <li>• commercial properties with &lt;3,000SF or &lt; 10 employees</li> <li>• historic buildings,</li> <li>• schools, bars, and taverns</li> <li>• for LEED certified buildings and building build under certain building codes</li> </ul> </li> <li>B. Implement at least 1 pricing mechanism:                             <ul style="list-style-type: none"> <li>• Designate at least one residential parking district or parking benefit district where on-street parking is managed through paid permits, meters or other payments, <u>OR</u></li> <li>• Require parking for multifamily units be unbundled upon lease renewal or sale</li> </ul> </li> </ul>

\* Summary table does not include mandatory items that would be required for all three Pathways.