

# Agenda



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Meeting: Metro Technical Advisory Committee (MTAC) and  
Transportation Policy Alternatives Committee (TPAC) Workshop  
Date: Wednesday December 15, 2021  
Time: 9:30 a.m. to noon  
Place: Virtual meeting held via Zoom  
[Connect with Zoom](#)  
Passcode: 658524  
Phone: 888-475-4499 (Toll Free)

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<b>9:30 a.m.</b>	<b>Call meeting to order, introductions, and committee updates</b>	Chair Kloster
<b>9:40 a.m.</b>	<b>Public communications on agenda items</b>	
<b>9:42 a.m.</b>	<b>Consideration of MTAC/TPAC workshop summary, October 20, 2021</b> Edits/corrections sent to Marie Miller <a href="mailto:marie.miller@oregonmetro.gov">marie.miller@oregonmetro.gov</a>	Chair Kloster
<b>9:45 a.m.</b>	<b>Workshop Purpose</b> – To provide an overview of the current package of rules and discuss how the rules might be applied in the Metro region	Kevin Young, DLCD
	<b>Climate Friendly Rulemaking Updates</b> Overview of Climate-Friendly and Equitable Communities Rulemaking	Evan Manvel, DLCD
<b>9:55 a.m.</b>	<b>Climate Friendly Areas</b> Draft Rule: 660-012-0310 to 0325 660-008-0010 and 660-008-0050	Kevin Young, DLCD
<b>10:10 a.m.</b>	<b>Parking Management and Electric Vehicle Charging</b> Draft Rule: 660-012-0400 to 660-012-0450	Evan Manvel, DLCD
<b>10:35 a.m.</b>	<b>High Quality Pedestrian, Bicycle, Transit, and Street Infrastructure</b> Draft Rule: 660-012-0500 to 660-012-0830	Bill Holmstrom, DLCD
<b>11:00 a.m.</b>	<b>Moving Beyond Motor Vehicle Congestion Standards</b> Draft Rule: 660-012-0170	Bill Holmstrom, DLCD
<b>11:25 a.m.</b>	<b>Prioritize and Select Projects meeting Climate and Equity Outcomes</b> Draft Rule: 660-012-0160 to 660-012-0210	Bill Holmstrom, DLCD
<b>11:50 a.m.</b>	<b>Review Schedule, Wrap up, and Follow-Up Survey</b>	DLCD and Metro Staff
<b>12:00 noon</b>	<b>Adjournment</b>	Chair Kloster

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## សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានព័ត៌មានអំពីសេវាសម្រាប់ពលរដ្ឋមានការរើសអើង ត្រូវទៅលេខ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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## Metro txoj kev ntxaug daim ntawv ceeb toom

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# Memo

Date: December 7, 2021  
 To: MTAC Members, Alternates and Interested Parties  
 From: Marie Miller, Metro  
 Subject: 2022 Metro Technical Advisory Committee (MTAC) Meeting Schedule

## 2022 MTAC Meeting Schedule

Currently we are scheduling MTAC online via Zoom. If Metro Regional Center opens during 2022 and this location is scheduled for meetings, notice will be posted/sent with the changes.

### MTAC Meetings held every other month, 3<sup>rd</sup> Wednesday

Date	Day	Meeting	Time	Location
Jan. 19	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom
March 16	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom
May 18	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom
July 20	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom
Sept. 21	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom
Nov. 16	3 <sup>rd</sup> Wed.	MTAC	10:00 a.m. - noon	Zoom

### TPAC & MTAC Combined Workshops every other month, 3<sup>rd</sup> Wednesday

Date	Day	Meeting	Time	Location
Feb. 16	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
April 20	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
June 15	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Aug. 17	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Oct. 19	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Dec. 21	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom



# Memo

Date: December 7, 2021  
 To: TPAC Members, Alternates and Interested Parties  
 From: Marie Miller, Metro  
 Subject: 2022 Transportation Policy Alternatives Committee (TPAC) Meeting Schedule

## 2022 TPAC Meeting Schedule

Currently we are scheduling TPAC online via Zoom. If Metro Regional Center opens during 2022 and this location is scheduled for meetings, notice will be posted/sent with the changes.

### **TPAC Monthly Meetings every 1<sup>st</sup> Friday, unless otherwise noted NOTE: 9:00 a.m. start!**

Date	Day	Meeting	Time	Location
Jan. 7	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
Feb. 4	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
March 4	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
April 1	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
May 6	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
June 3	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
July 8	2 <sup>nd</sup> Friday*	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
August 5	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
Sept. 2	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
Oct. 7	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
Nov. 4	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom
Dec. 2	1 <sup>st</sup> Friday	TPAC	9:00 a.m. – 11:30 a.m.	Zoom

*\*Schedule adjusted to accommodate legal holiday.*

### **TPAC Workshops every other month, 2<sup>nd</sup> Wednesday**

Date	Day	Meeting	Time	Location
Jan. 12	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom
March 9	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom
May 11	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom
July 13	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom
Sept. 14	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom
Nov. 9	2 <sup>nd</sup> Wed.	TPAC Workshop	10:00 a.m. – noon	Zoom

### **TPAC & MTAC Combined Workshops every other month, 3<sup>rd</sup> Wednesday**

Date	Day	Meeting	Time	Location
Feb. 16	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
April 20	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
June 15	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Aug. 17	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Oct. 19	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom
Dec. 21	3 <sup>rd</sup> Wed.	TPAC & MTAC Workshop	10:00 a.m. – noon	Zoom





# Meeting minutes

Meeting: **Metro Technical Advisory Committee (MTAC) and Transportation Policy Alternatives Committee (TPAC) workshop meeting**

Date/time: Wednesday, October 20, 2021 | 9:30 a.m. to noon

Place: Virtual conference meeting held via Zoom

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**Members, Alternates Attending**

Tom Kloster, Chair  
Karen Buehrig  
Allison Boyd  
Chris Deffebach  
Lynda David  
Eric Hesse  
Dayna Webb  
Jay Higgins  
Don Odermott  
Lewis Lem  
Jamie Stasny  
Steve Williams  
Peter Hurley  
Jaimie Lorenzini  
Julia Hajduk  
Glen Bolen  
Jerry Andersen  
Carol Chesarek  
Ray Eck  
Tom Armstrong  
Colin Cooper  
Anna Slatinsky  
Laura Weigel  
Anne Debbaut  
Jeannine Rustad  
Heather Koch  
Nina Carlson  
Tom Bouillion  
Darci Rudzinski  
Brittany Bagent  
Brett Morgan  
Andrea Hamberg  
Jean Senechal Biggs  
Kevin Cook  
Ryan Makinster  
Dr. Gerard Mildner

**Affiliate**

Metro  
Clackamas County  
Multnomah County  
Washington County  
SW Washington Regional Transportation Council  
City of Portland  
City of Oregon City and Cities of Clackamas County  
City of Gresham and Cities of Multnomah County  
City of Hillsboro and Cities of Washington County  
Port of Portland  
Clackamas County  
Clackamas County  
City of Portland  
City of Happy Valley and Cities of Clackamas County  
City of Sherwood and Cities of Washington County  
Oregon Department of Transportation  
Clackamas County Citizen  
Multnomah County Citizen  
Washington County Citizen  
City of Portland  
City of Hillsboro  
City of Beaverton  
City of Milwaukie  
Department Land Conservation and Development  
Tualatin Hills Park & Recreation District  
North Clackamas Park & Recreation District  
NW Natural  
Port of Portland  
Private Economic Development Organizations  
Greater Portland, Inc.  
1000 Friends of Oregon  
Multnomah County Public Health & Urban Forum  
City of Beaverton  
Multnomah County  
Home Builders Association of Metropolitan Portland  
Portland State University

**Guests Attending**

Sarah Iannarone  
Will Farley  
Bob Kellett

**Affiliate**

The Street Trust  
City of Lake Oswego  
Portland Bureau of Transportation

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**Guests Attending**

Chris Smith  
Mike Foley  
Barbara Fryer  
Gabriela Giron Valderrama  
Mara Gross  
Molly McCormick  
Randy Fischer  
Lucia Ramirez  
John Charles  
Susie Wright  
Briana Calhoun  
Chris Lamm  
Nick Fortey  
Kari Schlosshauer  
Mike McCarthy  
Warren Schuyler  
Fiona Lyon  
Sara Wright

**Affiliate**

City of Cornelius  
Portland Bureau of Transportation  
  
Port of Portland  
Oregon Department of Transportation  
  
Kittelson & Associates  
Fehr & Peers  
Cambridge Systematics  
Federal Highway Administration  
Safe Routes to School National Partnership  
City of Tualatin  
City of Tigard  
TriMet

**Metro Staff Attending**

Ted Leybold, Planning Resource Manager  
John Mermin, Senior Transportation Planner  
Kim Ellis, Principal Transportation Planner  
Lake McTighe, Senior Transportation Planner  
Ted Reid, Principal Transportation Planner  
Eliot Rose, Tech Strategist & Planner  
Alex Oreschak, Investment Planner  
Marie Miller, TPAC & MTAC Recorder

Cindy Pederson, Research Center Manager  
Grace Cho, Senior Transportation Planner  
Caleb Winter, Senior Transportation Planner  
Dan Kaempff, Principal Transportation Planner  
Tim Collins, Principal Transportation Planner  
Matthew Hampton, Senior Transportation Planner  
Molly Cooney-Mesker, Communications

**Call meeting to order, introductions and committee updates** (Chair Kloster)

Chair Tom Kloster called the workshop meeting to order at 9:30 a.m. Introductions were made. The meeting format held in Zoom with chat area for shared links and comments, screen name editing, mute/unmute, and hands raised for being called on for questions/comments were among the logistics reviewed.

Chair Kloster noted the statewide climate rulemaking process underway that was initiated by the Governor’s directive. Metro and partners in the region have been meeting with the Department of Land Conservation and Development (DLCD) on implications to land use and transportation with these proposed rule changes, building on past Climate Strategy plans. On Dec. 15 there will be a MTAC/TPAC workshop that provides the rollout of the draft rules with more feedback given to staff. Final adoption of the rules is expected next spring.

Kim Ellis, Metro provided a link to the Climate Friendly Equitable Communities website and information on the Nov. 5 RAC meeting materials: <https://www.oregon.gov/lcd/LAR/Pages/CFEC.aspx> In addition, DLCD will be hosting a community conversation session for the Portland area on Oct. 28 from 11-12:30 p.m. Registration for this is included in the link shared. For more information contact Chair Kloster or Kim Ellis.

Caleb Winter, Metro reminded the committees of the public comment period that ends Oct. 25 on the 2021 Regional Transportation System Management and Operations strategy (TSMO) draft. Appreciation was shared for comments received thus far. The link to add comments was shared in the chat area.

**Public Communications on Agenda Items** – none provided

**Consideration of MTAC/TPAC workshop summary of June 23, 2021** – no edits or corrections

**Regional Freight Delay and Commodities Movement Study** (Tim Collins, Metro and Chris Lamm, Cambridge Systematics) Tim Collins and Chris Lamm presented information on the Regional Freight Delay and Commodities Movement Study developed as part of the 2018 Regional Freight Strategy, with a top priority in Regional Freight Strategy Action Plan. The purpose of the study is to evaluate the level and value of commodity movement on the regional freight network, and includes a policy framework for commodity movement in the region; with a history of how COVID-19 economic impacts have effected freight truck travel, e-commerce and delivery services.

The objectives from the study were described.

- Identify which mobility corridors are carrying the highest volumes and highest values of commodities
- Explore how increases in e-commerce are impacting the transportation system and regional economy
- Examine how congestion and unreliability on the regional transportation system impacts commodity movement
- Make recommendations for future regional policy and planning efforts to improve commodity movement; while addressing equity, safety and climate when applicable

Consultant Project Manager Chris Lamm with Cambridge Systematics was introduced. The committee was reminded this is a federally funded study with \$200,000 of the Regional Flexible Fund Allocation (RFFA) for freight planning. Metro is now certified to manage their own federal funded projects and studies, and will handle procurement with this study.

Task one of the study was completed; selecting a Project Management Team (PMT) consisting of representatives from ODOT, WSDOT, PBOT, the 3 counties, Port of Portland, SWRTC and Port of Vancouver. Task two is underway currently; selecting a Stakeholder Advisory Committee (SAC) with representatives from trucking and rail industries, marine and air freight operations, electronics, manufacturing, e-commerce and delivery services, and community members that would represent environmental, equity and safety concerns. Members of the Stakeholder Advisory Committee were acknowledged.

Further tasks with the study included Task Three: Policy Framework. Task 4: Regional Freight Modeling Work and Measures. Task 5: Growth Trends in E-commerce and Delivery Services (includes logistics solutions and Covid-19 impacts on ecommerce and delivery services). Task 6: Policy Findings and Recommendations, and Task 7: Final Report and Presentations. The next steps in the study is complete refinement of the Regional Freight Model, PMT and SAC meetings starting in mid-December, and updates to the committees starting in January 2022.

Comments from the committees:

- Gerald Mildner noted that as a proxy or a contact for the logistics firms, you might contact industrial property developers. For example, Sean Colleta, Pro-Logis; Greg Specht, Specht Development; Kirk Olsen, Trammel Crow; Kelly Ross, NAIOP. It was asked what feedback in this study involved land use planning. Specifically, the documented shortage of industrial land and Metro's decision not to expand industrial use boundaries, yet e-commerce is actually increasing demand forcing developers moving further away to find industrial sites. What specifically is the transportation and land use connection with this study? Mr. Collins noted this issue was outside the limited scope of the study. However, industrial land use supply and demand is good feedback for our land use planners and appreciated the feedback.
- Steve Williams noted not seeing railroad representation on the advisory committees. Mr. Collins noted outreach to the rail companies are still taking place and agreed having their input on the study would be advantageous.
- It was asked if the Freight model was the same as the Regional Travel Demand model. Mr. Collins confirmed this with the same network and zones being used. It would follow the base cases and financially constrained scenarios in the RTP. Asked if regional governments would have the results from modeling shared, given the next TSP updated forecasting for specific freight routes, it was confirmed the results out of the model would be shared approaching task 4 and more time with Metro's modelers available for information.
- It was asked if the study incorporated freight destinations outside the Metro region. Mr. Collins confirmed this was built into the model including information from National Freight Network data. It was also confirmed that lumber and wood product industries are included in the list of commodities for the freight study.
- Nick Fortey noted that given "freight centrality" of the Portland region, how this will inform statewide freight plan scheduled for update next year. Changes in e-commerce will impact statewide freight plans. How does this interplay with Metro's study? Mr. Collins noted a presentation planned soon at the Oregon Freight Advisory Committee and coordination with OPAC. Plan updates at state and regional levels are being reviewed.
- Eric Hesse asked that given the recent Regional Congestion Pricing Study, was this incorporated in the scope of the Freight study with lessons learned moving forward. Mr. Collins noted freight pricing with congestion would be evaluated and feed into the RTP update, including analysis and financial revenue forecasts.
- Chris Deffebach noted that bringing the findings to the committees for discussion prior to developing recommendations and finalizing the report would be appreciated.

**Regional Mobility Policy Update: case study analysis** (Kim Ellis, Metro, Glen Bolen, ODOT, and Susie Wright, Kittelson & Associates) Kim Ellis provided the purpose and background of the Regional Mobility Policy update. The mobility policy guides the development of regional and local transportation plans and studies, and the evaluation of potential impacts of plan amendments and zoning changes on the transportation system.

The goal of this update is to better align the policy and measures with shared regional values, goals, and desired outcomes identified in Metro's Regional Transportation Plan (RTP) and 2040 Growth Concept as well as with local and state goals, and define expectations about mobility by travel mode, land use context, and roadway functional classification.

Six key elements identified as integral to achieving the region's desired mobility outcomes were developed with input from project stakeholders and through workshops with the TPAC and MTAC in fall 2020; equity, access, efficiency, reliability, safety and options. The 38 measures identified through a review of best practices led to the 12 most promising. These 12 measures were advanced for further evaluation and testing through case studies. The aim of this approach is to reveal the implications of different measures, allowing policymakers and practitioners to select the ones that will capture progress and areas for improvement most clearly.

To determine which performance measures to advance for further consideration, the study team needed to answer three major questions.

Question 1: Which performance measures best support the region's desired mobility outcomes?

**Summary:**

- **Equity:** All measures that can be evaluated and compared for different geographic areas such as Equity Focus Areas (EFA) vs non-Equity Focus Areas can be used to advance equity through the planning and project prioritization process. This includes all the measures being evaluated, depending on how they are applied. Measures that further help plan and prioritize a multimodal system, not a system for people that own or travel in vehicles only, further enhance equity if still comparing outcomes for EFAs and non-EFAs
- **Multimodal measures:** Best suited to evaluating and enhancing people's access to destinations and opportunity, improving safety for all travelers and ensuring travel options are available.
- **Vehicle-focused measures:** The vehicle focused measures are the only measures that address the mobility outcome related to reliability.
- **VMT/Capita:** A vehicle-focused measure that if used for planning and project prioritization has positive impacts on accessibility, efficiency, safety, and travel options.

Question 2: Which performance measures best meet the region's technical needs?

**Summary:**

The evaluation criteria cover a wide variety of desires that may be addressed by a combination of measures. Each measure must be technically feasible (potentially with addition of new data or tools) and legally defensible.

**V/C Ratio:** As the current measure, it meets all technical needs but has negative impacts on some of the desired mobility policy elements when applied in practice. Solutions that improve the v/c-ratio often have negative impacts on people walking, biking and accessing transit which are more efficient modes and necessary to support a compact, urban environment. Peak hour v/c-based standards are frequently a barrier to implementing planned land uses if the standard cannot be met and is implemented by local agencies during development review.

**Legal Defensibility:** In evaluating the legal defensibility of a specific measure, two criteria were applied: 1) Can the measure be quantified so that a standard can be set, tied to a factual basis, and can it be applied objectively and consistently in most circumstances? 2) Once set as a standard or target, can the measure be used to describe incremental changes or impacts resulting from a proposed plan amendment?

Question 3: Which performance measures work best for different planning applications?

Focusing in on the applications related to system planning and evaluating plan amendments, the project team looked at the measures' usability for the following specific applications:



## System Planning

## Plan Amendments

- 
- Applying a Target to Identify Needs and Develop a Plan
  - Setting a Standard based on a Plan
  - Show measurable impact
  - Identify mitigations if the standard is exceeded

What we want to learn from the case studies:

### Equity Focus Areas

- Can we compare outcomes between EFAs and non-EFAs?

### Sensitivity to land use changes

- How sensitive is the measure to changes in land use? If not sensitive, how could the measure be applied in plan amendments?

### Policy elements

- What minimum group of measures cover all mobility policy elements and applications?

### Planning impacts

- Would different needs or deficiencies have been identified in the planning process? (Example: would identified areas of congestion have been different?)

### Policy insights

- Examples for how different sets of measures could be applied

### Technical feasibility insights

- May have recommendations for data sets or tools to invest in

The presentation concluded with next steps outlined to complete the analysis by the end of Dec. 2021, and from Jan. through June, 2022 complete analysis, report additional findings from case studies, recommend measures, and develop and recommend policy for public review and consideration by policymakers.

Comments from the committee:

- Steve Williams noted the pedestrian crossing index, and asked how roads with long distance between crossings planned for access control measures to improve vehicle mobility could be addressed regarding pedestrian design concepts and impacts with costs. Ms. Wright noted there are target spacing for different types of facilities currently in plans addressing access to designations. They are trying to identify these for applying to system planning. Ms. Ellis added the RTP addresses crossing in policy programs and recent state level street map data sets can provide crossing planning. Addressing conflicts with different modes of travel, policies with different measures will vary in how applied.
- Don Odermott noted that performance measures should focus on solutions that improve walkability and other safety factors with mobility as a whole. Traffic impacts and design assessments to implement can have tools used in a smart way.
- Mike McCarthy noted we are hearing from our citizens about vehicle delays and lack of capacity to expand. There is concern developers are allowed methods to get around the system with standards now set. Ms. Wright noted the study capabilities limitations, but would work to develop fair assessments with development reviews. Ms. Ellis noted the estimated outcomes in the study be clear with tools and data applied, and future work planned.
- Eric Hesse noted the concerns with other factors in corridor planning, and how assessments on outcomes relating to region and/or local areas are challenging for multimodal travel.

Questions on how specific to standards will be tied to outcomes and the need for future discussions to develop them. Ms. Ellis agreed that more material will come from the case studies and presented to committees for input.

- Chris Deffebach congratulated the team on an amazing job with a complex topic. It was asked how evaluating congestion measures on corridors would differ from needs on arterials, given freeway speeds and peak times of travel, while local arterials may have different needs. Ms. Ellis agreed the standards of measures is expected to address specific roadways. The study is exploring these measurements.
- Gerald Mildner noted that access to destinations for jobs is critical to understanding equity. It was surprising to see all modes identified this way, given that 85% of people get to work by car, and lower real estate market areas in lower income areas have the least accessibility to transit. It was asked if the study was weighted by modes in terms of how they are actually used. Ms. Wright noted that each mode has a different travel measurement set measured in 20-30 minutes times. Improvements to bike and pedestrian modes with access to transit should achieve higher mobility equity accessibility.

**Scoping Kick-off for 2023 Regional Transportation Plan Update** (Kim Ellis, Metro) – not presented

**Emerging Transportation Trends** (Eliot Rose, Metro and Briana Calhoun, Fehr and Peers) Mr. Rose provided information on the Emerging Transportation Trends study with the goals of developing common understanding of changes that we've all been experiencing individually, identifying potential changes to policy and analysis to consider during the 2023 RTP update, and setting the stage for other emerging trends work.

It was noted that transportation trends are changes that will continue to impact the region in the future, have a measurable effect on how people travel, and are supported by existing research. This study focuses on the trends that have the greatest potential impact on the region's people and its values. The committee was reminded of the influence of media and personal affect with decisions during time of changes.

The pandemic highly widened the gaps for BIPOC and low-income people:

- Black and Latinx Americans are 2x as likely to be hospitalized and 3x as likely to die due to COVID as White Americans.
- Latinxs are 11% of our region's population, but account for 22% of COVID cases.
- Low-income students experienced 80% greater learning loss due to the pandemic than the average student.
- Only 44% of lower-income Americans say that they can work from home, vs. 76% of upper-income Americans.
- 33% of Asian immigrants report experiencing more discrimination since the pandemic began.

Graphics showing the changes in transportation since the pandemic began showed trip mode changes, increase in telework, the reliability on transit for low-income people, annual growth in e-commerce sales, increased traffic deaths, recreational bicycling in cities, and increased purchases of electric vehicles and e-bikes.

Briana Calhoun presented information on racism and economic disparities. The racism and economic disparities from the pandemic will continue to affect people. People of color will feel even less safe in public than before because of increased concerns about racist policing and pandemic-era anti-Asian racism. Research and community outreach will explore who is impacted by each trend.

Shifts in travel behavior seen during the pandemic will continue post-pandemic. These shifts are related to a post-pandemic high rate of telework and increase in ecommerce. Transit ridership will take several years longer than automobile traffic to return to pre-pandemic levels. It was asked, does transit planning and regional planning need to shift to accommodate long term changes in ridership and how can we speed up recovery?

More trends noted were concerns with using shared modes and transit may drive higher car ownership but is also an opportunity to increase bicycle trips. Electric vehicles and e-bikes will be increasingly affordable, have longer ranges, and be easier to use. Autonomous vehicle adoption will occur more rapidly with increased demand for AV delivery. Agencies will face pandemic recovery with limited resources and outdated processes. The increase in severe and fatal crashes seen during the pandemic will continue into recovery. Demand for parking and passenger loading curbside space will increase in suburban areas and decrease in urban areas.

Comments from the committee:

- Lewis Lem noted commercial empty storefronts more commonplace since the pandemic began and driver pattern changes to e-commerce. It was suggested these changes may take a while to form new patterns and to think of the impact with small businesses and the economy.
- Don Odermott appreciated the presentation and data. The route of choice for freeways over arterials presently reflected what is being seen across the region. Telework patterns will be a key trend to track. It was suggested that those working from home but meeting in office during the day accounted for midday travel increases.
- Eric Hesse suggested to focus on the intersections and impacts of the themes in the RTP and where the data will lead to solutions and accurate trend tracking. With shifting trends and data quickly becoming outdated, it's important to closely monitor for future planning.
- Glen Bolen noted a recent New York Times article on TNCs impacts to travel changes. The link to the article: <https://www.nytimes.com/2021/10/17/opinion/uber-lyft.html> Asked for clarification by Mr. Rose about a "TNC bubble are you thinking about a bubble in trips or a bubble in prices? Mr. Bolen noted that we may see fewer drivers in the future if they have to charge prices that aren't subsidized by venture capital.
- Karen Buehrig noted the presentation was very informative. Regarding the demand for parking and curbside loading areas, it was suggested this is more tied to land use trends with implications to transit that may be incorrectly categorized. Dropping this trend from the list for further consideration would help narrow the list to 10 desired.
- Gerald Mildner suggested the lower income groups with transit routes may be tied to continued employment done from home, not accessibility. Increase car purchasing and higher income could lead transit ridership to stay lower. Policy issues overshadow many of the trends with carbon taxes/pricing and congestion. All will impact travel accessibility and behaviors.
- Heather Koch was curious how we look at the way these trends may be linked to different trip lengths and how that impacts mode shifts. Mr. Rose noted that he didn't talk about the

outputs of this work in much depth. We want this work to inform the RTP projects and policies directly, but we also want to update our model to account for changes in trips and modes and reflect the "new normal."

- Nina Carlson was curious to see what the freight haulers are saying about their routes. Mr. Rose noted he'd be working with Tim Collins Freight group on input and welcomed other information from the committee.
- Peter Hurley shared another link on TNC impacts:  
<https://www.marketplace.org/2021/09/24/how-ride-hailing-accelerates-climate-change/>
- Don Odermott noted to Karen's point about service sector jobs relocating out of downtown Portland, I'm reminded of Standard Insurance pulling their staff out of downtown Portland a few years back and expanding their presence in Tanasbourne part of NE Hillsboro. Their staff revolted when they realized the poor level of transit availability in the suburban areas compared to downtown Portland core.
- Eric Hesse noted we need to keep balancing a more up to date sense of "what's happening out there" using additional sources of quantitative data with continuing real-time input from community about what they are experiencing and how those qualitative sources of knowing are also valued and incorporated into how we continue to plan and respond to these changes.
- Lewis Lem noted I think there was some discussion of lower income residents moving to the suburbs as a result of central city gentrification on a longer term trend prior to COVID - 19. So I am wondering if this longer term trend has been affecting central city focused transit line usage.
- Mr. Rose acknowledged trips to downtown Portland are down more than other major cities, but no significant changes in office spaces increases yet. The study of trends will focus on short term trends now, but expect to feed into land use issues as well as transportation issues in the longer term.

**Adjournment** (Chair Kloster)

There being no further business, meeting was adjourned by Chair Kloster at 12:00 noon.

Respectfully submitted,

Marie Miller, MTAC and TPAC Recorder

Attachments to the Public Record, MTAC and TPAC workshop meeting, October 20, 2021

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	10/20/2021	10/20/2021 MTAC and TPAC workshop meeting agenda	102021M-01
2	Work Program	10/8/2021	MTAC Work Program as of 10/8/2021	102021M-02
3	Work Program	10/8/2021	TPAC Work Program as of 10/8/2021	102021M-03
4	Draft minutes	6/23/2021	Draft minutes from MTAC/TPAC June 23, 2021 workshop	102021M-04
5	Report	October 2021	Regional Mobility Policy Update	102021M-05
6	Memo	10/12/2021	To: TPAC, MTAC members and interested parties From: Kim Ellis, Principal Transportation Planner RE: 2023 Regional Transportation Plan (RTP) Update – Kick-off Scoping Process	102021M-06
7	Presentation	10/20/2021	2023 Regional Transportation Plan update	102021M-07
8	Memo	10/12/2021	TO: Eliot Rose, Metro From: Cadell Chand, Briana Calhoun, and Anjum Bawa; Fehr & Peers RE: Metro Emerging Trends Background Research Task 1.1	102021M-08
9	Presentation	10/20/2021	Regional Freight Delay and Commodities Movement Study	102021M-09
10	Presentation	1020/2021	Regional mobility policy update	102021M-10
11	Presentation	1020/2021	Emerging transportation trends study	102021M-11



# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 5

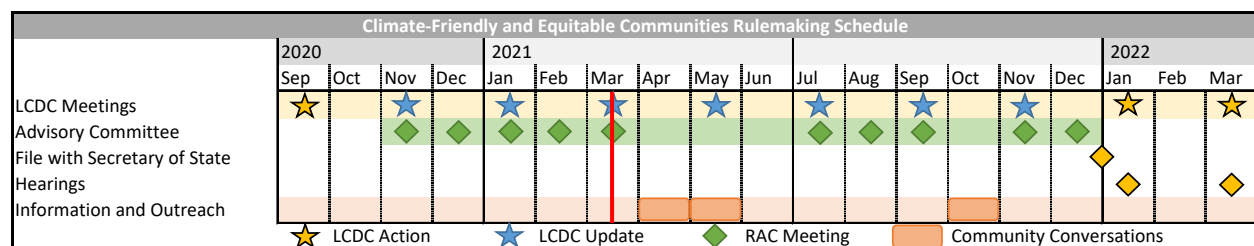
**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 5 Item 1: RAC Meeting 5 Packet Cover Memo**  
**DATE:** March 22, 2021

Thank you for your ongoing contributions to the Climate-Friendly and Equitable Communities rulemaking effort. Your comments and questions are helping us to build policies that will help shape the future of our state for decades to come. We continue to try to make our materials and meetings more understandable. Please let us know how we are doing by responding to the post-meeting survey.

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### Schedule Update

At their meeting last week, we asked the Land Conservation and Development Commission to adjust the rulemaking schedule. They approved a move to accommodate additional rule development discussion, and another round of community conversations this fall. The most immediate change for RAC members is that we will not meet in June, and we will meet in November. Our next meeting will be July 12, 2021. We will send updated calendar items to RAC members soon and hope that members will attend at least one Community Conversation in April or May.



## Meeting Overview

At this meeting, we will review the actions under the Statewide Transportation Strategy (STS), and what we need to accomplish to meet the state's climate pollution reduction goals. We will continue our discussion of reporting and monitoring from our last meeting and we will review new revisions to the draft rules in Division 44 – the Metropolitan Greenhouse Gas Reductions Rules. Finally, we will wrap up with a review and discussion about mapping equity. There are five key documents for your review ahead of this meeting:

- **Item 3:** The Key Questions Worksheet is both a worksheet for you as well as a feedback guide for staff. You may find it useful to make notes during the meeting. After the meeting, we will send you a survey based on these questions for you to provide additional written feedback. We encourage all RAC members and alternates to provide feedback in this way. Your written comments continue to be very helpful.
- **Item 4:** The Review of STS Trajectories is a preview of a presentation at the upcoming meeting. The Statewide Transportation Strategy (STS) lists the state and local actions that need to be implemented to meet the state's climate pollution reduction goals in the transportation sector. A trajectory in the STS is a path which each action is assumed to follow over time. If the path for each action is met, then the overall vision will achieve the state's goals for climate pollution reduction.
- **Item 5:** The Review of Reporting and Monitoring Guidance is a comprehensive list of the feedback you provided at our last RAC meeting, along with analysis of how we have used, or intend to use, this guidance in the rule amendments.
- **Item 6:** The Proposed Amendments to Division 44, the Metropolitan Greenhouse Gas Reduction Rules, are a revised version of the proposed rules that the RAC reviewed in RAC meeting 3 in January. Since then, we have taken your feedback, held discussions with some affected jurisdictions, reviewed the draft with other state agencies, and received legal review. We will discuss these rules at this meeting, and then revisit these rules in the context of the other updated divisions this fall.
- **Item 7:** The Equity Mapping memo describes some reasons staff recommend using an equity mapping tool as part of meeting our targets, and some examples of tools used or proposed to be used in the state. The memo also describes where we have identified data gaps. An equity mapping tool may have a number of uses, including prioritizing investments in areas with historic underinvestment; identifying areas where people are at risk of displacement; and to add an equity lens to performance measures.

## Community Conversations

Over the next few months, staff will be holding a series of community conversations for locations across the state. RAC members are strongly encouraged to participate in any of these meetings. Please let us know if you did not receive the email invitation. While each meeting is generally geared toward a specific metropolitan area, or pair of metropolitan areas, we will hold all meetings online and anyone can attend.

The times and dates of each meeting are:

April 6, 6:30 pm – 8:30 pm	Albany and Corvallis ( <a href="#">register here</a> )
April 13, 6:30 pm – 8:30 pm	Southern Oregon ( <a href="#">register here</a> )
May 11, Noon – 1:30 pm	Bend ( <a href="#">register here</a> )
May 19, 6:30 pm – 8:30 pm	Eugene/Springfield ( <a href="#">register here</a> )
May 25, 6:30 pm – 8:30 pm	Salem/Keizer ( <a href="#">register here</a> )

## Conclusion

As always, there will be a [livestream of this RAC meeting on YouTube](#), which will be available for later viewing as well.

Please remember that the [project website](#) has many related materials available. You can find the [packet from RAC Meeting 4](#) there as well as a [video recording](#) of the last meeting and prior meetings.

Finally, if you have any questions on the materials in this packet or anything else about the rulemaking process, please feel free to contact us via phone or email at [DLCD.CFEC@state.or.us](mailto:DLCD.CFEC@state.or.us). Emails to this address go to several of our project team, including those listed below.

On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative!

### **Kevin Young, AICP**, Rulemaking Co-Lead Staff

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**Climate Friendly and Equitable Communities  
Rulemaking Advisory Committee (RAC)  
Meeting 5**

March 29, 2021; 1:00 pm – 4:00pm



This meeting will be [available for livestreaming on the internet](#).  
A recording of the meeting will be posted on the [rulemaking web page](#).

Public comments may be submitted to the Rulemaking Advisory Committee by sending them to [DLCD.CFEC@state.or.us](mailto:DLCD.CFEC@state.or.us). Comments received at least three working days before the meeting will be distributed to committee members prior to the meeting. Comments also will be shared with members of the Land Conservation and Development Commission.

**AGENDA**

<b>Time</b>	<b>Topic</b>	<b>Who</b>
12:45 – 1:00 pm	<i>Arrive and Settle In</i>	RAC members
1:00 – 1:10 pm	<b>Welcome, Opening Remarks, and Review Agenda</b>	Commissioner welcome Sylvia Ciborowski, Meeting Facilitator
1:10 – 1:40 pm	<b>What Will It Take? – Review of Statewide Transportation Strategy (STS) Trajectories In Key Areas</b>	Amanda Pietz, ODOT Staff Sylvia Ciborowski
1:40 – 2:00 pm	<b>Monitoring and Reporting – What we’ve heard</b>	Kevin Young, DLCD Staff Bill Holmstrom, DLCD Staff Sylvia Ciborowski
2:00 – 3:00 pm	<b>Division 44 Review</b>	Cody Meyer, DLCD Staff Matt Crall, DLCD Staff Sylvia Ciborowski
3:00 – 3:10pm	<b>BREAK</b>	
3:10 – 3:55 pm	<b>Equity Mapping</b>	Cody Meyer Allison Platt, City of Bend Sylvia Ciborowski
3:55 – 4:00pm	<b>Next Steps and Wrap Up</b>	Sylvia Ciborowski Kevin Young Commissioner close

<b>Upcoming Meetings</b>	
<b>Date/Time</b>	<b>Meeting</b>
April 2021	Interagency Technical Support Team Meeting #2
May 20-21, 2021	Land Conservation and Development Commission Update
Early July 2021	Interagency Technical Support Team Meeting #3
Monday, July 12, 2021, 1-4pm	Climate Friendly and Equitable Communities RAC Meeting #6
July 22-23, 2021	Land Conservation and Development Commission Update
Wednesday, August 18, 2021, 9am-12pm	Climate Friendly and Equitable Communities RAC Meeting #7



# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 5



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 5 Item 3: Key Questions Worksheet**  
**DATE:** March 22, 2021

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In order to meet our ambitious timeline and schedule, meetings of the RAC will need to be a space for robust conversation and discussion about agenda items. In order to facilitate this type of discussion, we have pulled specific topics, questions, and decision points from the meeting packet into this central discussion worksheet document. The intent of this document is to mirror the flow of the discussion and agenda items. You may use the document to collect your thoughts, comments, questions, and concerns on specific points.

As you review the meeting packet contents prior to our meeting on **March 29, 2021, from 1:00 pm – 4:00 pm**, please use this worksheet to take down notes or to formulate your questions for the project team. We will send committee members and alternates a link to a fillable version of this discussion worksheet in order to collect additional questions or comments.

### **RAC Meeting Discussion Items: Statewide Transportation Strategy Trajectories**

1. Please let us know any general responses you have to reviewing the progress needed to reach Oregon’s greenhouse gas reduction goals in Metropolitan Areas. Concerns? Aspirations?

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### **RAC Meeting Discussion Items: Review of Monitoring and Reporting**

2. In the last meeting, we discussed Monitoring and Reporting. Based on this feedback, staff have developed concepts that we will use in our rules, including in Division 44 (Metropolitan Greenhouse Gas Reduction Targets). Does our staff analysis reflect your guidance?

Yes  No  Somewhat

3. Is there anything else you would like to add?

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**RAC Meeting Discussion Items: Division 44 Review**

4. As you review and reflect on the revised draft of Division 44: Metropolitan Greenhouse Gas Reduction Rules, what is your general level of satisfaction with these draft rules?

- Fairly satisfied    Not satisfied    Still assessing

5. Please share any suggestions you may have for improving the draft rules. If there are rules or sections that are unclear, please let us know of those specifics.

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**RAC Meeting Discussion Items: Equity Mapping**

6. Several agencies in the state are considering equity mapping tools. We are working with many of those agencies to align efforts. Our intent for these rules is to provide an equity mapping tool to cities and counties to aid in their analysis and help inform public policy and associated investments. For example, cities and counties would use the tool to prioritize investment decisions in places with concentrations of priority populations, or describe why they are making investments in other areas. Would such a tool be useful to help reach our Equitable Outcomes?

- Yes    No

7. If no, why not?

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8. What concerns would you have?

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9. Staff identified four approaches to equity mapping vis a vis rule development. At this time, which one do you prefer and why?

- **Approach 1:** All data from the priority populations is included in individual map layers
- **Approach 2:** Index using five key demographic indicators from existing MPO and ODOT work
- **Approach 3:** Hybrid approach using an index of five key demographic indicators, with separate layers for user to turn on or off based on context (community) and use (housing, transportation)
- **Approach 4:** Full index that includes data from each of the indicators from the priority populations

Approach 1    Approach 2    Approach 3    Approach 4

10. Please describe any reasons for your preference you are able to share. Concerns and questions are also welcome.

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### General Questions

11. How was the format of this meeting for you?

Good    Needs Improvement

12. If needs improvement, what suggestions do you have?

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13. What was the most valuable aspect of this meeting for you?

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14. Please share any recommendations to help improve your understanding or the productivity of future meetings.

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***Thank You!***

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 5



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Cody Meyer, Land Use and Transportation Planner, DLCD  
Amanda Pietz, Director, ODOT Climate Office  
Tara Weidner, Climate Impact Analysis Program Manager, ODOT Climate Office  
Brian Hurley, Statewide Transportation Strategy Program Manager, ODOT Climate Office  
**SUBJECT:** **RAC 5 Item 4: Review of Statewide Transportation Strategy Trajectories**  
**DATE:** March 22, 2021

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The purpose of this memo is to provide the RAC members with an understanding of the scale of the work that will be required to meet the state's transportation related climate goals. Staff will present information from the regional goals in the 2013 Statewide Transportation Strategy to help RAC members understand what it will take to meet them. In 2018 the Oregon Transportation Commission adopted the STS.

### **I. STATEWIDE TRANSPORTATION STRATEGY**

The [Statewide Transportation Strategy \(STS\)](#), and 2050 STS Vision scenario, is Oregon's roadmap of the state and local actions necessary to meet the state's transportation sector greenhouse reduction goals. The STS Vision includes actions implemented by local governments and other agencies that affect household travel and local commercial service delivery vehicles. It is important to note that while actual greenhouse gas emissions change will result from choices made by individuals and businesses, state and local governments provide the options and a framework of incentives and disincentives to influence low carbon travel choices. These all must be done within the context of market forces outside of government's direct control that exert significant influence, such as fuel price, economic health, population, and demographic trends.

The predominant mode of transportation in Oregon, like elsewhere in the United States, is driving a vehicle. The current mix of vehicles driving on Oregon's roadways emits a relatively high amount of carbon and pollutants, making the emission profile of vehicle miles traveled (VMT) a significant factor. Light duty vehicles (cars and trucks) represents roughly half of today's overall transportation greenhouse gas emissions. A large majority of future reductions in greenhouse gas emissions will be due to cleaner vehicles and fuels, led by state and federal policies. However, the state cannot get to its greenhouse gas goals through clean vehicles and fuels alone. Supportive pricing, active and public transportation, transportation options and land use policies are critical to reduce vehicle miles traveled; these are areas in which local governments and other agencies such as transit providers play a key role.



Strategies that reduce vehicle miles traveled will also reduce greenhouse gas emissions, especially in the short-term. Vehicle miles traveled can be reduced by strategies that reduce drive-alone trips and support people telecommuting, taking the bus, biking, walking, or shortening trip lengths. Supportive land use efforts are needed to develop our urban and suburban communities so that homes, jobs, services and shopping are in close proximity and can therefore be easily accessed on foot, bike, or bus. Carpooling, transit, biking and walking all help reduce emissions by transitioning trips to higher capacity modes such as carpooling and transit, and lower-emitting modes of travel.

The STS 2050 Vision, if achieved, would result in a decrease in daily vehicle miles traveled of over 20 percent per person over the 2010 base year as shown in Figure 1. This VMT reduction assumes that both state and local actions are implemented.

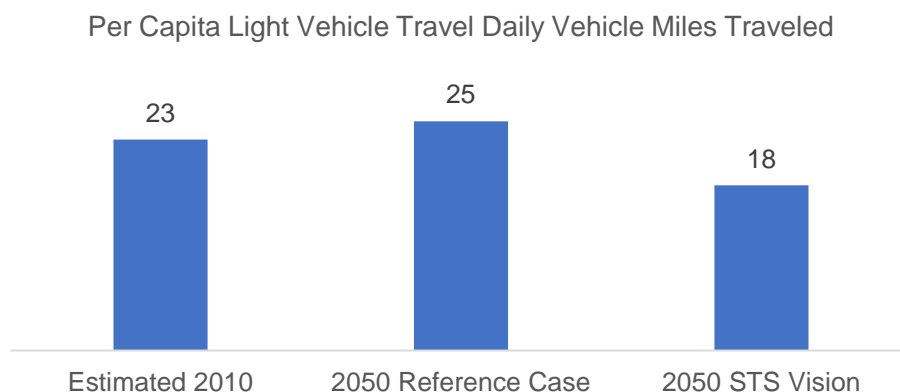


Figure 1 VMT Reduction from the STS

## **II. LOCAL STRATEGIES NEEDED TO ACHIEVE THE STATEWIDE TRANSPORTATION STRATEGY VISION**

There are a number of strategies in the Statewide Transportation Strategy that local governments can and will need to undertake to reduce emissions from transportation if we are to meet our reduction goals. Some key strategies that influence low carbon travel choices are presented below. These strategies are a starting point for a mix of local strategies that can help achieve the STS vision in combination with state and federal actions, such as ambitious vehicle fuels and pricing actions. The levels represented for the 2050 STS vision were developed in 2012 for the development of the 2013 Statewide Transportation Strategy. Local governments conducting scenario planning will be able to set a different mix of benchmarks to meet the goal as part of the planning process. In addition to the strategies described below, more information on the strategies and trajectories to achieve the STS vision can be found in the [Statewide Transportation Strategy Technical Appendix](#).

### **A. EFFICIENT LAND USE**

Strategies in this category focus on infill and walkable mixed-use development in urban areas to reduce demand for vehicle travel, shorten trips, expand non-auto travel mode choices, and enhance the effectiveness of public transportation and other transportation options. This type of development pattern promotes more efficient movement throughout the transportation system, reduces the distances that people and goods must travel, and provides more opportunities for people to use zero or low energy transportation modes. Examples of these types of strategies include supporting mixed-use development, limiting expansion of urban growth boundaries, and

development of urban consolidation centers for freight. To reach the STS Vision, over 30% of urban households will need to reside in a compact, mixed-use neighborhood by 2050.

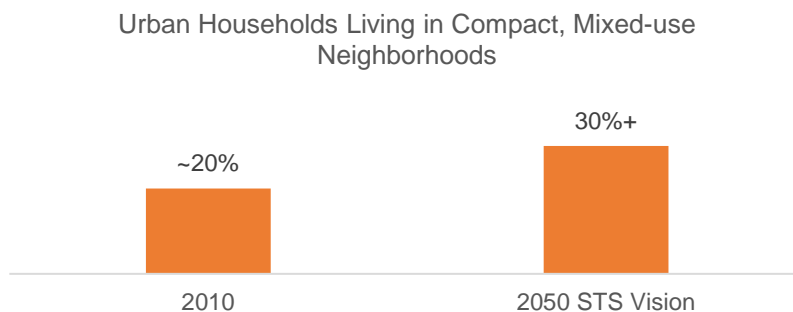


Figure 2 Compact, Mixed-use Neighborhoods from STS

## B. ACTIVE TRANSPORTATION, PUBLIC TRANSPORTATION, AND TRANSPORTATION OPTIONS

Strategies in this category provide infrastructure and options for public transportation, bicycle, and pedestrian travel, enhancing [Transportation Options programs](#), and shifting to more efficient modes of transportation. These strategies encourage a shift to transportation modes that produce fewer emissions and provide for more efficient movement of people and goods. Examples of these types of strategies include adding biking and walking infrastructure, providing employer-based Transportation Options programs, promoting ride-matching services, and a significant growth in public transportation service including transit.

### Shifting to Active Modes and Public Transportation

Reaching the STS Vision will require a large increase in active transportation modes of travel and a significant shift away from single occupancy vehicles for both shorter and longer distance trips. Oregonians will need better access to a range of active transportation options (e.g., bicycling, walking) for shorter trips. To reach these goals, communities and transit providers will need to provide safe walking paths, bicycle facilities, and support more frequent transit service for longer trips. Co-benefits of strategies that improve bicycling and walking facilities are that they encourage physical activity, foster reduced obesity rates, and overall improve public health. As shown in Figure 3, 40% of single occupancy vehicle trips are shifted to bicycle or other similar modes.

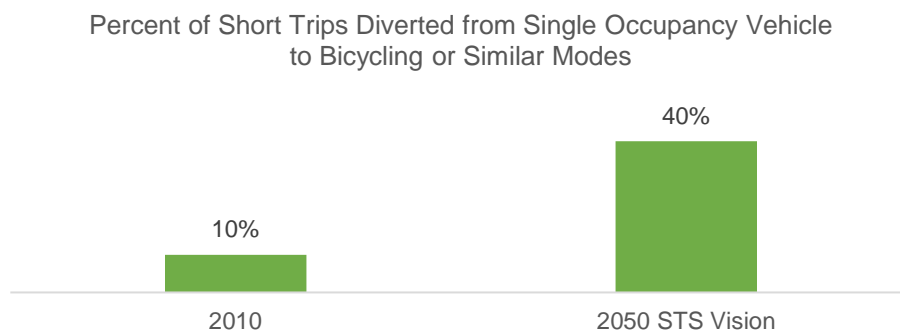


Figure 3 Active Mode Trips from STS

Transit is a key strategy for reducing vehicle miles traveled at the local level. Investing in public transportation infrastructure and operations provides more transportation options and helps reduce single-occupant vehicle travel for longer trips. To reach the STS Vision, the state will need to realize significantly increased transit levels of service in the metropolitan areas. If all longer trip diversion were accommodated by transit, transit service levels will need to increase 4 to 6 times beyond the service levels required to keep pace with population growth. The transit funding provided by legislation in 2017 is expected to keep pace with current population growth projections. The Portland metropolitan area will need the highest levels of service, similar to current San Francisco-Oakland levels. Transit service is not a one-size fits all approach. Transit frequency, service patterns, and vehicles will differ by community. By 2050, Oregon metropolitan areas will need to be expanded to levels that are as high as present levels in top performing comparably sized urban areas in the U.S.

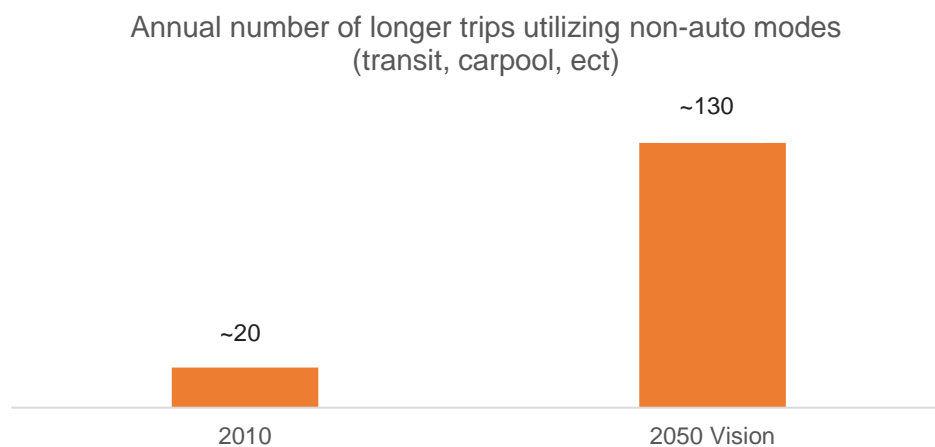


Figure 6 Long distance trips using alternative modes from STS

### Low-Carbon Transit Vehicles

The 2050 STS Vision includes strategies for aggressively shifting transit vehicles to low emission vehicles. This may include biofuels in the near term, but long term the STS Vision assumes nearly all urbanized areas operate fully electric buses and demand responsive vehicles. This also has significant air quality health benefits to the residents living in the higher density areas served by transit.

### Transportation Options

The 2050 STS Vision includes strategies for regions to support and implement technologies and programs that manage demand and make it easier for people to choose transportation options other than single-occupancy for trips of all lengths. While much of this work is being done through programs at the statewide level, there are a number of supporting local ordinances that help encourage transportation options such as requiring commercial developments to provide trip reduction programs in lieu of expensive infrastructure. As shown in Figure 7, the STS Vision assumes that by 2050, 50% of employees will participate in a transportation options or trip reduction program. Key elements of effective employer programs include incentives (subsidized transit passes and first/last-mile modes, bike and carpool promotion and facilities, alternative work schedules, ride-sharing phone app), parking restrictions and fees to reduce overall vehicle miles traveled.

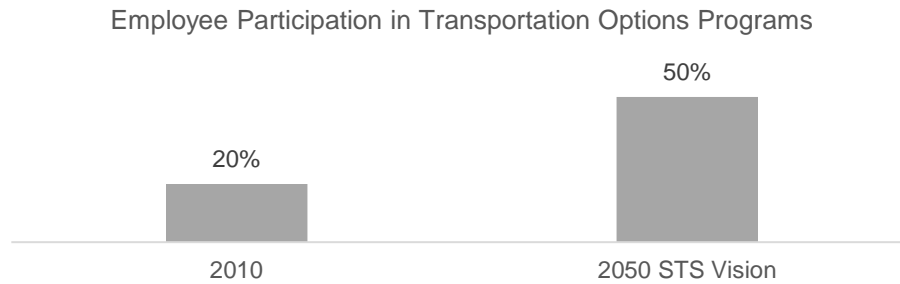


Figure 7 Employee Transportation Options Participation from STS

### C. PRICING, FUNDING, AND MARKETS

An important component of the STS Vision is for transportation system users to pay the full cost of travel, both the cost of wear and tear on the system and other social and environmental impacts of driving (noise, energy security, climate pollution, and health). Strategies to implement pricing actions, including user fees and value pricing help to recover these costs and reduce vehicle miles traveled. While many of these actions would have to be initiated at the state level, important local pricing actions include parking fees, congestion fees, and local gas taxes.

Successful implementation of the STS Vision relies on adequate funding from these user pricing systems to maintain and improve system performance, provide transportation options, and enhance operations. Transportation funding through increased fees helps to provide some of the revenue needed to support the other strategies in the Statewide Transportation Strategy. Rising long-term operations and maintenance costs and inflation result in the need to increase funding for effective transportation systems.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 5



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young, DLCD Senior Urban Planner  
Bill Holmstrom, DLCD Land Use and Transportation Planning Coordinator  
Cody Meyer, DLCD Land Use and Transportation Planner  
**SUBJECT:** **RAC 5 Item 5: Review of Monitoring and Reporting Guidance**  
**DATE:** March 22, 2021

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### A. INTRODUCTION

At our fourth meeting of the rulemaking advisory committee (RAC) on February 22, 2021, the Climate-Friendly and Equitable Communities meeting facilitators lead the group through a virtual sticky note exercise. The purpose of the exercise was to collect RAC members' guidance on the monitoring and reporting that will be necessary to assess local and regional progress toward meeting the dual goals for climate pollution reduction and improved equitable outcomes. RAC members provided brief written comments in response to the question, "What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?"

Below, staff have organized the responses received. All comments are included in the RAC Meeting 4 Summary (RAC meeting 5 packet, item 8). We also provide a brief summary of our understanding of each section and how the comments and recommendations might be implemented.

### B. RAC GUIDANCE ON MONITORING AND REPORTING

**Question:** What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?

#### Housing/Neighborhoods

- Number of housing units in mixed use neighborhoods that are affordable to low- and very low-income populations
- Number of mixed-use neighborhoods created
- How the city has mapped or zoned its current and future mixed use, walkable neighborhoods

- Building permits for all housing, and for non-single family housing (annual housing reporting, cities > 10,000)<sup>1</sup>
- How many of excess parcel sizes have been developed<sup>2</sup>. What cities have done to eliminate overly large parking lots (churches, entertainment facilities etc.) to increase housing
- How fast cities are processing building permits when compared to the prior years. Percentages of permits are related to housing affordability
- Whether the city has re-zoned its residential land so that approximately half of all new housing is planned for mixed use walkable neighborhoods
- Number of new housing units in mixed use neighborhoods
- Increase in area designated to mixed use development
- Focus on adequate housing - not just affordable housing
- Status of implementing HB 2001
- Whether or not the regulations cause housing costs to rise or reduce costs. Methods by which the regulations were determined
- Narrative of code/regulatory changes

**Staff Analysis:** Numeric tracking or metrics regarding housing production will be an important measure of the effectiveness of regulations and incentives for development in mixed-use areas allowing higher levels of development near transit and provided with excellent pedestrian and cycling networks. We are calling these areas Climate-Friendly Areas. The definition and designation of Climate-Friendly Areas will be a very important component of that work. We look forward to shaping these concepts with RAC members this fall. The proposed Metropolitan Greenhouse Gas Reduction Rules in Division 44 (OAR 660-044-0110(c)(d) require that a regional scenario plan reach the Statewide Transportation Strategy goal for at least 30% of households within metropolitan areas to be located in Climate-Friendly Areas.

Currently, cities with a population above 10,000 are required to report annually on housing production. Geographically specific reporting and associated analysis would be needed to align this reporting with designated Climate-Friendly Areas. Currently, this reporting, initially required by way of House Bill 4006 in the 2018 legislative session, requires data on permitted and produced housing units within each calendar year, in the following categories:

- (a) Residential units
- (b) Regulated affordable housing units
- (c) Multifamily residential units
- (d) Regulated affordable multifamily residential units
- (e) Single family homes
- (f) Regulated affordable single family homes
- (g) Accessory dwelling units
- (h) Regulated affordable accessory dwelling units
- (i) Units of middle housing, as defined in HB 2001 (2019)
- (j) Regulated affordable units of middle housing

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<sup>1</sup> Committee members have advised against duplicate reporting, e.g., in response to 2020 rules to implement House Bill 2001 and HB 2003. Staff appreciates this guidance and agrees to work to minimize or avoid duplicate reporting requirements.

<sup>2</sup> Staff take this to mean vacant or underutilized.

Regarding local government implementation of House Bill 2001 (the “Middle Housing Bill”), DLCDC housing team staff will continue to monitor compliance with rules and statutes implementing the Bill. Cities with population between 10,000 and 25,000 must adopt middle housing allowances by June 30, 2021. Cities with population of 25,000 or more and most cities and urbanized portions of counties within the Portland Metro area must adopt middle housing allowances by June 30, 2022. Local governments that fail to adopt compliant regulations by these deadlines must directly implement the respective model codes for “medium” or “large” local governments. The allowances for middle housing types (duplexes, triplexes, fourplexes, townhomes, and cottage clusters) in single family neighborhoods will help to achieve our climate and equity goals, but will be distinct from rules related to Climate-Friendly Areas.

Staff anticipate addressing vacant and underutilized land as well as parking requirements in administrative rules. Some of those requirements may be included in the housing-related portions of administrative rules in Divisions 7 and 8 rather than in Division 12 (Transportation Planning Rules) or Division 44 (Metropolitan Greenhouse Gas Reduction Rules).

### **Engagement**

- Engagement with priority populations, including modes of outreach

### **Demographics/Equity**

- Percentage of transit enforcement actions against BIPOC and white people
- Any data that is collected should be disaggregated by demographic data (age, gender, race, disability)
- General population satisfaction surveys: whether people are satisfied with the measures their jurisdictions are taking. Note any differences by geography
- Share of population (by income, race/ethnicity, age, etc.) with ≤15 min transit access in walking distance
- 2/3 Year: demographics of residents (income, education, racial background)
- 2-3 year: survey of residents: Walkability, safety, access to services, food
- Data/demographics; population counts, number of small businesses or businesses owned by priority populations. crimes against those populations. Safety improvements to transportation areas
- Infrastructure investment in census blocks with higher proportions of priority populations, and in other census blocks to show how investment is being distributed

**Staff Analysis:** Staff intend to incorporate equity considerations in much of the Climate-Friendly and Equitable Communities work. This will be reflected in administrative rules, but also will be embedded in technical assistance provided to local governments, and in guidance and best practices provided to local governments and other interested parties.

Equity considerations are included in a number of places within the proposed amendments to Division 44, including the following rules: OAR 660-044-0000, -0005; -0040, -0100, and -0110. Because Division 44 pertains to the regional scenario planning process, these requirements generally require local governments to engage with priority populations and to evaluate positive and negative impacts to priority populations as part of the regional scenario planning process.

Staff propose to develop a spatial equity mapping tool to help us to work towards meeting our equity outcomes. In order to be useful and to provide a consistent basis for decision-making, the tool will need to utilize data that is available and consistent on a statewide basis. Because of this, we expect that much of the data will need to come from the US Census and American Community Survey.

With this in mind, information from the mapping tool may be supplemented with local data and information that is not consistently available on a statewide basis, such as information from school districts, community-based organizations, and other parties. Because other data will not be consistent statewide or between metropolitan areas, such requirements will not be implementable in administrative rules, but may be used to inform each regional scenario planning process, and may be reflected in guidance and best practices to be developed by DLCD ideally in collaboration with community-based organizations and local governments.

Staff recognize that not all of the priority populations will have supporting data sources and may not be spatially concentrated. Staff will continue to solicit guidance regarding how best to understand and work to address the needs of these populations.

### **Funding**

- Information on how funds are spent. Disclosure of names of firms awarded contracts; whether or not they are minority owned firms and whether or not they source locally
- Percent of contracts that support small businesses
- Balance of how funding is spent on different activities, e.g., amount for transit vs highways vs housing
- Amount of funding available and percent used for GHG reduction projects (a city could spend 100% of funding on the right thing, and still be penalized for not meeting the desired outcomes unless the overall funding is increased)

**Staff Analysis:** The State of Oregon and many local governments prioritize contracting with minority owned firms. Because existing programs vary and data may, or may not be collected, clear and consistent reporting on this metric could be challenging.

Staff plans to address transportation project funding prioritization as part of the amendments to the Transportation Planning Rules (Division 12). These elements will be forthcoming for RAC review.

### **Connectivity**

- Progress on sidewalk connectivity to key destinations, including schools
- Data regarding improved sidewalk connections, missing links, extensions
- Amount of development centered around schools or other social anchors
- Bike stress and times to essential destinations from census blocks with higher BIPOC and priority populations
- Bike/pedestrian maps that shows connectivity between different areas of town
- Data on access to goods and services (walking distance, travel distance, travel time)
- Land use law impediments and incentives related to food and other essential services deserts
- Miles of connected bikeway/walking routes
- Importance of measuring actual use of services and infrastructure. We don't want bike lanes that no one uses; focus on complete systems



**Staff Analysis:** Connectivity of pedestrian, bicycle, other forms of micro-mobility and transit service will be an important consideration, especially in Climate-Friendly Areas. Comments from the RAC note many important considerations for metrics that may be used to reflect progress in this area. Staff expect some ability to customize metrics within regions as part of the scenario planning process. For example, a region committed to improving increased bicycle usage, may wish to adopt a system for measuring “bicycle level of traffic stress” for various bike routes, with a local performance measure monitoring reductions to levels of stress for various routes.

Local governments are dependent upon the private sector to develop grocery stores and other healthy food options. Higher residential densities will help to create sufficient demand for these types of businesses.

### **Safety/Transportation**

- Focus on micro mobility measures too. E.g., electric bike, scooter. Place to charge, park safely
- Data regarding increased transit service
- Number of electric vehicle plugs installed in their city
- Whether or not the city has reduced or eliminated off street parking requirements
- 2-3 Year: Increase in non-personal auto transportation modes / availability
- Survey of residents pertaining to bike safety comfort level, vehicle miles traveled, transit utilization in lieu of single person car trips
- Transit miles per capita, both service provided and total rides
- Employee bus pass participants
- Number of school buses converted from diesel to electric
- Qualitative measures around personal safety at the community-level
- Local government’s investment in walking and bicycling infrastructure
- First step is to complete a spatial equity analysis on existing transportation projects and then the awarded/funded projects in TSPs
- Has city prioritized investments in walking and bicycling?
- Number of "Direct Marketing" or other Transportation Options outreach/education efforts
- Safety measures (# crashes, # fatalities), accessible sidewalks built
- Whether or not the city has adopted street design standards for Zero Vision, future bus use, pedestrian safety, etc.
- In regards to safety: documentation of over-policing and the number of stops from various law enforcement as well as the number of bias and hate incidents in the public realm.
- Bike comfort level
- Number of increased people with greater access to transportation options, walk/bike/transit

**Staff Analysis:** Staff appreciate these comments and expect to incorporate a number of the items listed here with proposed amendments to the Transportation Planning Rules (Division 12). These include electric vehicle charging station requirements, changes to off-street parking requirements, employee bus pass participation (as part of increased transportation demand management measures), and the prioritization of investments in transportation improvements for travel modes other than single-occupant vehicles (SOVs). Other metrics, such as increased pedestrian, bicycle, and transit usage are expected to be among the data used to evaluate progress.

Safety considerations are mentioned several times in the suggestions from the RAC. Given that transportation mode choices are strongly influenced by safety considerations, metrics monitoring the safety of pedestrians, bicyclists, and transit users will be important to evaluate progress, and may also be useful for public information purposes.

### **Energy/GHG**

- Total energy use is available easily thru the tax each city collects on gas and electricity use
- GHG emissions reduced. Local governments may need better tools to measure this
- A consistent measure for GHG reduction, which is not measured in a uniform way typically

**Staff Analysis:** Computer modeling provides the best means of estimating and projecting greenhouse gas emissions from transportation. Part of the proposal in the requirements in Division 44 is setting a uniform measure (CO2 grams per mile) for the state and local governments to use. One of the challenges of this effort will be correlating local progress on the identified local performance measures with resultant greenhouse gas reductions. While there are not “off the shelf” products developed to date to support this correlation, staff are aware of, and sensitive to, that need.

### **Reduced Use of Vehicles**

- Innovative approaches local governments have taken to reduce miles traveled
- Explanation of the link between vehicle miles travelled (VMT) reduction as required by the transportation planning rule (TPR) and greenhouse gas reduction (GHG) goals

**Staff Analysis:** The focus of our Climate-Friendly and Equitable Communities rulemaking work is reducing climate pollution from light duty vehicles (cars and light trucks) within metropolitan areas while simultaneously increasing equitable outcomes. Supportive pricing, multi-modal, and land use policies are critical to reaching our climate goals through reduced VMT; areas in which local governments play an important role.

Staff are looking into connecting the existing VMT reduction requirements in the Transportation Planning Rules (Division 12) with the greenhouse gas reduction targets. We expect to be able to discuss these connections with RAC members at an upcoming meeting.

### **Other**

- Reporting metrics on resiliency. How well cities’ systems perform during adverse weather events
- It's reasonable to re-do the scenario model every five years to measure effectiveness. Any more often is just repetitious.
- Need to recognize that some actions will take some time to see results. Collecting too much annually will just result in data noise and obscure trends.
- Built facility information (linear miles, etc.) should be every three years. Programmatic progress annually.
- This question feels premature and I feel like I cannot answer it without knowing what the performance measures and specific metrics are. For example, I would advocate that metropolitan areas (MPOs) not be able to choose their own metrics but rather apply for exceptions to what the RAC recommends. If MPOs get to choose their metrics, the reporting

may look different. I do agree that there could be an annual report with qualitative data and more robust report with quantitative data

- What we report on depends what the measures are
- City integration of the performance measures should be included. For example, what are cities doing to change funding decisions and evaluation to choose a project. And how are other staff/committees knowledgeable about the performance measures and reports? What plans have been created, like a TDM Plan, multi-use housing plan, carsharing plan, etc.
- Modal split (for all trips)
- Ratio of green spaces to concrete
- Don't spend so much time reporting that you don't leave time for doing

**Staff Analysis:** Many monitoring and reporting details remain to be developed. RAC feedback has been very helpful in this regard. Some of that will occur in rules. Staff expect to establish the relationship between local performance measures and regional climate pollution reduction goals through the regional scenario planning process. In general, required monitoring and reporting will assess local and regional progress in two areas: climate pollution reduction; and improved equitable outcomes.

Although metrics will be an important component, there will also be a need for analysis and qualitative progress towards these outcomes. For example, a metric showing increased capital improvement funding in a neighborhood with a high degree of priority populations does not necessarily indicate improved conditions within the neighborhood if the improvement is a freeway interchange rather than a connected pedestrian and bicycle network.

We are grateful for RAC members' attention to the importance of the monitoring and reporting system and look forward to continuing to developing these concepts with you after the community conversations this spring.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 4



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members

**FROM:** Cody Meyer, DLCD Land Use and Transportation Planner  
Bill Holmstrom, DLCD Land Use and Transportation Coordinator  
Matt Crall, DLCD Planning Services Division Manager

**SUBJECT:** **RAC 5 Item 6: Proposed Amendments to Division 44**

**DATE:** March 22, 2021

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### Summary of Proposed Changes:

In order to meet the state's targets for Greenhouse Gas reduction, these proposed rule amendments would require regional scenario planning in the near term for the Eugene-Springfield and Salem-Keizer metropolitan areas and include a process for expanding requirements to the five other metropolitan areas. The state's five smaller metropolitan areas would be required to submit a monitoring report that uses a gap analysis to determine the difference between the region's adopted plans and regional goals from the Statewide Transportation Strategy on a schedule to be determined.

In preparing these draft rules for advisory committee review, staff suggest that the Rules Advisory Committee (RAC) members focus on the new rules listed below that are proposed additions to the existing rules. The draft rules also includes minor amendments in other rules, those changes are shown in underline and ~~striketrough~~. Staff appreciate RAC members review and discussion of these proposed updates to Division 44.

- 0000 – New purpose statement
- 0015 – Schedule for cities and counties to do scenario planning
- 0100 – Work programs for scenario planning
- 0110 – Required contents of a scenario plan
- 0120 – Department and commission review
- 0130 – Local plan amendments to implement the scenario plan
- 0140 – Reporting and Corrective Actions
- 0145 – Exemptions to Reporting Requirements
- 0150 – Enforcement
- 0200 – Interim Reporting Requirements Prior to Scenario Planning
- 0210 – Interim Report Contents

If RAC members would like to propose specific revisions to the text, please let staff know. Staff will provide a file in MS Word format so that RAC members can use the track changes feature to propose updates directly. Please send an email to [DLCD.CFEC@state.or.us](mailto:DLCD.CFEC@state.or.us) if you would like to comment in this way.

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Oregon Administrative Rules  
Chapter 660 – Land Conservation and Development Commission  
**Division 44 – Metropolitan Greenhouse Gas Reduction Targets**

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### 0000 Purpose

- (1) Consistent with EO 20-04 and the charge from the Land Conservation and Development Commission, the changes in this division implements Oregon Land Use Planning Goal 12 (Transportation), and the state goal in ORS 468A.205 to reduce greenhouse gas emissions. The purpose of this division is to significantly reduce climate pollutants that are causing increasing climate disruption as rapidly as possible. Cities, counties, metropolitan planning organizations, and Metropolitan Service District serving the Portland metro area (Metro) are encouraged to take actions beyond the minimum requirements of this division to make large reductions in pollution rapidly.

*This is a **new purpose statement** to entirely replace the existing purpose statement.*
- (2) Specifically this division requires cities, counties, and Metro to make changes to transportation and land use plans to significantly reduce pollution from light vehicles. This division places specific requirements on Metro in recognition of its unique status in the Portland region. This division also requires cities and counties within other metropolitan regions to work together to prepare a preferred land use and transportation scenario that describes a future set of aspirational transportation facilities and alternative future land use patterns that will reduce greenhouse gas pollution from light vehicles. This division requires the cities and counties within a metropolitan area to prepare a transportation and land use scenario plan that will define and implement a preferred scenario, identify performance measures for tracking progress, and work to not only to avoid or mitigate any impacts to historically marginalized communities, but to improve outcomes for these communities over time.
- (3) It is the purpose of this division to reduce inequities for historically marginalized communities. The land use and transportation scenario planning process and the local implementation process must prioritize historically marginalized communities so that the actions that reduce pollution also reduce the historic inequities from prior transportation and land use plans.

[Several **new definitions** added and small changes to some existing definitions. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0005 Definitions

For the purposes of this division, the definitions in ORS 197.015 and the statewide planning goals apply. In addition, the following definitions shall apply:

(#) “Climate Friendly Area” means land uses designated under OAR 660-012-XXXX.

*Climate Friendly Areas will be defined later in the TPR work.*

(#) “Community-based conversations” means accessible and inclusive community meetings held for areas with above-average populations of historically marginalized community members.

*This defines a process to strengthen the inclusion of community voices.*

(1) “Design type” means the conceptual areas described in the Metro Growth Concept text and map in Metro’s regional framework plan, including central city, regional centers, town centers, station communities, corridors, main streets, neighborhoods, industrial areas and employment areas.

(#) “Equitable outcomes” means outcomes including:

(a) Increased stability of historically marginalized communities, lowering the likelihood of displacement due to gentrification from public and private investments;

(b) More accessible, safe, affordable and equitable transportation choices with better connectivity to destinations people want to reach (e.g. education, jobs, services, shopping, places of worship, parks and open spaces, and community centers);

(c) Adequate housing with access to employment, education, and fresh food, goods, services, recreational and cultural opportunities, and social spaces;

(d) Increased safety for people in public spaces, transportation and community development;

(e) Equitable access to parks, nature, open spaces and public spaces;

(f) Better and more racially equitable health outcomes across the lifespan, particularly health outcomes connected to transportation choices, air pollution, and food;

(g) Recognizing and remedying impacts of past practices such as redlining, displacement, exclusionary zoning, and roadway and other public infrastructure siting decisions that harmed historically marginalized communities; and

(h) Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas.

*This defines the RAC’s Equitable Outcomes to help operationalize the statement in this division. This list is consistent with Version 5 of the Equitable Outcomes Statement.*

(2) “Framework plan” or “regional framework plan” means the plan adopted by Metro as defined by ORS 197.015(16).

(3) “Functional plan” or “regional functional plan” means an ordinance adopted by Metro to implement the regional framework plan through city and county comprehensive plans and land use regulations.

(4) “Greenhouse gas” has the meaning given in ORS 468A.210. Greenhouse gases are measured in terms of carbon dioxide equivalents, which means the quantity of a given greenhouse gas multiplied by a global warming potential factor consistent with a state-approved emissions reporting method.

(5) “Greenhouse gas emissions reduction target” or “target” means a reduction from 2005 emission levels of per capita greenhouse gas emissions from travel in light vehicles. Targets are the reductions beyond reductions in emissions that are likely to result from the use of improved vehicle technologies and fuels. Travel in light vehicles includes all travel by members of households or university group quarters living within a metropolitan area regardless of where the travel occurs, and local commercial vehicle travel that is a function of household labor or demand regardless of where the travel occurs. Examples include commuting to work, going to school, going shopping, traveling for recreation, delivery vehicles, service vehicles, travel to business meetings, and travel to jobsites.

(#) "Historically marginalized communities" means the following, with priority on Black, Indigenous and People of Color, including additional consideration of people with these additional characteristics and experiences:

- (a) Black and African American people;
- (b) Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native);
- (c) People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity populations);
- (d) Immigrants, including undocumented immigrants;
- (e) People with limited English proficiency;
- (f) People with/ disabilities;
- (g) People experiencing homelessness;
- (h) Low-income and low-wealth community members;
- (i) Low- and moderate-income renters and homeowners;
- (j) Single parents;
- (k) LGBTQIA+ community members; and
- (l) Youth and seniors.

*This provides local governments with a definition of historically marginalized communities for increased outreach and inclusion. This list is consistent with Version 5 of the Equitable Outcomes Statement.*

(6) “Land use and transportation scenario planning” means the preparation and evaluation by local governments of two or more land use and transportation scenarios and the cooperative selection of a preferred land use and transportation scenario that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area and an increase in outcomes for historically marginalized community members. Land use and transportation scenario planning may include preparation and evaluation of alternative scenarios that do not meet targets specified in this division.

(7) “Light vehicles” means motor vehicles with a gross vehicle weight rating of 10,000 pounds or less.

(8) “Metro” means the metropolitan service district organized for the Portland metropolitan area under ORS Chapter 268.

(9) “Metropolitan planning area” or “metropolitan area” means lands within the planning area boundary of a metropolitan planning organization.

(10) “Metropolitan planning organization” means an organization located wholly within the State of Oregon and designated by the Governor to coordinate transportation planning in an urbanized area of the state pursuant to 49 U.S.C. 5303(c). The Longview-Kelso-Rainier metropolitan planning organization and the Walla Walla Valley metropolitan planning organization are not metropolitan planning organizations for the purposes of this division.

(11) “Planning period” means the period of time over which the expected outcomes of a scenario plan are estimated, measured from a 2005 base year, to a future year that corresponds with greenhouse gas emission targets set forth in this division.

(12) “Preferred land use and transportation scenario” means an aspirational plan for a metropolitan area adopted by Metro through amendments to the regional framework plan that achieves the targets for reducing greenhouse gas emissions set forth in OAR 660-044-0020 and 660-0440-0025 as provided in OAR 660-044-0040 and 660-044-0110.

(13) “Statewide Transportation Strategy” means the statewide strategy adopted by the Oregon Transportation Commission as part of the state transportation policy to aid in achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205 as provided in chapter 85, section 2, Oregon Laws 2010.



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## 0015 Applicability – Compliance Schedule

- (1) This division applies to Metro (OAR 660-044-0000 through OAR 660-044-0020 and OAR 660-044-0030 through OAR 660-044-0060), and to the cities and counties within Metro (OAR 660-044-0055).
- (2) This division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) applies to the cities and counties within the metropolitan planning area of the Central Lane Metropolitan Planning Organization as described in this section.
  - (a) These cities and counties must:
    - (A) Submit a work program as provided in OAR 660-044-0100) to the department for review under section (4) by December 31, 2022;
    - (B) prepare a land use and transportation scenario plan based provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by December 31, 2023 or other date in the approved work program;
    - (C) Adopt local amendments as provided in OAR 660-044-0130 by December 31, 2024, or other date in the approved work program.
  - (b) These cities and counties may use the preferred scenario submitted to the commission and legislature in 2015 as required by Chapter 865, Oregon Laws 2010 as the basis for the land use and transportation scenario plan. If these cities and counties use the preferred scenario from 2015, then:
    - (A) These cities and counties are not required to redo the prior work that produced the preferred scenario, and not required to comply with requirements of OAR 660-044-0110 specific to the preferred scenario.
    - (B) These cities and counties are required to produce the additional elements that build on the preferred scenario to prepare a complete transportation and land use scenario plan, including OAR 660-044-0110(4)(d) and 660-044-0110(8) through (13).

*This is a **new rule** that expands the scenario planning requirement to cities and counties beyond the Portland metropolitan area.*

*The cities and counties in the Eugene-Springfield metropolitan area conducted regional scenario planning in 2011-2015. The [preferred scenario](#) which resulted from that work will be used as the foundation for meeting the new requirements in this section.*

*This section is significantly changed from the January 2021 draft.*

(3) This division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) applies to the cities and counties within the metropolitan planning area of the Salem-Keizer Area Transportation Study. These cities and counties must:

- (a) Submit a work program as provided in OAR 660-044-0100 to the department by June 30, 2023;
- (b) Submit an Interim Report prior to scenario planning as provided in OAR 660-044-0200 and 660-044-0210 to the department by June 30, 2023;
- (c) Prepare a land use and transportation scenario plan as provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by June 30, 2025, or other date in the approved work program; and
- (d) Adopt local amendments as provided in OAR 660-044-0130 by June 30, 2026, or other date in the approved work program.

*This section provides target dates in the Salem-Keizer metropolitan area. The cities and counties in this region have yet undertaken scenario planning as described in this division.*

*The target dates in this section are moved back one year from the schedule previously shared in the January 2021 draft. An interim report has been added.*

(4) Cities and counties may request, and the director or commission may approve, applying this division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) to the cities and counties within a metropolitan area and establishing compliance schedule under the following procedures.

- (a) Cities and counties within a metropolitan area may jointly submit a proposed work program or resubmit a revised work program as provided in OAR 660-044-0110.
- (b) The department shall consult with the Oregon Department of Transportation to review a proposed work program. The director may approve the work program or refer the work program to the commission with recommended revisions.
- (c) If the director refers a proposed work program to the commission under subsection (b), the commission shall hold a hearing to review the proposed work program and the recommended revisions. The commission may approve the work program based on OAR 660-044-0100 or remand the work program with required revisions.

*This section allows for other regions to voluntarily opt into the regional scenario planning program.*

(5) The commission may issue an order applying this division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) to cities and counties within a metropolitan area and establishing compliance deadlines using the procedures below.

*This section provides a process for requiring scenario planning in the Albany, Bend, Corvallis, Grants Pass, and Rogue Valley metropolitan areas.*

- (a) The department will provide the cities and counties a draft order with compliance schedule prior to a commission hearing.
- (b) The commission will hold a hearing and consider any revised or alternate order proposed by cities or counties, and any public testimony.
- (c) When considering whether to issue an order, the commission shall consider the following factors using the best available data:
  - (A) Greenhouse gas emissions including actual measurements, model estimates, recent trends, and future projections under current adopted plans;
  - (B) Local transportation and land use actions that influence greenhouse gas emissions and more equitable outcomes, including adopted plans, recent actions by cities and counties, and development trends;
  - (C) Population growth including recent trends and future projections;
  - (D) Presence or absence of regional cooperation on greenhouse gas emissions reduction;
  - (E) Vehicles miles travelled per capita by residents of the metropolitan area, including actual measurements, model estimates, recent trends, and future projections under current adopted plans; and
  - (F) State and local funding available for scenario planning.

*[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]*

## 0020 Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area

(1) Metro shall use the greenhouse gas emissions reduction targets in this rule as it develops, reviews, and updates a ~~two or more alternative~~ land use and transportation scenarios that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area as required by OAR 660-044-0040 through 660-044-0060.

(2) This rule only applies to the Portland metropolitan area.

(3) The greenhouse gas emissions reduction target is a 20 percent reduction in the year 2035.

(4) Targets for the years 2040 and beyond through ~~2050~~ are:

- (a) By 2040, a 25 percent reduction.
- (b) By 2041, a 26 percent reduction.
- (c) By 2042, a 27 percent reduction.
- (d) By 2043, a 28 percent reduction.
- (e) By 2044, a 29 percent reduction.
- (f) By 2045, a 30 percent reduction.
- (g) By 2046, a 31 percent reduction.

*Extending horizon year to incorporate any planning work that goes beyond 2050.*

- (h) By 2047, a 32 percent reduction.
- (i) By 2048, a 33 percent reduction.
- (j) By 2049, a 34 percent reduction.
- (k) By 2050 and beyond, a 35 percent reduction.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0025 Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas

### (1) Purpose and effect of targets

~~(a)~~ Local governments in metropolitan planning areas not covered by OAR 660-044-0020 ~~may shall~~ use the ~~relevant~~ targets set forth in section (2) of this rule as they conduct land use and transportation scenario planning to reduce greenhouse gas emissions.

*As the state has not been meeting its greenhouse gas reduction targets, this change makes the targets mandatory*

~~(b) This rule does not require that local governments or metropolitan planning organizations conduct land use and transportation scenario planning. This rule does not require that local governments or metropolitan planning organizations that choose to conduct land use or transportation scenario planning develop or adopt a preferred land use and transportation scenario plan to meet targets in section (2) of this rule.~~

(2) Targets ~~by for the years 2040 and beyond through 2050~~ are:

- (a) By 2040 or earlier, a 20 percent reduction.
- (b) By 2041, a 21 percent reduction.
- (c) By 2042, a 22 percent reduction.
- (d) By 2043, a 23 percent reduction.
- (e) By 2044, a 24 percent reduction.
- (f) By 2045, a 25 percent reduction.
- (g) By 2046, a 26 percent reduction.
- (h) By 2047, a 27 percent reduction.
- (i) By 2048, a 28 percent reduction.
- (j) By 2049, a 29 percent reduction.
- (k) By 2050 and beyond, a 30 percent reduction.

*Extending horizon year to incorporate any planning work that goes beyond 2050.*

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[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0030 Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions

(1) Applicability: When ~~if~~ local governments within a metropolitan area are conducting land use and transportation scenario planning to demonstrate that their plans would meet the greenhouse gas emissions reductions targets established in this division, then they shall use the provisions and options in this rule to project future emissions.

(2) Projected Emission Rates: Projections of greenhouse gas emissions must use the emission rates specified in subsection (a) or the flexible option described in subsection (b).

(a) Projections of greenhouse gas emissions may use the emission rates listed below, which are based on the Statewide Transportation Strategy and reflect reductions likely to result by the use of improved vehicle technologies and fuels. Rates are measured in grams of carbon dioxide equivalent per vehicle mile.

(A) In 2040, 140 grams per mile.

(B) In 2041, 134 grams per mile.

(C) In 2042, 128 grams per mile.

(D) In 2043, 123 grams per mile.

(E) In 2044, 117 grams per mile.

(F) In 2045, 112 grams per mile.

(G) In 2046, 108 grams per mile.

(H) In 2047, 103 grams per mile.

(I) In 2048, 99 grams per mile.

(J) In 2049, 94 grams per mile.

(K) In 2050, 90 grams per mile.

(b) Projections of greenhouse gas emissions may ~~use emission rates lower than~~ differ from the rates in subsection (a) if local or regional programs or actions can be demonstrated to result in changes to vehicle fleet, technologies, or fuels above and beyond the assumption in the Statewide Transportation Strategy, or agreed to by ODOT and DLCD. One example would be a program to add public charging stations that is estimated to result in use of hybrid or electric vehicles greater than the statewide assumption in the Statewide Transportation Strategy.

(3) Actions in the Statewide Transportation Strategy: Projections of greenhouse gas emissions may assume state actions specified in subsection (a), and may use the flexibility for local and regional actions described in subsection (b).

(a) State Actions: Projections of greenhouse gas emissions may include reductions projected to result from state actions, programs, and associated interactions up to, but not exceeding, the levels identified in the Statewide Transportation Strategy.

(b) Local and Regional Actions: Projections of greenhouse gas emissions may include local or regional actions similar to actions in the Statewide Transportation Strategy if the local or regional governments have authority to and have adopted plans that would implement the actions.

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*[No changes in this rule.]*

## 0035 Review and Evaluation of Greenhouse Gas Reduction Targets

(1) The commission shall by June 1, 2021, and at four year intervals thereafter, conduct a review of the greenhouse gas emissions reduction targets in OAR 660-044-0020 and 660-044-0025.

(2) The review by the commission shall evaluate whether revisions to the targets established in this division are warranted considering the following factors:

- (a) Results of land use and transportation scenario planning conducted within metropolitan planning areas to reduce greenhouse gas emissions from light vehicles;
- (b) New or revised federal and state laws or programs established to reduce greenhouse gas emissions from light vehicles;
- (c) State plans or policies establishing or allocating greenhouse gas emissions reduction goals to specific sectors or subsectors;
- (d) Policies and recommendations in the Statewide Transportation Strategy adopted by the Oregon Transportation Commission;
- (e) Additional studies or analysis conducted by the Oregon Department of Transportation, the Department of Environmental Quality, the Oregon Department of Energy or other agencies regarding greenhouse gas emissions from light vehicle travel, including but not limited to changes to vehicle technologies, fuels and the vehicle fleet;
- (f) Changes in population growth rates, metropolitan planning area boundaries, land use or development patterns in metropolitan planning areas that affect light vehicle travel;
- (g) Efforts by local governments in metropolitan areas to reduce greenhouse gas emissions from all sources;
- (h) Input from affected local governments and metropolitan planning organizations;
- (i) Land use feasibility and economic studies regarding land use densities; and
- (j) State funding and support for scenario planning and public engagement.

(3) The department shall, in consultation and collaboration with affected local governments, metropolitan planning organizations and other state agencies, prepare a report addressing factors listed in section (2) of this rule to aid the commission in determining whether revisions to targets established in this division are warranted.

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[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0040 ~~Cooperative Selection of a~~ Preferred Scenario in the Portland Metropolitan Area; Initial Adoption

(1) Within one year of adoption or amendment of a preferred scenario, Metro shall amend the regional framework plan and the regional growth concept to select and incorporate a preferred land use and transportation scenario that meets targets in OAR 660-044-0020 consistent with the requirements of this division.

*The Metro region has already selected and adopted a preferred scenario by way of their Climate Smart Communities program. This change is to support any future amendments needed to the plan.*

(2) In preparing, ~~and selecting,~~ or amending a preferred land use and transportation scenario Metro shall:

- (a) Consult with affected local governments, representatives of historically marginalized communities, the Port of Portland, TriMet, and the Oregon Department of Transportation;
- (b) Consider adopted comprehensive plans and local aspirations for growth in developing and selecting a preferred land use and transportation scenario;
- (c) Use assumptions about population, housing and employment growth consistent with the coordinated population and employment projections for the metropolitan area for the planning period;
- (d) Use evaluation methods and analysis tools for estimating greenhouse gas emissions that are:
  - (A) Consistent with the provisions of this division;
  - (B) Reflect best available information and practices; and,
  - (C) Coordinated with the Oregon Department of Transportation.
- (e) Make assumptions about state and federal policies and programs expected to be in effect over the planning period, including the Statewide Transportation Strategy, in coordination with the responsible state agencies;
- (f) Evaluate a reference case scenario that reflects implementation of existing adopted comprehensive plans and transportation plans;
- (g) Evaluate at least two alternative land use and transportation scenarios for meeting greenhouse gas reduction targets and identify types of amendments to comprehensive plans and land use regulations likely to be necessary to implement each alternative scenario;
- (h) Develop and apply evaluation criteria that assess how alternative land use and transportation scenarios compare with the reference case in achieving important regional goals or outcomes;
- (i) Evaluate if the preferred scenario relies on new investments or funding sources to achieve the target, the feasibility of the investments or funding sources including:



- (A) A general estimate of the amount of additional funding needed;
- (B) Identification of potential/likely funding mechanisms for key actions, including local or regional funding mechanisms; and,
- (C) Coordination of estimates of potential state and federal funding sources with relevant state agencies (*i.e.* the Oregon Department of Transportation for transportation funding); and,
- (D) Consider effects of alternative scenarios on development and travel patterns in the surrounding area (*i.e.* whether proposed policies will cause change in development or increased light vehicle travel between metropolitan area and surrounding communities compared to reference case).

(3) The preferred land use and transportation scenario shall include:

- (a) A description of the land use and transportation growth concept providing for land use design types;
- (b) A concept map showing the land use design types;
- (c) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-0020;
- (d) Planning assumptions upon which the preferred scenario relies including:
  - (A) Assumptions about state and federal policies and programs;
  - (B) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030;
  - (C) Assumptions or estimates of expected housing and employment growth by jurisdiction and land use design type; and
  - (D) Assumptions about proposed regional programs or actions other than those that set requirements for city and county comprehensive plans and land use regulations, such as investments and incentives;
- (e) Performance measures and targets to monitor and guide implementation of the preferred scenario. Performance measures and targets shall be related to key elements, actions and expected outcomes from the preferred scenario. The performance measures shall include performance measures adopted to meet requirements of OAR 660-012-0035(5); and
- (f) Recommendations for state or federal policies or actions to support the preferred scenario.

(4) When amending a local Transportation Systems Plan, or comprehensive plan, local governments shall adopt findings demonstrating that implementation of the preferred land use and transportation scenario meets the requirements of this division and can reasonably be expected to achieve the greenhouse gas emission reductions as set forth in the target in OAR 660-044-0020. The findings shall demonstrate:

- (a) Explain how the expected pattern of land use development in combination with land use and transportation policies, programs, actions set forth in the preferred scenario will result in levels of greenhouse gas emissions from light vehicle travel that achieve the target in OAR 660-044-0025;



(b) The preferred scenario Advances equitable outcomes for historically marginalized communities; and

~~(c) Explain how t~~The preferred scenario is or will be made consistent with other applicable statewide planning goals or rules.

(5) Guidance on evaluation criteria and performance measures.

(a) The purpose of evaluation criteria referred to in subsection (2)(h) is to encourage Metro to select a preferred scenario that achieves greenhouse gas emissions reductions in a way that maximizes attainment of other community goals and benefits. This rule does not require the use of specific evaluation criteria. The following are examples of categories of evaluation criteria that Metro might use:

- (A) Public health;
- (B) Air quality;
- (C) Household spending on energy or transportation;
- (D) Implementation costs;
- (E) Economic development;
- (F) Access to parks and open space; and,
- (G) Equity, specifically impact promoting equitable outcomes for historically marginalized communities.

(b) The purpose of performance measures and targets referred to in subsection (3)(e) is to enable Metro and area local governments to monitor and assess whether key elements or actions that make up the preferred scenario are being implemented, and whether the preferred scenario is achieving the expected outcomes. This rule does not establish or require use of particular performance measures or targets. The following are examples of types of performance measures that Metro might establish:

- (A) Transit service revenue hours;
- (B) Mode share;
- (C) People per acre by 2040 Growth Concept design type;
- (D) Percent of workforce participating in employee commute options programs; and
- (E) Percent of households and jobs within one-quarter mile of transit.

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*[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]*

## 0045 ~~Adoption of~~ Regional Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

(1) Within one year of the commission's order approving Metro's amendments to the regional framework plan to select, ~~and incorporate,~~ or amend a preferred land use and transportation scenario, Metro shall adopt regional functional plan amendments to implement the framework plan amendments.

*Metro has moved beyond the adoption phase and is in the implementation phase.*

(2) Functional plan amendments shall establish requirements, deadlines and compliance procedures for amendments to local comprehensive plans, transportation system plans and land use regulations as necessary to implement the framework plan amendments. The functional plan amendments shall require affected cities and counties to adopt implementing amendments to comprehensive plans and land use regulations within two years of acknowledgement of Metro's functional plan amendments or by a later date specified in the adopted functional plan.

(3) Functional plan amendments shall include requirements that local governments amend local comprehensive plans, transportation system plans and land use regulations to:

- (a) Use population, housing and employment allocations to specific areas and land use design types that are consistent with estimates in the framework plan including assumptions about densities, infill, and redevelopment;
- (b) Apply comprehensive plan designations and zoning districts that are consistent with land use design type, allowing uses and densities that are consistent with land use design type and limiting uses that would be incompatible with the design type specified in the preferred scenario; and,
- (c) Include other provisions needed to implement the amended framework plan.

(4) As part of its adoption of functional plan amendments under this rule, Metro shall adopt findings demonstrating that actions required by the functional plan amendments are consistent with and adequate to implement the relevant portions of the preferred land use and transportation scenario set forth in the adopted framework plan amendments. The findings shall demonstrate that assumptions or allocations of housing and employment growth to specific areas are consistent with the estimates or assumptions in the framework plan amendments. In the event Metro's allocations or assumptions vary from those upon which the framework plan amendments are based, Metro shall demonstrate that the revised assumptions or allocations, in combination with other measures adopted as part of the functional plan will meet the GHG reduction target in OAR 660-044-0020.

(5) Those portions of the preferred scenario in the framework plan that Metro chooses to implement by establishing requirements for city and county comprehensive plans and land use regulations shall be set forth in amendments to the functional plan. The amendments shall meet the following minimum planning standards:

- (a) For adoption of amendments to the regional framework plan, the Metro Council shall follow the process set forth in the Metro Charter;
- (b) For adoption of amendments to the functional plan, the Metro Council shall follow the process set forth in the Metro Charter for adoption of ordinances;
- (c) The Metro Council shall strive for flexibility when establishing new requirements for cities and counties, and shall consider offering optional compliance paths to cities and counties, such as adoption of a model ordinance developed by Metro;

(d) Metro shall make new requirements for cities and counties included in the functional plan amendments adopted under this rule enforceable by Metro pursuant to ORS 268.390(6).~~;~~

(6) When it adopts an updated regional transportation system plan required by OAR chapter 660, division 12, Metro shall demonstrate that the updated plan is consistent with framework plan amendments adopting a preferred scenario as provided in 660-044-0040(3).

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*[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]*

## 0050 Commission Review of Regional Plans in the Portland Metropolitan Area

(1) The commission shall review Metro's framework plan amendments adopting or amending a preferred land use and transportation scenario and amendments to functional plans to implement the framework plan amendments in the manner provided for periodic review under ORS 197.628 to 197.650.

*Extends commission review to amendment of the regional plan.*

(2) The commission's review of framework plan amendments adopting a preferred land use and transportation scenario shall determine whether the preferred scenario can reasonably be expected to achieve greenhouse gas emission reductions as set forth in the targets in OAR 660-044-0020, other requirements of this division, and any applicable statewide planning goals.

(3) The commission's review of amendments to functional plans shall determine whether the adopted functional plans are consistent with and adequate to carry out relevant portions of the framework plan amendments.

(4) The commission may conduct review of Metro's framework plan amendments adopting a preferred scenario in conjunction with review of a UGB update or an update to the regional transportation system plan.

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[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0055 Adoption of Local Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

(1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the preferred land use and transportation scenario as set forth in Metro’s functional plans or amendments. “Consistent” for the purpose of this section means city and county comprehensive plans and implementing ordinances, on the whole, conforms with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

*Specifies a process for Metro. Proposes a parallel process for other metropolitan areas in rule 0130.*

(2) Beginning one year from Metro’s adoption of a preferred scenario, local governments in the Portland metropolitan area shall, in adopting an amendment to a comprehensive plan or transportation system plan, other than a comprehensive plan or transportation system plan update or amendment to implement the preferred scenario, demonstrate that the proposed amendment is consistent with the preferred land use and transportation scenario.

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[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

## 0060 Monitoring and Reporting in the Portland Metropolitan Area

(1) Metro shall ~~as part of reports required by ORS 197.301~~ prepare a report monitoring progress in implementing the preferred scenario including status of performance measures and performance targets adopted as part of the preferred scenario as part of regular updates to the Regional Transportation Plan and preparation of Urban Growth Reports.

*Specifies a process for Metro. A parallel process for other metropolitan areas is proposed in rule 0140.*

(2) Metro’s report shall assess whether the region is making satisfactory progress in implementing the preferred scenario; identify reasons for lack of progress, and identify possible corrective actions to make satisfactory progress. Metro may update and revise the preferred scenario as necessary to ensure that performance targets are being met.

(3) The commission shall review the report and shall either find Metro is making satisfactory progress or provide recommendations for corrective actions to be considered or implemented by Metro prior to or as part of the next update of the preferred scenario.

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## 0100 Scenario Planning Work Programs

As used in this division, a work plan must include:

- (1) A governance structure for regional cooperation: a proposed mechanism for regional cooperation. The governance structure may be an existing metropolitan planning organization, a new regional inter-governmental entity, an intergovernmental agreement for collaboration among local governments, or other mechanism. The governance structure must describe how the entity or entities will make decisions and complete tasks. The governance structure must, at a minimum, include cities and counties and describe how transit providers will be involved in the planning process.
- (2) A scope of work: A list of tasks to develop scenarios, analyze scenarios, select a preferred scenario, assemble a land use and transportation scenario plan, and amend local plans consistent with the land use and transportation scenario plan.
- (3) A community engagement plan: A community engagement plan with a focus on outreach to and inclusion of historically marginalized communities including community-based conversations.
- (4) A funding estimate: A general estimate of needs for state funding for regional entities to for develop and select scenarios and for each city and county to adopt local amendments to implement the selected scenario. The funding estimate must include a schedule of requested amounts in current and future budget periods.
- (5) A schedule: The work plan must include the schedule for submitting the land use and transportation scenario plan and for adopting local amendments to implement the approved preferred land use and transportation scenario.

*This is a **new rule** that describes the process for scenario planning in cities and counties beyond the Portland metropolitan area. A work program is the first step in the process. The work program provides the basic framework for doing conducting the greenhouse gas reduction scenario planning.*

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## 0110 Land use and Transportation Scenario Plan Contents

As used in this division, a land use and transportation scenario plan must include:

- (1) A horizon year at least 20 years in the future.
- (2) Lists and maps of transportation projects, including:
  - (a) Assessment of transportation needs of historically marginalized communities;
  - (b) Projects reasonably likely to be funded through the horizon year;
  - (c) Projects that would require additional funding
  - (d) General estimates of the amount of additional funding required; and
  - (e) Potential sources of additional funding.

*This **new rule** lists the elements of a scenario plan. The core element is a preferred scenario that would meet the pollution reduction targets. The scenario plan includes additional elements to implement the preferred scenario, to track progress and to report on the planning process.*

- (3) Projections of land uses at the horizon year including:
  - (a) Assessment of housing needs of historically marginalized communities;
  - (b) Residential densities;
  - (c) Employment densities;
  - (d) A minimum of 30 percent of households living in a Climate Friendly Area as designated under OAR 660-012-XXXX; and
  - (e) Total regional population consistent with forecasts under OAR 660-032-0020.
- (4) Analysis of local development regulations to identify any changes needed to enable development of the projected land uses, including:
  - (a) Comparison of zoning maps with projected densities;
  - (b) Parking requirements; and
  - (c) Electric vehicle charging requirements.
- (5) Projection of future greenhouse gas emissions at the horizon year using methods described in OAR 660-044-0030 using a preferred land use and transportation scenario to meet the targets in OAR 660-044-0025.
- (6) Assumptions used to project future greenhouse gas emissions including:
  - (a) Assumptions about state and federal policies and programs;
  - (b) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030; and
  - (c) Assumptions about proposed regional programs or actions such as investments and incentives not already included in the list of transportation projects and projections of future land uses.
- (7) Methodologies for performance measures that cities and counties will use to report on implementation of the preferred land use and transportation scenario, including:
  - (a) Regional outcome performance measures to determine whether outcomes are progressing to achieve the projected reductions in greenhouse gas emissions. The regional outcome performance measures must include actual performance for the data elements used to project greenhouse gas emissions as described in OAR 660-044-0030.
  - (b) Local action performance measures to determine whether cities and counties are taking the actions necessary to implement the preferred land use and transportation scenario.
  - (c) Equity performance measures to determine whether implementation of the preferred land use and transportation scenario is improving equitable outcomes for historically marginalized communities.
- (8) The performance measures in section (7) must include:
  - (a) A set of performance measures including methods, details, and assumptions to calculate the value;

*This adds a requirement for regional scenario plans to identify land uses that meet the land use goals in the STS.*

*Division 12 (Transportation Planning Rules, or TPR) will define "Climate Friendly Area."*

*These sections specify how cities and counties will report and monitor plan implementation, actions taken, and on equitable outcomes.*

- (b) Baseline current data, or historical data, for each performance measure;
  - (c) A reporting schedule repeating every four or five years through the horizon year;
  - (d) A target for each performance measure for each reporting point; and
  - (e) Best available demographic information for historically marginalized communities.
- (9) Report on community-based conversations and other efforts to solicit input from historically marginalized communities.
- (10) An assessment of benefits and burdens of the scenario on historically marginalized community members compared to the population as a whole.

## 0120 Commission Review of a Land Use and Transportation Scenario Plan

- (1) Cities and counties shall submit a land use and transportation scenario plan to the director.
- (2) Upon receipt of a land use and transportation scenario plan, the director shall determine whether the submittal is complete based on the applicable criteria in this division.
  - (a) If there is any missing information, the director must inform the cities and counties with sufficient specificity to allow the cities to provide missing information.
    - (A) The cities and counties must supply additional information within 30 days of the director's notification. If the cities and counties do not supply additional information, the director shall review the original submission as provided in subsection (b).
    - (B) If the director does not send a notice of missing information within 30 days of submittal, the submittal shall be deemed complete.
  - (b) Upon completeness, the department shall:
    - (A) Post the complete land use and transportation scenario plan on the department's website; and
    - (B) Provide notice to persons described under ORS 197.615 (3).
    - (C) The notice provided shall describe;
      - (i) How and where the land use and transportation scenario plan may be freely obtained; and
      - (ii) That objections to the land use and transportation scenario plan may be submitted to the Department within 14 days of the notice.
    - (c) Review the submittal for compliance with the rules within this division and either:
      - (A) Issue an order approving the submittal, with responses to any objections submitted; or

*This **new rule** describes the review process for scenario plans in cities and counties beyond the Portland metropolitan area. Before the formal review, state and local staff will collaborate on the plan and resolve most questions. If there are no remaining issues, the cities and counties will formally submit the plan and the DLCD Director will approve it. If there are unresolved questions, the process goes to the commission for a public hearing and decision.*



- (B) Refer the submittal to the commission for review and action under section (5).
- (d) If the director does not issue an order approving the submittal or make a referral to the commission within 60 days of completeness, the submittal shall be deemed approved, and an order sent under section (3).
- (3) The director shall send an approval order to the cities and counties, post on a public website using the Internet or a similar electronic method, and provide a copy of the order to the commission at its next regular meeting. The approval order must include information on the process to appeal the director’s order as described in this rule.
- (4) A person who has filed an objection may appeal a director’s approval order to the commission. An appeal must be submitted within 30 days of the date of the commission meeting(s) at which the commission received the order. An appeal must clearly identify an alleged deficiency in the submittal based the requirements of this division.
- (5) The commission shall hold a hearing on a submittal referred by the director under section (2), or appealed under section (4).
  - (a) The commission will consider the contents of the land use and transportation scenario plan, the director’s staff report, testimony from the city or county that submitted the plan, and testimony from any persons who filed objections to the plan.
  - (b) The commission may:
    - (A) Remand the submittal with specific directions for needed changes consistent with the requirements of this division; or
    - (B) Approve the submittal.
- (6) The director shall issue an order of the commission’s decision to the cities and counties and to all participants in the hearing.

## 0130 Local Amendments to Implement Approved Land use and Transportation Scenario Plan

- (1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the land use and transportation scenario plan approved by an order under OAR 660-044-0120. “Consistent” for the purpose of this rule means city and county comprehensive plans and implementing ordinances, on the whole, conform to the purposes of the performance standards in the approved land use and transportation scenario plan.
- (2) Cities and counties with an approved land use and transportation scenario plan under OAR 660-044-0120 may only adopt amendments to a comprehensive plan, land use regulation, or transportation system plan that are consistent with the approved land use and transportation scenario plan.

*This **new rule** describes the process for local governments outside of the Portland metropolitan area to individually implement the regional scenario plan they jointly developed.*



## 0140 Reporting and Corrective Actions

- (1) Cities and counties must submit a progress reports for each reporting year specified in an approved scenario plan.
- (2) Cities and counties must submit within six months of the end of the report period.
- (3) The report must include:
  - (a) Actual data for each performance measure with a comparison to the target;
  - (b) Corrective actions to improve performance for any performance measure that does not meet the target;
  - (c) An assessment of whether the reporting city or county has implemented the approved scenario plan;
  - (d) A narrative on the actions taken to reduce climate pollution;
  - (e) Corrective actions for any lack of implementation; and
  - (f) Status of any corrective actions identified in prior reports.

*This **new rule** describes the reporting and corrective actions for local governments in cities and counties beyond the Portland metropolitan area. This rule has been added after RAC 3 This rule has been added after the January 2021 draft.*

- (4) The department shall review the report.
  - (a) If the director finds that the cities and counties have met the performance targets and have implemented the approved scenario, the director will report the findings as an update to the commission.
  - (b) If the director finds that the corrective actions are adequate to address any performance targets that were not met and adequate to implement the approved scenario plan, the director will report the findings as an update to the commission.
  - (c) If the director finds that corrective actions are inadequate, the director shall refer the report to the commission for a compliance hearing as provided in OAR 660-044-0150.

*The performance targets include all of the performance measures listed in 0110(7):*

- (a) Regional outcome performance measures*
- (b) Local action performance measures*
- (c) Equity performance measures*

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## 0150 Enforcement

- (1) The commission will hold a compliance hearing in response to a request from the director, in response to a request submitted to the department, or on its own motion.
- (2) At the hearing the commission shall hear from any party alleging non-compliance, and from the cities or counties alleged to be not in compliance.

*This is a **new rule** that describes the enforcement process for local governments in cities and counties beyond the Portland metropolitan area. This rule has been added after the January 2021 draft.*

- (3) Compliance includes, but is not limited to, meeting deadlines established in OAR 660-044-0015, submitting reports as provided in OAR 660-044-0140, or implementing corrective actions as provided in OAR 660-044-0140.
- (4) The commission may evaluate the compliance the cities and counties within a metropolitan area in a collective evaluation, or the commission may evaluate the compliance of an individual city or county separately.
- (5) If the commission finds a city, a county, or a collection of cities and counties out of compliance with the requirements of this division, the commission may use any authority granted to commission, including but not limited to the actions below.
  - (a) *[To be determined at a later date in rulemaking]*
- (6) A city must meet all applicable requirements of this division in order to expand an urban growth boundary under OAR 660-024-0020(1) or OAR 660-038-0020(13).
- (7) A city or county must meet all applicable requirements of this division to make findings under OAR 660-012-0060(1). If a city or county has not met all applicable requirements of this division, the city or county must, in addition to all applicable requirements of OAR 660-012-0060, make additional findings that the proposed amendment to an acknowledged comprehensive plan or land use regulation (including a zoning map) would advance each of the purposes of this division in OAR 660-044-0000.

*Enforcement actions remain under legal review.*

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## 0200 Interim Reporting Requirements Prior to Scenario Planning

- (1) Cities and counties that do not have an approved work program as provided in OAR 660-044-0100 shall submit an interim report no later than June 30, 2023.
- (2) The department shall review the report.
  - (a) If the director finds that the city or county has met the reporting requirement, the director will report the findings as an update to the commission.
  - (b) If the director finds that a report is inadequate, the director shall refer the report to the commission for a compliance hearing as provided in OAR 660-044-0150.

*This **new rule** that describes the interim scenario planning process for cities and counties beyond the Portland metropolitan area that have not undertaken the scenario planning work. This rule sets up a regional monitoring and reporting framework that will track regional progress towards STS Vision and used to help set benchmarks for local performance measures.*

*This rule has been added after the January 2021 draft.*

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## 0210 Interim Report Contents

As used in this division, an interim scenario planning report must include:

- (1) A schedule for future interim reports every four to five years.
- (2) A planning horizon year at least 20 years in the future.
- (3) Current land uses and projections of land uses at the horizon year including:
  - (a) Residential densities; and
  - (b) Employment densities.
- (4) Data from the implementation of adopted local and regional transportation and land use plans that measures progress towards meeting the Statewide Transportation Strategy 2050 Vision including but not limited to:
  - (a) Compact, mixed-use development;
  - (b) Electric vehicle charging availability;
  - (c) Urban design supporting multi-modal/walkability;
  - (d) Transportation demand management program implementation;
  - (e) Transit service;
  - (f) Parking costs and management;
  - (g) Road growth and management; and
  - (h) Alternative and renewable fuels for transit and commercial fleets.

*This is a **new rule** that describes the contents of report for cities and counties beyond the Portland metropolitan area that have not undertaken the scenario planning work.*

*The data required by sections (2) and (3) is already produced by metropolitan planning organizations as part of Regional Transportation Plans. Section (4) requires data that the department will use to measure whether local actions are close to or far from the assumptions used in the Statewide Transportation Strategy.*

*This rule has been added after the January 2021 draft.*

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 5



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kirstin Greene, Deputy Director and Cody Meyer, Land Use and Transportation Planner  
**SUBJECT:** **RAC 5 Item 7: Equity Mapping**  
**DATE:** March 22, 2021

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Governor Brown's [Executive Order 20-04](#) directed the Department of Land Conservation and Development and the Land Conservation and Development Commission to reduce greenhouse gas emissions *and* improve equitable outcomes for priority populations. The purpose of the Climate-Friendly and Equitable Communities rulemaking initiative is to provide rules to support a program to reduce climate pollution and improve outcomes for Oregonians as a whole, and for specific priority populations. As defined in the Rules Advisory Committee-developed Equitable Outcomes Framework, these populations include the following:

- Members of these communities include:
- Black and African American community members
- Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native)
- People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity populations)
- Immigrants, including undocumented immigrants
- People with limited English proficiency
- People with disabilities
- People experiencing homelessness
- Low-income and low-wealth community members
- Low- and moderate-income renters and homeowners
- Single parents
- LGBTQIA+ community members
- Youth and seniors
- People unfairly excluded from resources due to employment, homeownership, experience with the justice system, or other life status

One important element of improving outcomes for priority populations is identifying where concentrations of these community members live. With spatial tools including mapping, populations can be cross-referenced with outcomes such as access to safe walking infrastructure, transit and other amenities. Accordingly, staff is working to develop an equity mapping tool. The purpose of this tool is to help local governments and their community members better understand the expected benefits of policies and investments with respect to populations who may have not received fair benefit and access to public infrastructure to date.

Potential uses for this equity mapping approach are to:

- Inventory and score projects and investments for benefits to state and locally-defined priority populations;
- Identify areas that have not received adequate resources in the past;
- Identify areas at risk for displacement; and
- Add an equity lens to performance measures.

Staff are working with Oregon Department of Transportation and staff from the Chief Data Officer's office as well as six other state agencies including the Oregon Health Authority and Oregon Housing and Community Services. Building the tool and data will be an iterative process that will be improved over time.

## Examples of Equity Mapping

### ODOT Statewide Transportation Improvement Plan Equity Mapping

Staff of the Oregon Department of Transportation (ODOT) are developing an equity mapping index with the goal to apply a social equity score to potential projects for the 2024-27 [Statewide Transportation Improvement Plan](#) (STIP) and for project selection in the [Safe Routes to School](#) program. Another goal held by ODOT staff is to provide this map as a communications tool so state and local community members and staff can better envision and hold more productive discussions about conditions where people live.

ODOT's Equity Mapping tool is built with data from the American Community Survey (ACS) produced by the United States Census Bureau. The data is available at the block group geographic level which includes about 250 to 550 households. The tool calculates a composite social equity score for each Census Block Group using concentrations of disadvantaged communities using the following data:

- Black, Indigenous and People of Color (BIPOC) community members
- Limited English Proficiency speakers
- People with disabilities
- People living in poverty
- Seniors – community members over 65 years of age

### Metropolitan Planning Organizations – Title VI of the Civil Rights Act

Metropolitan Planning Organizations (MPOs) across the US are required to consider populations listed in Title VI of the 1964 Civil Rights Act as a condition for receiving federal funding. Equity maps are used to direct funds to underserved areas and to avoid, minimize, or mitigate disproportionate adverse impacts on minority and low-income populations. MPOs typically collect and map demographic information on community members with the following attributes:

- Race and Ethnicity
- English Proficiency
- Seniors
- Low Income
- Disability

## City of Bend Equity Mapping

The Bend City Council is working on adopting several goals centered on equity, including accessible services, shared prosperity, housing, and transportation and infrastructure. City staff have identified equity mapping as a tool that will help the city achieve these goals.

One example of how the City of Bend MPO has applied equity mapping is in the Transportation System Plan (TSP). Staff mapped the following indicators using Census American Community Survey data. The analysis was used to inform public engagement and project development and prioritization using the following data:

- English Proficiency Levels
- Low-Income
- Minority
- Residents with Disabilities
- Senior Residents

## Priority Populations Data Scan

As mentioned above, DLCD staff have convened an Interagency Technical Support Team (TST), which includes staff from the Oregon Departments of Energy, Environmental Quality, Housing and Community Services, Transportation, Health Authority, Business Oregon, Portland State Population and Research Center, the Chief Data Officer and the Governor's Office. The mission of the group is to help achieve the Governor's Executive Order 20-04 in ways that result in more equitable outcomes as defined by the RAC and the LCDC charge. TST members have helped DLCD staff identify the demographic data sources necessary for an equity analysis of spatial and social equity using the priority populations in the RAC's Equitable Outcomes statement.

An initial data availability scan for the priority populations identified by the RAC is presented below. Staff would like guidance from the group on data and limitations for these indicators.

Priority Population	Data Source	Geography	Frequency
Black and African American people	Census (ACS)	Tract Block Group	5 year
Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native)	Census (ACS)	Tract Block Group	5 year
People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed race or mixed ethnicity populations)	Census (ACS)	Tract Block Group	5 year
Immigrants, including undocumented immigrants	Unidentified	Unidentified	Unidentified
People with limited English proficiency	Census (ACS)	Tract Block Group	5 year
People with disabilities	Census (ACS)	Tract Block Group	5 year
People experiencing homelessness	US Department of Housing and Urban Development Point in Time, Homelessness Management Info System, or Oregon Department of Education	Continuum of Care area, or School District	Annual update
Low income community members	Census (ACS)	Tract Block Group	5 year
Low wealth community members	Oregon Department of Education	School District	Annual
Low and moderate income renters	Census (ACS)	Tract Block Group	5 year
Low and moderate income homeowners	Census (ACS)	Tract Block Group	5 year
Single parents	Census (ACS)	Tract Block Group	5 year
LGBTQIA+ community members	Unidentified	Unidentified	Unidentified
Youth and seniors (ages 65+ and <18)	Census (ACS)	Tract Block Group	5 year

Table 1.

Technical Support Team Priority Population Data Availability Scan

## Data Gaps

From the review of Technical Support Team members, staff have identified data gaps for the following populations.

**Immigrants, including undocumented immigrants** – TST members were not aware of information that would identify populations of immigrants. Perhaps more importantly, TST members advised DLCD staff of safety-associated sensitivities with publishing maps of these populations.

**LGBTQIA+ community members** – TST members identified same sex couples as collected by the Census as a potential indicator, however this was deemed too limiting considering the range of community members identifying as LGBTQIA+.

**People experiencing homelessness** – TST members identified three potential data sources which may serve as indicators, however each of the three present some challenges in portraying the true populations of homeless. Data sources identified by the TST members are the US Department of Housing and Urban Development's Point in Time Counts, Homelessness Management Information Systems, and the Oregon Department of Education's McKinney-Vento reports. Local housing production strategies associated with implementation of the 2019 House Bill 2003 and now incorporated as [Oregon Administrative Rules 660-008](#) require inclusion of this data at a qualitative and community level.

**Low wealth community members** – TST members could not identify specific data to adequately support this indicator to date. While the Oregon Department of Education does collect information on free and reduced lunch programs that could be used as a surrogate, it is largely based on income relative to the federal definition of poverty, which is already included above.

## Considerations:

**Health Outcomes** – Members of the TST also flagged data for health outcomes as possible additions to an equity mapping tool. Staff from the Oregon Health Authority have offered their expertise in providing data for health outcomes and environmental predictors of health and life expectancy.

**Indicators vs Index** – A tool might include a collection of demographic data layers that a user can explore and turn on or off as desired, or a tool might include one map layer of a weighted index that includes the concentration of each demographic indicator per total population. An index will require significantly more time and outreach to build and vet through community members.

**Priority Indicators** – Staff has heard concerns over the number of potential indicators in the priority populations. Adding more data may obscure concentrations of key indicators and may be difficult to explain and understand by the public. Other equity mapping work have typically relied on less than seven key demographic indicators.

Staff have identified four potential approaches to pursue:

**Approach 1:** All data from the priority populations is included in individual map layers

**Approach 2:** Index using five key demographic indicators from existing MPO and ODOT work

**Approach 3:** Hybrid approach using an index of five key demographic indicators, with separate layers for user to turn on or off based on context (community) and use (housing, transportation)

**Approach 4:** Full index that includes data from each of the indicators from the priority populations

We look forward to RAC guidance about which approach will be best.



# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 5



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 5 Item 8: RAC Meeting 4 Meeting Summary**  
**DATE:** March 22, 2021

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RAC Meeting 4 Summary – February 22, 2021

Video recording: [https://www.youtube.com/watch?v=443xHIZn\\_es](https://www.youtube.com/watch?v=443xHIZn_es)

### Attendees

**RAC:** Aimee Okotie-Oyekan; Al Johnson; Alex Georgevitch; Alex Phan and alt (Kyle Macadam); Ariel Nelson; Bandana Shrestha; Bill Graupp; Candice Jimenez; Cassie Lacy; Ellen Miller; Emma Newman; Francisco Ibarra; Jairaj Singh; Jana Jarvis; Jonathan Harker - alt for (Kaitlin La Bonte); Julie Warncke; Karen Swirsky; Kari Schlosshauer; Kyle Macadam - alt for Alex Phan; Laquida Landford; Lee Helfend; LeeAnn O’Neill; Lisa Anderson-Ogilvie; Mallorie Roberts; Mary Kyle McCurdy; Michael Szporluk; Nancy Evenson; Paige West; Patricia Selinger and Alt – Bandana; Paul Bilotta; Paul Thompson; Rebecca Lewis alt - (Vivek Shandas); Rob Inerfeld; Ron Irish; Sara Wright; Sarah Adams-Schoen; Shane Witham; Simeon Jacob; Steve Lee; Sushmita; Wade Elliott - alt for (Bradley Clark); Zack Geary

**LCDC Liaisons:** Commissioners Nick Lelack and Stuart Warren

**Staff:** Casaria Taylor; Jon Dunsmore; Ingrid Caudel; Bill Holmstrom; Cody Meyer; Kevin Young; Matt Crall Kirstin Greene; Brian Hurley; Samuel De Perio Garcia; Amanda Pietz; Evan Manvel;

**Facilitator:** Sylvia Ciborowski; Bianca Valdez

### Agenda

#### Welcome, Opening Remarks, and Agenda Review (0:00:00)

Kevin Young, DLCD

- LCDC Liaison, Nick Lelack, welcomed the participants to the meeting and let the group know the LCDC have been briefed on this rulemaking process and are very supportive.
- LCDC Chair, Robin McArthur, joined the meeting in “listen” mode. She wanted to ensure there will be implementable rules the commission can smoothly adopt at the end of the RAC process.
- A special note was made about the terms “Priority Populations” being defined as BIPOC and the department’s other priority populations that are very important to the department, commission, and this process. The department cares about these community members and

admires their resilience in the face of historical marginalization. Priority populations are to be uplifted, celebrated, and listened to.



#### Provide Context: Shared Terms and Understanding for Rulemaking (0:07:58)

- A definition of terms document was included with the materials for this meeting. It was included to help build a shared understanding.
- The process began with the Statewide Transportation Strategy (STS), then developed into the Every Mile County (EMC) project, which has led to the Climate-Friendly and Equitable Communities Rulemaking.
- 2007 the Oregon legislature developed an overall Greenhouse Gas (GHG) Reduction Goal to reduce emissions to 75% below 1990 levels by 2050. (Goal is now 80% based on the Governor's Executive Order)
- 2013 the Oregon Department of Transportation (ODOT) developed the STS
- 2011 the Land Conservation and Development Commission (LCDC) adopted the GHG rules (division 44)
- Now we are working on the Climate-Friendly and Equitable Communities rulemaking
- 2018 there was an STS report that found we are not making sufficient progress toward our climate reduction goals.
- Planning for climate reductions in Metropolitan Areas
  - Regional scenario planning
    - Decision making process that allows local governments in a local region to have a set of actions that can be taken to reduce climate pollution, commonly referred to as the "preferred scenario."

- Goal is for each of the eight metropolitan areas to develop a set of actions (preferred scenario).
  - Interim requirements
    - For regions waiting to begin, the STS has identified strategies that can be used in lieu of a regional plan.
- Climate-Friendly and Equitable Transportation Planning Requirements will be impactful.
  - Allow high levels of mixed-use development in areas with focused transportation investments
  - Planning for high-quality pedestrian, bicycle, and transit infrastructure
  - Limit off-street minimum parking mandates
  - Limit motor vehicle congestion standards (single occupant vehicles)
  - Prioritize and select transportation projects to meet climate and equity goals
  - Support electric vehicle (EV) charging
- Medium duty and heavy duty vehicle traffic will be an ongoing issue of discussion between DLCD and ODOT.
  - Want to be sure our commerce still moves

### Equitable Outcomes for the Climate-Friendly and Equitable Communities Rulemaking Process (0:31:50)

Evan Manvel, DLCD

- Equitable Outcomes have been discussed at the previous three RAC meetings
- There is a small subgroup that has met to discuss the Equitable Outcomes
- Equitable Outcomes document will guide the rulemaking work and future efforts of DLCD
- Being shared across state agencies
- The document was restructured with significant rewriting from the last iteration
  - Didn't integrate "what it means in practice"
- Next steps: details of implementing, getting to outcomes
- This is a living document and it can be revisited and revised as we learn things over the next few months
  - There is a place in the survey to provide comments
- If RAC members have difficulty printing items they should let Ingrid Caudel ([Ingrid.caudel@state.or.us](mailto:Ingrid.caudel@state.or.us)) know so she can print and mail a copy.

### Performance Measures (0:40:17)

Cody Meyer, DLCD

Breakout room discussions were part of this portion of the meeting (see attachments)

- Track local progress towards actions
- Track regional progress towards meeting goals and ensure data is reportable
- Provide local governments with:
  - Performance measures for monitoring actions and outcomes
  - Demographic mapping tool to support performance monitoring and project selection
  - Technical assistance, financial support, and guidance
- Division 44 and the regional goals

- Regional Scenario Plan (Portland, Salem-Keizer, Eugene-Springfield)
- Interim Regional Planning (Albany, Bend, Corvallis, Grants Pass, Rogue Valley)
  - Guideposts to developing the targets
  - Fundamental to getting to the Regional Scenario Plan
  - Examples of regional goals: increasing share of bike trips; increasing households in compact mixed-use; increasing transit ridership
- Both Regional Scenario Planning and Interim Regional Planning lead to Local Performance Measures (metropolitan cities and counties)
  - Zoning codes; parking mandates; where are we spending our money...
  - Examples of Local Actions: building active transportation networks; adopting supportive mixed-use zoning codes; adopting zoning for higher densities and mix of uses along transit corridors
- Performance Measures are intended to be universal on the regional level; local measures will be a customized mix of what is regionally preferred
- Next Steps on Performance Measures:
  - March RAC 5
    - Refine priority outcome areas
    - Discuss equity mapping
  - March – June
    - Performance Measures Working group
    - Community Conversations in metropolitan areas
    - Draft Performance Measures to the RAC in June

#### Breakout Groups to Discuss Outcomes (1:05:00)

- Six policy areas to help reduce climate change: increase walkable mixed use areas; improved transit, walking, biking infrastructure; prioritize funding of climate friendly transportation options; limit use of congestion metrics for transportation planning; managing parking; increase electric vehicle charging options.

#### Report Out from Breakout Sessions (1:39:47)

- **Group 1**
  - Recognize that the theme of mixed-use may not work for all parts of the regions
  - Mixed-use isn't affordable or built into all communities
  - Transit needs to be affordable and safe
  - Need to engage youth and elders
  - Safety on sidewalks and bike paths
  - Make sure communities that have been disproportionately underserved (houseless, etc) are taken care of by using incentives and awards for communities
- **Group 2**
  - Safety
    - Sidewalks
    - Safe in the environment
    - Lighting
  - Building complete neighborhoods/communities
    - Sidewalks and bike paths have to lead to somewhere

- Connect to grocery stores, schools, etc.
  - Measure out and identify ratio of green spaces and concrete
  - Industry that supports cities and town
    - Freight routes, etc.
- **Group 3**
  - Improving walking infrastructure
    - Walk safely
      - Takes you where you need to go – relatively safe distance
      - Physically safe in your environment
      - Free from discrimination and harassment
    - Mixed-use compact walkable communities
      - Have safe sidewalks
      - Safe bike paths
      - Take you where you need to go safely and quickly
      - Need more housing in mixed-use areas
      - Remove barriers and invest in mixed-use communities
- **Group 4**
  - Safe network for walking/biking/transit especially for crossing busy streets
  - Network that gets people to where they need to go
  - Cars available for those that don't own a car
  - Affordable housing and daycare within a close distance
  - BIPOC communities have access to green jobs
  - Make driving more difficult and more expensive
- **Group 5**
  - Improved transit service
  - Improved transit amenities/shelters
  - Need for safe walking
  - Affordable housing especially for those who have been most harmed/excluded
  - Funding that is prioritized for those that will have the greatest climate benefit
- **Group 6**
  - Diversity and varying incomes
  - Transit provides security
  - Transit can serve the priority groups
  - Diversity of needs among people and families on various days
  - Rural perspective should be kept in mind
  - Focus on access and not so much ability
    - Walk to a store within 20 minutes doesn't look the same as riding a bus for 20 minutes
    - Think about 20 minute neighborhoods
  - Funding is needed to implement projects
- Key themes that seemed to be repeated: safety, connectivity, walking, affordable housing connected to services, better transit (safe and free from discrimination), more funding to pay for prioritized actions

## Monitoring and Reporting (2:18:18)

Bill Holmstrom, DLCD

- Monitoring and reporting will be done to know that a local jurisdiction and the State is moving in the right direction; accountability will be part of the monitoring and reporting; identify if we need to make changes; learn what works
- There are existing requirements but they are unclear; the results are rare and sporadic
- Proposed framework for reporting and monitoring is for cities and counties within metropolitan areas
- Required will be showing progress toward meeting targets against performance measures; progress toward implementing scenario planning; and other information
- Some reporting will be required to be done every four to five years; lining up with federal cycle for metropolitan areas
- Cities and counties will be required to describe corrective actions to meet targets

The group participated in a Jamboard technology exercise to answer a question on monitoring and reporting. The following is a copy of the responses received, divided into topic categories by staff.

**Question:** What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?

### Housing/Neighborhoods

- Number of housing units in mixed use neighborhoods that are affordable to low- and very low-income populations
- Number of mixed-use neighborhoods created
- Has the city mapped its current and future mixed use, walkable neighborhoods?
- Building permits for all housing, and for non-single family housing
- How many of excess parcel sizes have been developed. What have you done to eliminate overly large parking lots (churches, entertainment facilities etc.) to increase housing?
- How fast they are processing building permits when compared to the prior years? How many are related to housing affordability?
- Has the city re-zoned its residential land so that approximately half of all new housing is planned for mixed use walkable neighborhoods?
- Number of new housing units in mixed use neighborhoods
- Increase in area designated to mixed use development
- Focus on adequate housing - not just affordable housing
- Has city fully implemented HB 2001?

### Engagement

- Engagement with priority populations, including modes of outreach
- Demographics/Equity
- Percentage of transit enforcement actions against BIPOC and white people
- Any data that is collected should be disaggregated by demographic data (age, gender, race, disability)

- General population satisfaction surveys: Are people satisfied with the measures their jurisdictions are taking? Are there differences by geography?
- Share of population (by income, race/ethnicity, age, etc.) with  $\leq 15$  min transit access in walking distance
- 2/3 Year: Demographics of residents (income, education, racial background)
- 2-3 year: Survey of residents: Walkability, safety, access to services, food
- Data/demographics; population counts, # of small businesses or businesses owned by priority populations. crimes against those populations. Safety improvements to transportation areas
- Infrastructure investment in census blocks with higher proportions of priority populations, and in other census blocks to show how investment is being distributed

### Funding

- I'd like information on how funds are spent. What firms are getting contracts? (Are they minority owned firms? Do they source locally?)
- Balance of how funding is spent on different activities, e.g., amount for transit vs highways vs housing
- Amount of funding available and percent used for GHG reduction projects (a city could spend 100% of funding on the right thing, and still be penalized for not meeting the desired outcomes unless the overall funding is increased)
- How many / percent of contracts support small businesses?

### Connectivity

- Progress on sidewalk connectivity to key destinations, including schools
- Data regarding improved sidewalk connections, missing links, extensions
- How much development was centered around schools or other social anchors
- Bike stress and times to essential destinations from census blocks with higher BIPOC and priority populations
- Bike/pedestrian maps that shows connectivity between different areas of town
- Data on access to goods and services (walking distance, travel distance, travel time)
- Land use law impediments and incentives related to food and other essential services deserts
- Miles of connected bikeway/walking routes
- Importance of measuring actual use of services and infrastructure? (we don't want bike lanes that no one uses) so focus on complete systems

### Safety/Transportation

- Focus on micro mobility measures too. E.g., electric bike, scooter. Place to charge, park safely
- Data regarding increased transit service
- Number of EV plugs installed in their city
- Has city reduced or eliminated off street parking requirements?
- 2-3 Year: Increase in non-personal auto transportation modes / availability
- Survey of residents pertaining to bike safety comfort level, vehicle miles traveled, transit utilization in lieu of single person car trips
- Transit miles per capita, both service provided and total rides
- Employee bus pass participants

- Number of school buses converted from diesel to electric
- Qualitative: Personal Safety level (community-level)
- Local government's investment in walking and bicycling infrastructure
- First step is to complete a spatial equity analysis on existing transportation projects and then the awarded/funded projects in TSP's
- Has city prioritized investments in walking and bicycling?
- # of "Direct Marketing" or other Transportation Options outreach/education efforts
- Since safety was raised multiple times, it would be good to see some measures of that (# crashes, # fatalities), accessible sidewalks built
- Has city adopted street design standards for Zero Vision, future bus use, pedestrian safety, etc.
- In regards to safety: documentation of over-policing and the number of stops from various law enforcement as well as the number of bias and hate incidents in the public realm.
- Bike comfort level
- Number of increased people with greater access to transportation options, walk/bike/transit
- Energy/GHG
- Total energy use is available easily thru the tax each city collects on gas and electricity use
- GHG emissions reduced! Local governments may need better tools to measure this - create it
- A consistent measure for GHG reduction, which is not measured in a uniform way typically

#### Reduced use of vehicles

- Innovative approaches they have taken to reduce miles traveled
- I want to understand the link between VMT reduction as required by the TPR and GHG goals

#### Other

- Reporting metrics on resiliency. How well does their system perform during adverse weather events?
- It really depends on what we are trying to measure. Tied to performance measure work group
- It's reasonable to re-do the scenario model every 5 years to measure effectiveness. Any more often is just repetitious.
- What were the tradeoffs of enacting regulations? Did it cause housing costs to rise or reduce costs? How were they determined?
- Need to recognize that some actions will take some time to see results. Collecting too much annually will just result in data noise and obscure trends.
- Built facility information (linear miles, etc.) should be every three years. Programmatic progress annually.
- Narrative of code/regulatory changes.
- This question feels premature and I feel like I cannot answer it without knowing what the performance measures and specific metrics are. For example, I would advocate that MPOs not be able to choose their own metrics (but rather apply for exceptions to what the RAC recommends). But if MPOs get to choose their metrics, then the reporting may look different. I do agree that there could be an annual report with qualitative data and more robust report with quantitative data
- My thoughts are that what we report on depends what the measures are
- City integration of the performance measures should be included. For example, what are cities doing to change funding decisions and evaluation to choose a project? And how are other



staff/committees knowledgeable about the performance measures and reports? What plans have been created, like a TDM Plan, multi-use housing plan, carsharing plan, etc.

- Modal split (for all trips)
- Ratio of green spaces to concrete
- Don't spend so much time reporting that you don't leave time for doing

#### Next Steps and Wrap-up (2:50:38)

- March RAC 5
  - Draft division 44 rules
  - Introduce concepts for climate-friendly areas and other minimum standards
  - Review work to date
- April – May
  - Community Conversations
  - Work group meetings
  - Potential focus group meetings, webinars, etc.
- June to November
  - Transportation System and Land Use Planning
  - Housing and Other Climate-Friendly strategies
  - Close loop on regional scenario planning and performance measures

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 5

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 5 Item 9: RAC Meeting 4 Key Questions Responses**  
**DATE:** March 22, 2021

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### Question 1

**A Definition of Terms document is included in your RAC 4 meeting packet to help us to build a shared understanding of key concepts and terms in the rulemaking effort. Are there any additional terms that should be included? If so, is there a particular definition that we should use?**

1. I would suggest defining Statewide Planning Goals and specifically those for which the rule making will apply such as Goal 12, Goal 10 and (Goal 14?). I think it would helpful to provide a linkage to the statewide program and the rulemaking we are engaged in.
2. Add: SOV - single occupant vehicle; EV - electric vehicle.
3. Definition of "multi-modal" trip. Minimum length of each leg based on mode (pedestrian, bike, bus, train, cab). Length (time) of minimum multi-modal trip categorization.
4. Additional terms to be included: 1. accessibility: definition. Ensuring that persons with disabilities have access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas (CRPD, art. 9). 2. Person with a disability. Definition - use ADA definition 3. Universal design. Delete the definition in current draft and replace with following: "the design of products, environments, programs and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed." (CRPD, Article 2)
5. Nope--now just have to remember what all the alphabet soup stands for!
6. Lists of definitions can go on indefinitely. In my opinion, the critical terms to focus on for definition are those that are relatively new or have new and/or disputed or evolving meanings, such as "intersectionality."
7. Depending on how deep the dialog goes, it may in the future be helpful to have definitions of ITS, v/c, LOS, and other terms used in transportation planning.
8. Is "Universal Design" a state level standard or can we also include "Inclusive Design" which I believe is more appropriate with the goal of equitable outcomes (see [https://en.wikipedia.org/wiki/Inclusive\\_design](https://en.wikipedia.org/wiki/Inclusive_design)).

## Question 2

**Based on feedback from RAC members and Commissioners, we clarified language and split the equity outcomes into those most directly impacted by this rulemaking and additional outcomes to work towards as we develop rules, guidance, and technical assistance. Do you have additional comments as we work to operationalize these outcomes? If so, please share them at the meeting or in the post-meeting survey.**

1. At this point I think they should spend more time of the rest of the rulemaking for the next few months and then circle back to equitable outcomes. I would ask if it could be clarified how they will be applied to Metro and the local jurisdictions within the Metro boundary. I know that there was some language presented in RAC meeting #3 but it wasn't clear to me how or when Metro and its local jurisdictions would be held to equitable outcome especially as it has been made clear that the work Metro has done Scenario Planning has been approved by LCDC and that the land use changes that are being considered in the rule making for the other metropolitan areas has already been done (dating back to the late 1990's) but the local jurisdictions. .This seems important considering its large population of priority populations.
2. I still worry about a gap between expectations and the ability of local jurisdictions to deliver the outcomes, but am OK with moving forward. I appreciate the work that fellow RAC members have put into this.
3. Good start.
4. The outcome related to tree canopy was surprising to me and very specific compared to the other two climate outcomes listed. It wasn't clear to me why we would focus on tree canopy specifically in this list. Are we addressing tree preservation or urban forest specifically in the rulemaking? If not, it doesn't make much sense to me to include this specifically here.
5. I think the issue of what data is going to be collected, by whom, and for what use (i.e. who will use and how) needs to be clarified. It is essential to collect data in such a way that it can be disaggregated so communities can track progress for priority populations including BIPOC, gender, persons with disabilities, etc. I'm curious also about the issue of public procurement. Can there be a promotion of socially just and responsive public procurement at the local level? And if so, how can that be encouraged and tracked. I think this gets, in part, to the issue that Aimee rightly raised around sourcing and disposal of waste. Supporting local jurisdictions to procure locally has widespread positive effects. see, for example, Varshney, Sanja B. and Tootelian, Dennis H. (2009), The economic impact of the small business and disabled veteran business enterprise programs on the state of California (Accessed from <https://www.qi-solutions.com/static/files/pdf/sdvo-dvbe/The%20Economic%20Impact%20of%20the%20Small%20Business%20and%20Disabled%20Veteran%20Business%20Enterprise%20Programs%20on%20the%20State%20of%20California.pdf>) . If the link doesn't work - please let me know and I'll send a pdf of that paper.
6. Good, because this has been all over the map--the equitable outcomes of GHG emissions reduction are important, but limited in this instance to transportation--mostly availability and accessibility, convenience, cost, & location.
7. I still feel like the "climate outcome" paragraph in the Equity Outcomes Statement don't make complete sense. These are reasonable climate outcomes (although incomplete) but I don't see how they relate especially to equity. For example, a stronger equity association might be that providing transportation choices can lower the transportation cost burden for certain populations, while also having a positive climate outcome.
8. The description of core outcomes: The core of this work aims to both reduce climate pollution and increase equity by reducing driving, improving transportation choices, and creating

communities where daily needs can be met by walking, biking, remote access, or taking transit. Does not seem to highlight enhanced access to EV and other transportation options with fewer emissions.

### Question 3

**Within the policy areas to reduce climate pollution (walkable mixed-use neighborhoods, increasing walking and biking, increased transit service and availability, managing parking, and supporting transportation options), what outcomes are most important to you? a. As a community member in your everyday life? b. As a professional in your area of expertise?**

1. As a community member, transit is extremely important. I do not own a car in Eugene, meaning my only means of transportation are transit, walking and biking. I am also a young, black female, so safety while doing all of these things is imperative. That means walking and biking areas that are well lit, and have those emergency call stations generously dispersed. Having a transit station nearby is useful to get to class, but it would also be great if I could get to the coast, and Portland just as easily. Connectivity is equally as important. Walkable, mixed use neighborhoods is important to me as an emerging planning practitioner. I am well aware of how the separation of land uses ultimately separated society by race and class to discourage mixing. This legacy of discriminatory land use practices must be redressed with intention. It is great that Oregon passed HB 2001. Now DLCD must continue the work of creating denser, mixed use communities that support a diversity of lifestyles.
2. As both an everyday community member and an expertise in local city planning I would answer this question the same. All of these policy areas need to be addressed at the local level. This is especially true for those that will alter the built environment and thus have a long term impact. This to consider include that All of these policy areas are interrelate; that what gets a person out their GHG emitting vehicle is a variable that depends not just on their current life style but also their life stage. For example younger cohorts may be more influenced by good bike routes whereas senior cohorts may be more influenced by safer walkways. Certainly more households/employment in mixed use areas and better/more frequent transit may have large impacts but I think all these tools need to be in place not just to reduce GHG emissions but to have resilient communities. I am cautious about relying on those programs that can easily be altered or eliminated. For example parking management. Reducing the minimum required parking (as well as the maximum allowed parking) has a long term impact. Charging for parking can be important but also a jurisdiction can easily stop charging (where as a project built without parking impacts last through the life of building). Supporting transportation options on the part of industry (including government) can be helpful but programs — such as subsidized parking passes — can change or be eliminated. Having facilities that support alternatives- such as a locker room for changing or a secure indoor bike parking facility — can be helpful. Also having companies that can be flexible to account for transit use schedules to help employees avoid long queuing times can be helpful.
3. The most important outcome is that those most harmed or excluded from affordable housing and transportation will be able to benefit from the systems put in place and will see health benefits from reduced climate pollution and well-connected and affordable communities that are supportive and inclusive. All of these policy areas are important because they all have to work together to create the outcomes we need to see to reduce climate pollution. We need to see a re-balancing of the transportation system that decreases emphasis on vehicles and focuses on building accessible, affordable transit, plus massive increase in funding to build out our walking and biking networks.

4. I support the ones that can actually be implemented that have the greatest GHG reduction impact and that improve the quality of life and access to opportunity for priority populations. We want to see all of these happen, but we could fail on all of these due to lack of funding to implement. I'd like to see an outcome of increased funding to implement these policy areas. I recommend changing "increase transit service and availability" to "increase transit ridership and serve communities more equitably." A transit district could increase transit service and availability, but focus transit services on coverage to serve people and areas that do not need the services the most. This approach would implement the originally stated policy area, but produce low ridership and insignificant improvements regarding GHG emissions reduction goals. Make transit free for all riders! Transit is a key piece of the solution and it needs increased Federal and State funding.
5. a) Walkability and transit service b) transit availability and managing parking.
6. Increasing safe bike and transit is a personal priority for me as a community member, as its something that can contribute greatly to improved quality of life. Its also a professional priority as our community needs a lot of improvement for bike and ped. As a professional, the other area of priority is increased transit service and availability. In Bend, we don't have a transit system that is convenient or reliable enough for most people and something we need to figure out for our community. Walkable mixed-used neighborhoods is also important as we know this can have a very significant impact on greenhouse gas reduction, in addition to having a lot of other benefits for the community.
7. I see several important outcomes to be tracked (which again need to be disaggregated): 1) actual use of amenities (you can build a rec center, for example in an area that's had historically a lack of investments, but that doesn't guarantee who will use the rec center, i.e. who benefits) 2) contracts going to SME that support employment of priority populations and follow principles of universal design and accessibility standards; 3. Issue of safety, and policing, and finding ways to reduce and ultimately eliminate violence by cops against priority populations, including BIPOC, persons experiencing mental health crises, and persons who are deaf. 4. Development of mixed use housing that is adequate (NOT just affordable!!!!!!) per CESCR General Comment 4. 5. # of transit systems that offer free or reduced fares for all. 6. miles of roads that have been made safer (reducing speed limit, providing traffic calming measures, making sidewalks more accessible, installing bike lanes, bioswales, etc. I'd also love to see commercial areas have no-car zones - as is the case in many or most centers throughout Europe. It can be done.
8. As a community member, getting away from internal combustion, in all vehicles and modes. As a professional, density is the key, especially along transportation corridors.
9. As a community member, the most important thing in my day to day life is a walkable environment. That can mean decent and connected infrastructure but more than that, it means that there is someplace to walk to. I was lucky enough to be able to select where I live based on access to shops, recreation, services, and employment, which add immeasurably to my quality of life. We need to create more places like this. In my professional experience, in order to have an effect on climate pollution, we have to do it ALL. In my city, we were not able to see a reduction in VMT (as proxy for GHG) in the scenario modeling until we build out our mixed-use centers with increased residential density, completed the bicycling and walking network, increase transit service, create mobility hubs throughout the city, implement parking pricing in our commercial areas, and enforce an extremely robust Transportation Demand Management Program.
10. Increased transit service and availability and walkable neighborhoods. Outcomes need to recognize that in most cases we are working to retrofit past development patterns and such efforts come with significant trade-offs. For example, providing comfortable walkable

environment may mean that trees need to be removed to make way for that facility. We have had people present grand ideas that would require both lots of money and would eliminate all existing development along a given roadway to accommodate the tree-lined parkways envisioned.

11. A. Physical safety, connected sidewalks and cycling infrastructure, safe street crossings that prioritize non-vehicle users, robust car sharing programs to support those who do not have cars and do not have alternate transportation options to reach all services, a 10 minute walkshed/bikeshed to essential services (e.g. grocery store, medical centers, job centers), green spaces and parks in every walkshed/bikeshed. B. We need to explicitly address the other side of the equation and shift the dialogue from just increasing biking, walking, and transit service, but actually create disincentives to driving that shift modes of transportation. And this needs to be done in a way that does not disproportionately impact single parents, folks who live in rural areas, and lower income folks who may rely on their vehicles. Convert City subsidized parking to converting parking into affordable housing and the systems to support that (like affordable childcare located next to or within that affordable housing).

#### Question 4

**The proposed monitoring and reporting framework includes the potential for broader qualitative reporting in addition to demonstrating progress toward particular targets. What kinds of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?**

1. Something like a climate community survey might be interesting - do people feel more secure or resilient as a result of the work being done to achieve climate and equity targets?
2. Would first start with those code and policy changes that will be required such as zoning/development codes changes; investments in bike/ped/bus stop infrastructure as a percentage of total street investments; planned # of new households and sq. ft. of new commercial development in mixed-use areas as opposed to other parts of the community; parking #s associated with new development; transit use; transit accessibility. And then as time goes on require reporting on the changes to the built environment (how many units, how much floor area); how accessible is to priority populations and so forth.
3. The reporting must be mandatory and there should be pre-determined consequences laid out by the state for not reporting &/or not meeting targets in the timeframe. This would help local jurisdictions to understand expectations and prioritize actions. It should be as easy as possible to implement these measures, but it should not be without consequence if they are not implemented.
4. The amount of funding available and percentage used to further GHG reduction goals. Local jurisdictions should get credit for actions that further the GHG reduction goals even if they do not rise to the level of being on a TSP project list (i.e. sidewalk infill, pedestrian crossings, bus shelter installations, etc.).
5. Demographics of transit users (income, length of trips), safety of transit users, on-time performance of transit assets.
6. It's hard to say as I feel we still don't really understand what the interim requirements are. I feel that we're still lacking a lot of clarity around what's required, what the roles and responsibilities are, and what resources it will take. It would be easier to answer this question if we had more clarity on the requirements and reporting.

7. Key informant interviews and focus group discussions with priority pops in the different jurisdictions to assess both process indicators (have they been consulted and do they actively engage/participate in decisions) and outcome indicators (what changes have they seen).
8. Progress on code & zoning to create density--parking a big part of this. Cost of public transit--zero in Corvallis. EV vehicles & charging stations (which should support businesses--charge while you shop, dine, etc.)
9. I'm not sure I can envision qualitative reporting. Would this be satisfaction surveys or something similar?
10. I don't think that this can be effectively discussed until we know what the targets are. We also need a realistic understanding of what data is available and what it would take to gather data consistently across the regulated jurisdictions.
11. Please ask this question again once the goals and performance measures have been put forth in draft or final form.

### Question 5

**The proposed monitoring and reporting framework described in your packet calls for reporting somewhere between annually (every year), to every five (5) years in some places. What do you think is the right balance between reporting too infrequently and requirements that are too burdensome? What other suggestions do you have for monitoring and reporting?**

1. I agree with the points made in the meeting about cities doing a smaller, yearly report, and then a more robust report every 3-5 years.
2. I concur with what seem to be the consensus at the meeting which was yearly reports focused on data and every 2-3 years of more detailed and qualitative reporting. I also agree that every 5 years is too long and would be meaningless. Additionally the reporting time periods need to reflect the urgency of climate change and equity and the intended outcome of this rulemaking. I would also pushback on the notion that such reporting would be burdensome to local jurisdictions. I do this from the perspective as a long time local jurisdiction planner. Local jurisdictions should be reviewing the outcome of their planning using this types of reporting. Early report should focus on institutions changes e.g. regarding equity, mixed-use areas; transit support densities; parking minimums (and maximum) elimination and reductions; electric charging stations; and changes to the priorities regarding investment in pedestrian and bike facilities; safe crossing; connected sidewalks; and bus stop pullovers. Late reports then would focus on the outcomes of these changes such as increases in bike trips, walking trips, electric vehicle use and transit trips which should be tied to achieve GHG emission reductions.
3. I like the idea of there being an annual report that provides a narrative of what is happening, and additionally a report every 3-4 years that reports more quantitatively on data and outcomes.
4. The reporting time period should be determined by the content of the reports. Any in depth reporting that includes analysis should be tied to plan updates, not a specific time period. Please make the reporting simple and efficient so that it does not become cumbersome and detract from implementing projects, plans, and policies that support the results we want to produce. This is especially important for smaller jurisdictions with limited staff capacity. It needs to be clearly articulated in the rule what criteria or methodology LCDC will use to judge when a report is "acceptable" or sent back for "corrective actions." What aspects of this will be a formal land use decision or not? What is the appeal process? It would be unfortunate to have to divert staff time away from positive, GHG reducing project implementation work to spend time on appeal processes for items that may be outside the control of local jurisdictions. We would like to see a

requirement for stakeholders to engage at the local level prior to being able to have standing to appeal at the state level. We are concerned that entities with no specific interests and involvement at the local level could appeal at the state level.

5. Full reporting on controllable metrics every three years.
6. Every 4-5 years is appropriate, and ideally linked to other reporting or planning activities that we're already doing. It might be possible to share some data that we collect anyway annually but it seems resource intensive on for both the municipality and DLCD. Additionally, many projects take much longer than a year to even complete, much less demonstrate outcomes for - 4-5 years will ensure we can show the impact of our efforts.
7. It depends on the specific indicator. Some issues will need to be updated annually, others can probably be done every 2-3 years. Five years is too long.
8. Frequent small, informal meetings (reporting is not the only way to meet and move things forward, but having the issue come to the fore often is useful--check in, questions, help needed, roadblocks, etc.)
9. It makes the most sense to me to make reporting part of TSP updates that should be linked to MTP or RTP work.
10. It depends on what is being reported.
11. Yearly (or every two years) reports about the actions actually taken combined with a more quantitative report about the performance measures and outcomes every three or four years.

#### **Question 6**

##### **Additional comments or suggestions – meeting format, substance or other:**

1. I'm very concerned that these rules may not apply to ODOT facilities or freight, which have the most VMT on the system and are frequently the worst climate polluters. What we need to know is what portion of transportation our work will apply to, and what is being done for the rest so that we can scale accordingly. I'd like to see that addressed at the next meeting.
2. Has DLCD considered tying the Oregon Blue Zones Project work into this effort? It is a program that produces improved health results quickly and would align with the desired outcomes. <https://oregon.bluezonesproject.com/>
3. As referenced in an earlier comment, I still feel there is a lot of vagueness around requirements for the interim requirement municipalities. How are we even measuring GHG reduction? Who (City or DLCD) completes the "gap analysis" and is there a particular method we should be using? How do our GHG reduction targets compare to the VMT requirements we just had approved? I thought we'd be receiving more clarity about these topics during the February meeting so now I'm not sure when we'll get that.
4. Increasingly - I see it is important for us to consider how we can influence budget decisions made by local governments as they engage in public procurement. If we don't influence how they invest, I fear we won't be able to change that much. It would be interesting to look at the public workforce composition in these jurisdictions. Who gets hired? How can we support the outreach, recruitment & hiring of members of priority populations?
5. It would help if these questions were more focused.
6. Amazing amount of work done so far, great course corrections!
7. The collaborative sticky note brainstorming tool <https://ideaboardz.com/> is a little easier to use because (1) it creates a list that you can scroll down through rather than having sticky notes cover each other; (2) it keeps all the text the same size; (3) you can download it in Excel format; and (4) it allows collaborators to "like" or give a thumbs up to other peoples' ideas.



# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee MEETING 4



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 5 Item 10: Public Comments Received**  
**DATE:** February 12, 2021

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DLCD has received one public comment item since the last set of packet materials were distributed to the RAC. This item is written testimony to the Land Conservation and Development Commission from Elizabeth Graser-Lindsey, and is attached after this cover sheet.

TO: Land Conservation and Development Commission  
[esther.johnson@state.or.us](mailto:esther.johnson@state.or.us)

FROM: Elizabeth Graser-Lindsey  
Beavercreek, Oregon  
[eaglsing@gmail.com](mailto:eaglsing@gmail.com)

DATE: March 16, 2021

RE: March 18-19, 2021 LCDC Meeting, Agenda Item 7 "Climate-Friendly and Equitable Communities"

**LCDC staff convened at 40-person rulemaking advisory committee (RAC) to address Climate-Friendly and Equitable Communities.** We are informed (March 18-19, 2021 LCDC meeting, Agenda Item 7 memo, p. 2) that **the committee reflects Oregon's population in many ways, but rural people on working lands were not included.** I only found "rural communities" mentioned in the RAC Charge (p. 1, Desired Outcome #5):

"Follow the lead of, and design processes to accommodate impacted communities, such as... [far down the list] rural communities..."

Farmers, woodlot/timber producers and other people on working lands in **rural areas clearly are the most under-represented and under-served in this public process** (as frequently has occurred historically).

**Those on working lands are likely the most impacted by climate change:**

- Heat and drought negatively impact crop production and livestock production and farm operation income. Many farms don't have irrigation water nor water rights so they depend on rainfall for crops and pastures. Loss of snow pack negatively impacts irrigated farms. Heat and drought kill Douglas fir trees in our area such as in 2018 and shrink their habitat; this impacts the income of the timber sector.
- Wild fires directly impact rural areas (but rarely enter town). Smoke is harmful to the health of livestock and owner operators and for-hire workers; it reduces the ability to conduct useful work; and it blocks sunlight, reducing or preventing photosynthesis, crop growth and production, and farm income. Sometimes the residence and farm buildings are directly destroyed.
- When ice storms, winds, fires take out power lines, rural areas are typically the last to have power restored and they are often on water wells, so they may lose sanitation (toilets, bathing) as well as electrical appliances and equipment.

- Roads near some urban areas are congested so evacuations from wildfires took hours leaving people un-able to get to safety and threatening their lives.

Farm operators and timber producers, etc. are relevant to Climate-Friendly and Equitable Communities because they typically have to work in town where the jobs are. (I will share farm statistics only, because they are more available to me.) The USDA reports:

**“Slightly more than half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for the majority of their household income <sup>1</sup>.**

**The USDA statistics show that small farms produce over one-fifth of the nation’s food (21.5%);** however, the vast majority of small farm income is from off-farm sources whether the farm operator has farming as their major occupation or the off-farm employment as the major occupation, but where farming is the major occupation the overall income is lower<sup>2</sup>:

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<sup>1</sup> Gross cash farm income (GCFI) includes income from commodity cash receipts, farm-related income, and Government payments. Family farms (where the majority of the business is owned by the operator and individuals related to the operator) of various types together accounted for nearly 98 percent of U.S. farms in 2019. Small family farms (less than \$350,000 in GCFI) accounted for 90 percent of all U.S. farms. Large-scale family farms (\$1 million or more in GCFI) make up about 3 percent of farms but 44 percent of the value of production.

**Most farmers receive off-farm income, but small-scale operators depend on it**

About half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for most of their household income. In contrast, the median household operating large-scale farms earned \$350,373 in 2019 with most of that from farming. <https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/farming-and-farm-income/>

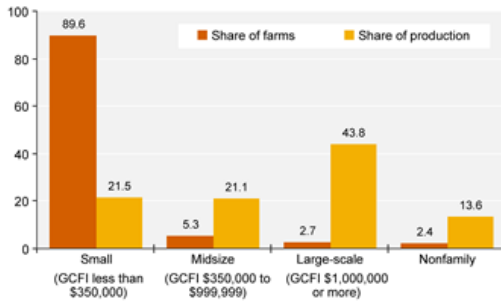
<sup>2</sup> “If the operator reports being retired from farming or having a major occupation other than farming, the farm is classified as a **residence** farm. If he or she reports farming as a major occupation and is not retired from farming, the farm is classified as **intermediate**. **Commercial** farms are family farms with \$350,000 or more in gross cash farm income, regardless of the occupation of the principal operator.”

“Slightly more than half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for the majority of their household income. In contrast, the typical household operating large-scale farms earned \$348,811 in 2018, and most of that came from farming.” [USDA ERS - Farming and Farm Income](https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/farm-household-income-estimates/)

“In 2019, the median income from farming was \$139,016 for households operating commercial farms, and their median total household income was \$190,401. Households associated with intermediate farms reported \$654 in median farm income and a median total household income of \$57,081. Residence farms reported a negative median income from farming of -\$800; however, the substantial off-farm income of residence farm households provided them with higher total incomes (\$100,593) than intermediate farm households in 2019.”

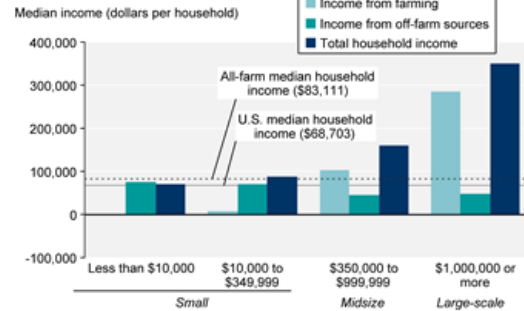
<https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/farm-household-income-estimates/>

**Farms and their value of production by farm type, 2019**  
Percent of U.S. farms or production



Note: GCFI = annual gross cash farm income before expenses. Nonfamily farms are those where the principal operator and their relatives do not own a majority of the business. Source: USDA, Economic Research Service and National Agricultural Statistics Service, Agricultural Resource Management Survey. Data as of December 2, 2020.

**Median household income of principal farm operators by source and sales class, 2019**



Note: Sales class reflects annual gross cash farm income before expenses (the sum of the farm's crop and livestock sales, Government payments, and other cash farm-related income). Source: USDA, Economic Research Service and National Agricultural Statistics Service, Agricultural Resource Management Survey and U.S. Department of Commerce, Bureau of the Census, Current Population Reports. Data as of December 2, 2020.

Many of these farmers are supplying food to your local Farmers Markets and CSAs (community-supported agriculture arrangements). They are also producing your meat<sup>3</sup>. While these small farmers work hard to feed you, they clearly are paid much less than other professions for their labor. In my opinion they are subsidizing the eating public (because they love farming though no one likes to be taken advantage of).

**Because farmers can more easily commute to off-farm jobs when they live near major metropolitan areas in Oregon, they naturally live near the Division 44 metropolitan areas.** Many are clustered right around the urban growth boundary while others have to drive further. They commute to their jobs and to services (as cities are service centers to rural areas) and they may haul farm products. **They are unlikely to be able to use public transit because they live in areas that are hard to serve with transit. The carpooling situation may be similarly difficult. They don't tend to favor tolls or declining parking because they don't have alternatives. People living in cities tend to not understand the situation and can't represent it.**

**How can these metropolitan communities become climate-friendly or equitable<sup>4</sup> (or conform with Division 44 climate pollution reduction targets or Statewide**

<sup>3</sup> "While cropland consolidated into larger farms between 1987 and 2012, pasture and rangeland did not, but instead shifted away from the largest farms and ranches and toward smaller operations."

<https://www.ers.usda.gov/amber-waves/2018/march/examining-consolidation-in-us-agriculture/>

<sup>4</sup> Inequities that farmers experience are:

- Farm operators have such a low-paid occupation that they typically must have a second job as their main financial support.
- Rural areas have been neglected for a long time so many still have substandard roads not up to county roadway standards, such as lacking a shoulder for bicycles and pedestrians or for motorist safety:

**Transportation Strategy targets) if those on working lands aren't included? How can they reliably reduce GHG (greenhouse gas) emissions if they don't acknowledge and address the needs and challenges of all their commuters? How can they protect their local food supply if they ignore the needs of the rural part of their workforce?**

**Why didn't you pay for someone working rural lands and commuting to an urban job to be on your committee?**



Can school children safely walk or bicycle here? How can a car pull over for a fire truck or sheriff? Pedestrians and cyclists are to share the lane of travel with high-speed traffic including high-volume traffic near urban areas. Feb. 11, 2019, near Molalla, OR.  
<https://www.oregonlive.com/clackamascounty/2019/02/school-bus-driver-cited-after-crashing-into-ditch-near-molalla-deputies-say.html>

- They are on the front-lines of climate as it reduces farm production and income through drought, heat, wildfire smoke , and irrigation availability (for farms with water rights).
- Farm households have lower rates of health insurance. “10.7 percent of farm household members lacked health insurance, indicating that they faced slightly higher health-related financial risks than the general population [ in 2015, 9.1 percent of the U.S. population had no form of health insurance]. <https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/health-insurance-coverage/>

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 8 Item 1: Meeting 8 Packet Cover Memo**  
**DATE:** September 8, 2021

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Thank you for your continued participation in this process. We are a good way through the rule-writing processes with your help! Your comments and questions are central to helping us build policies that will help shape the future of our state for decades to come. This cover memo includes:

- A **Meeting Overview**, including a summary of key items in this packet;
- A discussion of the **Upcoming Rulemaking Schedule**;
- A summary of how the department is approaching **Rules Implementation**; and
- A **Schedule of Rules Release**, which illustrates what parts of draft rules have been released for your review, and what is coming up.

### Meeting 8 Packet – Table of Contents:

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## Meeting Overview

At this meeting the advisory committee will continue to review the draft rules for climate-friendly and equitable land use and transportation planning. Staff will provide an overview of how the draft rules:

- Advance equity;
- Address pedestrian, bicycle, and transit planning; and
- Direct how local transportation system plans are developed; including project prioritization and working to meet vehicle miles traveled reduction targets.

We will make time for questions and discussion by the advisory committee for each of these agenda items, with a breakout session to address pedestrian, bicycle, and transit planning.

Draft rules in this packet have not yet been reviewed by legal counsel.

As one of the busiest meetings, please review eight core documents ahead of this meeting:

- **Item 4:** The Key Questions Worksheet is both a worksheet for you as well as a feedback guide for staff. You may find it useful to make notes during the meeting. After the meeting, we will send you a survey based on these questions for you to provide additional written feedback. We encourage all RAC members and alternates to provide feedback in this way. Your written comments continue to be very helpful.
- **Item 5:** Equity and the Rulemaking Effort provides a summary how the draft rules are designed to advance equitable decision-making processes that drive more equitable outcomes.
- **Item 6:** Summary of Pedestrian, Bicycle, and Transit Planning Rules is a short summary of the rules directing how cities and counties plan for their pedestrian, bicycle, and public transportation systems in the local Transportation System Plan.
- **Item 7:** Summary of Transportation System Plan Development Rules provides an overview of some key rules that will direct the development of Transportation System Plans. A key element of these rules is directing plans to work toward meeting vehicle miles traveled per capita reduction targets.
- **Items 8 and 9:** These items cover what we heard from advisory committee members about Climate-Friendly Areas and Parking and Electric Vehicles during and after our August meeting. We expect to have share updated revised rules in these areas with advisory committee members in your October packet.
- **Item 10:** The Draft Transportation Planning Rules Summary provides a short summary of each of the rules within the Transportation Planning Rules that we expect to either amend or add. For some rules, draft rule language can then be found in the draft rules document (**Item 11**).
- **Item 11:** The Draft Transportation Planning Rules include draft rule language for key parts of the updated Transportation Planning Rules, including rules having to do with equity; transportation system planning; land use requirements; and planning for pedestrian, bicycle, and transit networks. We have included a summary of each rule we expect to amend or add to this division (Division 12). We also have indicated the items which we will be sending RAC members rule sections for your consideration in October. We expect that our October meeting packet for RAC

8.5 will include first or revised drafts of all new or amended Transportation Planning Rules (Division 12) for advisory committee consideration.

In addition to these core items, we have included a summary of RAC meeting 7 (**Item 12**), the responses to the Key Questions from RAC meeting 7 (**Item 13**), and public comments received since the last meeting packet (**Item 14**).

### **Upcoming Rulemaking Schedule**

An updated rulemaking schedule for the remainder of the rulemaking process is included in this packet as **Item 3**.

We have adjusted the meeting schedule in October and November to provide more opportunities for the advisory committee to meet, review draft rules, and provide feedback to staff. As you are aware, we have added “RAC 8.5” on October 15. To provide more time for questions, discussion, and feedback, we recommend holding four-hour long meetings in October and November.

In addition to advisory committee meetings, staff has held, and will hold more meetings with interested parties to answer questions and receive feedback. We are aware of the concerns about the impact of applicability of the draft rules in the Portland Metropolitan Area. We are working with Metro and will be consulting with potentially affected local governments to determine the best strategies to recognize the work the region has undertaken to reduce greenhouse gases through their Climate Smart Communities and associated land use and transportation strategies.

For staff work and rule production schedules, we have set deadlines for RAC responses to the Key Questions after each advisory committee meeting. However, comments to staff from members and alternates on the advisory committee, as well as members of the greater public and stakeholders, are welcome anytime. We expect to continue to revise the draft rules in association with RAC meetings throughout the process. To keep to a March 2022 adoption schedule, we will need to submit the final set of rules to the Secretary of State in December for publication in early January. After that time, it is natural to continue to make refinements following the first public hearing on the full set of rules at the January Land Conservation and Development Commission meeting.

### **Rules Implementation**

The Climate-Friendly and Equitable Communities project has two parts: the rulemaking, which is underway, as well as an implementation program with state support to local governments and other implementing authorities. The multi-agency implementation program will be led in concert by the [Every Mile Counts](#) agencies (Department of Land Conservation and Development, Oregon Department of Transportation, Oregon Department of Environmental Quality, and Oregon Department of Energy), with support from other agencies.

As discussed earlier this spring, the Every Mile Counts agencies have secured funding for initial scenario planning over the next few years, as required in the draft scenario planning rules (Division 44). This includes funding to use earlier work to complete and adopt a scenario plan in the Eugene-Springfield area, to develop and adopt a scenario plan for the Salem-Keizer area, and to support interim reporting in metropolitan areas outside the Portland Metropolitan Area.



By act of the 2021 Legislature, our agency received funding in the current July 2021 to June 2023 biennium for approximately \$750,000 to support rule implementation, as well as an additional staff position to support implementation in the affected metropolitan areas.

Additionally, existing department staff who are currently focused on the rulemaking process as well as staff regional representatives will be available to provide technical assistance and support for local governments for their implementation processes. We also plan to host informational webinars as well as guidance documents to support local implementation.

### Schedule of Rules Release

We understand that there are a lot of rules in the last packet and in this packet. The remainder of rules will be released in advance of the October advisory committee meeting. This table describes when we have released or expect to release each rule, and when to expect revised rules.

Some rules that we released last month are not repeated in this packet to help keep the size of the packet down. Revised versions of these rules will be available in October.

Before you begin, please review the Draft Transportation Planning Rules Summary (**Item 10**), which includes an overview of each rule in the Transportation Planning Rules (Division 12).

<b>Housing Rules (Division 8)</b>		
Allocation of Buildable Land Rule 0010		<a href="#">RAC 7 Packet</a> , pages 75-76
Housing Production Strategy Report Structure Rule 0050		
<b>Transportation Planning Rules (Division 12)</b>		
<b>Changes to Existing Rules (0000 through 0070)</b>		
Purpose Rule 0000		<a href="#">RAC 7 Packet</a> , pages 40-43
Definitions Rule 0005		<i>RAC 9 Packet, October</i>
Rules 0015 – 0055		<b>RAC 8 Packet, Item 11 pages 6-18</b>
Plan and Land Use Regulation Amendments Rule 0060		<i>RAC 9 Packet, October</i>
<b>New Rules (0011, 0012, 0100 and up)</b>		
Some elements of existing rules have been copied and/or amended into these new sections.		
Applicability and Effective Dates	Rules 0011, 0012	<a href="#">RAC 7 Packet</a> , pages 45-47 <b>RAC 8 Packet, Item 11 pages 19-21</b>
General Provisions	Rules 0100 – 0130	<a href="#">RAC 7 Packet</a> , pages 47-54 <b>RAC 8 Packet, Item 11 pages 22-28</b>
	Transportation System Refinement Plans Rule 0140	<a href="#">RAC 7 Packet</a> , page 54
	Temporary Projects Rule 0145	[Renumbered from 0190] <b>RAC 8 Packet, Item 11 pages 28-29</b>
	Rules 0150 – 0165	<b>RAC 8 Packet, Item 11 pages 29-31</b>

	Rules 0170, 0180	<i>RAC 9 Packet, October</i>
	Rules 0200 – 0210	<b>RAC 8 Packet, Item 11 pages 32-35</b>
Coordinated Land Use and Transportation Planning	Coordinated Land Use and Transportation System Planning Rule 0300	<a href="#">RAC 7 Packet</a> , pages 56-57 <b>RAC 8 Packet, Item 11 page 35</b>
	Rules 0310 – 0325	<a href="#">RAC 7 Packet</a> , pages 57-60
	Rules 0330 – 0350	<b>RAC 8 Packet, Item 11 pages 36-40</b>
	Key Destinations Rule 0360	<a href="#">RAC 7 Packet</a> , page 61 <b>RAC 8 Packet, Item 11 pages 40-41</b>
Parking	Rules 0400 – 0415	<a href="#">RAC 7 Packet</a> , pages 62-68
Pedestrian System	Rules 0500 – 0520	<b>RAC 8 Packet, Item 11 pages 42-45</b>
Bicycle System	Rules 0600 – 0630	<b>RAC 8 Packet, Item 11 pages 45-49</b>
Public Transportation System	Rules 0700 – 0750	<b>RAC 8 Packet, Item 11 pages 49-53</b>
Streets and Highways System	Rules 0800 – 0835	<i>RAC 9 Packet, October</i>
Monitoring and Reporting	Rules 0900, 0905	<a href="#">RAC 7 Packet</a> , pages 72-74
	Transportation System Performance Measures Rule 0910	<i>RAC 9 Packet, October</i>

## Conclusion

As always, there will be a livestream of this RAC meeting on the [DLCD YouTube channel](#). A recording of the meeting will be available for later viewing as well.

Please remember that the [project website](#) has many related materials available. You can find the [packet from RAC Meeting 7](#) there, as well as a [video recording](#) of the last meeting and prior meetings. Do not hesitate to email or call our staff with any questions. This is challenging material!

*Please note that all our email addresses have recently changed. The updated addresses are below.*

Finally, if you have any questions on the materials in this packet or anything else about the rulemaking process, please contact us via phone or email at [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Emails to this address go to several people on our project team, including those listed below.

On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative,

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**Climate Friendly and Equitable Communities  
Rulemaking Advisory Committee (RAC)  
Meeting 8**

September 15, 2021; 9:00am – noon



This meeting will be available for livestreaming, and later available for viewing on the [DLCD YouTube channel](#). A link to this stream and a recording of the meeting will also be posted on the [rulemaking web page](#).

Public comments may be submitted to the Rulemaking Advisory Committee by sending them to [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Comments received at least three working days before the meeting will be distributed to committee members prior to the meeting. Comments also will be shared with members of the Land Conservation and Development Commission.

**AGENDA**

<b>Time</b>	<b>Topic</b>	<b>Who</b>
<i>8:45 – 9:00 am</i>	<i>Arrive and Settle In</i>	RAC members
<i>9:00 – 9:10 am</i>	<b>Welcome, Opening Remarks, and Review Agenda</b>	Nick Lelack, LCDC Commissioner Sylvia Ciborowski, Meeting Facilitator
<i>9:10 – 9:20 am</i>	<b>Climate-Friendly and Equitable Communities Rulemaking Schedule</b>	Bill Holmstrom, DLCD Staff Kevin Young, DLCD Staff
<i>9:20 – 9:50 am</i>	<b>How the Draft Climate-Friendly and Equitable Communities Rules Seek to Advance Equity</b>	Evan Manvel, DLCD Staff Kevin Young
<i>9:50 – 11:10 am</i>	<b>Review and Discuss Draft Rules for High Quality Pedestrian, Bicycle, and Transit Improvements</b>	Bill Holmstrom Sylvia Ciborowski
<i>11:10 – 11:20 am</i>	<b>Break</b>	
<i>11:20 – 11:55 am</i>	<b>Review and Discuss Draft Rules for Vehicle Miles Traveled (VMT) Reduction Targets</b>	Cody Meyer, DLCD Staff Sylvia Ciborowski
<i>11:55 – noon</i>	<b>Next Steps and Wrap Up</b>	Sylvia Ciborowski Kevin Young

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 8 Item 3: Rulemaking Schedule**  
**DATE:** September 8, 2021

The schedule below is a summary of remaining activities in the Climate-Friendly and Equitable Communities Rulemaking, including activities of the Rulemaking Advisory Committee and the Land Conservation and Development Commission.

Date	RAC	LCDC
<b>September 15</b>	<ul style="list-style-type: none"> <li>• Draft rules for advancing equity (<i>Division 12: 660-012-0115 to 0130</i>)</li> <li>• Draft rules for high quality bike, pedestrian, transit improvements (<i>Division 12: 660-012-0500 to 0750</i>)</li> <li>• Draft rules for reducing vehicle miles traveled (<i>Division 12: 660-12-0150 to 0165, 660-012-0200 to 0210</i>)</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>• Input on draft rules</li> </ul>	
<b>September 23-24</b>		<ul style="list-style-type: none"> <li>• Review progress on draft rules, including Housing Rules (Division 8) Transportation Planning Rules (Division 12)</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>• Feedback on rulemaking progress</li> </ul>
<b>October 15</b> (4 hours)	<ul style="list-style-type: none"> <li>• Revised draft rules for Climate-Friendly Areas, Parking, and other parts</li> <li>• Draft rules for transportation system performance standards (<i>Division 12: 660-012-0170</i>)</li> <li>• Draft rules for street and highway planning (<i>Division 12: 660-012-0800 to 0835</i>)</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>• Input on draft rules</li> </ul>	

Date	RAC	LCDC
October 2021	<b>Community Conversations regarding Draft Rules</b> <ul style="list-style-type: none"> <li>Public outreach to solicit input regarding proposed administrative rules</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Public input on draft rules</li> </ul> <b>Monday October 25</b> , 6:30 pm-8:30 pm: Southern Oregon <b>Tuesday October 26</b> , Noon-1:30 pm: Mid-Oregon (Bend, Corvallis, Albany) <b>Wednesday October 27</b> , 6:30 pm-8:30 pm: Willamette Valley Large (Salem/Keizer, Eugene/Springfield) <b>Thursday October 28</b> , 11 am-12:30 pm: Portland Metro	
November 16 (4 hours)	<ul style="list-style-type: none"> <li>Final draft rules review</li> <li>Review Impact Statements</li> <li>Revised rules for regional scenario planning (Division 44)</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Input on rules and impact statements</li> </ul>	
November 18-19		<ul style="list-style-type: none"> <li>Review draft rules, discuss key policy questions</li> <li>Review required impact statements</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Direction on key policy questions</li> <li>Direction on impact statements</li> </ul>
December 2021 – January 2022	<b>Staff Work</b> <ul style="list-style-type: none"> <li>Rules reviewed by legal team for clarity and consistency</li> <li>Rules prepared per Secretary of State requirements</li> </ul> December 2 – Draft rules to Dept. of Justice for legal review December 9 – Draft rules to Rules Coordinator January 1 – Drafted rules posted by Secretary of State	
January 27-28		<ul style="list-style-type: none"> <li>First public hearing to consider the draft administrative rules</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Identification of any necessary corrections or amendments</li> </ul>
February 2022	<ul style="list-style-type: none"> <li><i>Potential RAC Meeting</i></li> </ul> Discuss corrections and amendments from Land Conservation and Development Commission Requested Input: <ul style="list-style-type: none"> <li>Input on corrections or amendments</li> </ul>	
March 2022		<ul style="list-style-type: none"> <li>Final public hearing</li> <li>Adoption</li> </ul>

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 8 Item 4: Key Questions Worksheet**  
**DATE:** September 8, 2021

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To meet our ambitious timeline and schedule, meetings of the advisory committee will need to be a space for robust conversation and discussion about agenda items. To facilitate this type of discussion, we have pulled specific topics, questions, and decision points from the meeting packet into this central discussion worksheet document. The intent of this document is to mirror the flow of the discussion and agenda items. You may use the document to collect your thoughts, comments, questions, and concerns on specific points.

As you review the meeting packet contents prior to our meeting on **September 15, 2021, from 9:00 am – noon**, please use this worksheet to take down notes or to formulate your questions for the project team. We will send committee members and alternates a link to a fillable version of this discussion worksheet to collect additional questions or comments.

### **RAC Meeting Discussion Items: Advancing Equity**

1. Given the Commission does not have the authority to require community advisory committees, what other ideas should we consider to center the voices of priority populations in decision-making?

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**RAC Meeting Discussion Items: Draft Pedestrian, Bicycle, and Transit Planning Rules**

- 2. The draft pedestrian system planning rules are intended to ensure cities and counties plan for a complete and connected network providing for safe and comfortable travel for all people. The pedestrian network should serve most trips under one mile in urban areas. Do you think the rules accomplish these goals? Do you see any implementation challenges with any part of the rules?

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- 3. The draft bicycle system planning rules are intended to ensure cities and counties plan for a complete and connected network providing for safe, efficient, and comfortable travel for all people. The bicycle network should serve most trips under three miles in urban areas. Do you think the rules accomplish these goals? Do you see any implementation challenges with any part of the rules?

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- 4. The draft public transportation planning rules are intended to ensure cities and counties coordinate with transit service providers to plan for a connected system of local, regional, and intercity transit services. The public transportation system should serve people riding transit within urban areas, as well as travel within regions or between cities. Do you think the rules accomplish these goals? Do you see any implementation challenges with any part of the rules?

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**RAC Meeting Discussion Items: Draft Transportation System Plan Development Rules**

- 5. The draft rules require a list of projects – the “illustrative list” – from which to choose a smaller set of projects – the “financially-constrained list” – which could reasonably be funded in the timeframe of the Transportation System Plan. The illustrative list is ranked based on a variety of criteria, including equity, and the highest ranked projects are brought into the financially-constrained list.

The rules also require the illustrative list to demonstrate that, if built, the local jurisdiction would meet its targets for reducing vehicle miles traveled per capita. Further, the financially-constrained list must demonstrate a reduction in vehicle miles traveled per capita. What do you think about this approach? Do you think these rules advance our climate and equity goals?

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**Other Comments**

- 6. There are other parts of the rules that we released this month that we don’t have time to discuss now. These include:
  - Amendments to existing rules (0015-0045)
  - Temporary projects (0145)
  - Transportation system inventories (0150)
  - Land use requirements, land use assumptions, and urban growth boundary requirements (0330-0350)

Do you have any thoughts or feedback on these parts of the rules?

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**General Questions**

- 7. Please share any recommendations to help improve your understanding or the productivity of future meetings.

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***Thank You!***

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Meeting 8



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff  
Evan Manvel, Land Use and Transportation Planner  
Cody Meyer, Land Use and Transportation Planner  
**SUBJECT:** **RAC 8 Item 5: Equity and the Rulemaking Effort**  
**DATE:** September 8, 2021

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## Summary

Governor Brown's Executive Order 20-04 and the commission's [rulemaking charge](#) directed the department to address equity and focus on communities disproportionately impacted by climate disruption. Governor Brown's Executive Order 20-04 on climate and the commission's [rulemaking charge](#) directed the department to address equity and focus on communities disproportionately impacted by climate disruption. Accordingly, staff worked with the advisory committee to develop the [Equitable Outcomes Statement](#) early in the process, and have referred to that statement as we've drafted rules.

In the packet for RAC meeting 7 we distributed draft rules containing requirements for equitable processes and analysis ([pages 51-54, 59, and 76](#)), but did not have time to discuss that draft at the meeting.

Some of the tools to effectively address equity concerns deal with larger economic and social forces and are not in the rulemaking charge, are outside the authority or resources of the department and commission, or are beyond the authority of the state. That does not, however absolve us of the work. We aim to further equity through guidance (advice to communities implementing the rules), model codes, and work with partners who have additional authority and resources. Adopting the rules is but the first step of a many-year effort to improve equity.

This memo briefly discusses the proposed rules for equitable processes, highlights some of the ways draft issue-specific rules address equity, notes other equity work for successful implementation, and asks for direction from the rulemaking advisory committee.

## Draft Rules on Equity Process and Analysis

In the [packet for RAC meeting #7 \(pages 51-54\)](#), staff proposed rule amendments to the Transportation Planning Rules for public engagement (Rule 0115), priority populations (Rule 0120), decision-making processes (Rule 0125) and equity analysis (Rule 0130).

**Rule 0115** calls for centering the voices of priority populations during updates of Transportation System Plans. It requires a special effort to inform and engage priority populations during major updates, and to the extent possible, to provide priority populations an equitable share of decision-making power over key decisions.

**Rule 0120** requires jurisdictions to prioritize community-led decision-making and engagement, with special attention to priority populations. It also defines priority populations in line with the Equitable Outcomes Statement. Finally, it requires jurisdictions to identify areas with concentrations of priority populations.

**Rule 0125** directs jurisdictions to center the voices of priority populations at all levels of decision-making and lists example actions to do so. The rule requires notifying sovereign tribes of decisions, and consulting with them if requested. The draft rules require the advisory committee to approve annual progress reports prior to submittal, as provided in proposed rule 660-012-0900.

The previous language of this Rule in the RAC 7 packet also required local governments to form a standing land use and transportation planning advisory committee reflecting the demographics of the community to the extent practicable. Since distributing this section, legal counsel has advised it is beyond our authority to require such a committee. We also heard significant concerns from jurisdictions who would have been tasked with such a committee. We are eager to hear other ideas on how to center voices of priority populations in decision-making (see Key Questions). This may be an area where the department will provide guidance and best practices information to local governments, rather than a requirement in administrative rules.

**Rule 0130** gives cities and counties direction on how to complete an equity analysis in conjunction with the adoption of land use and transportation plans required by the Transportation Planning Rules. An equity analysis is required for a variety of actions throughout the division. The purpose of an equity analysis is to identify impacts of proposed projects and policies and potentially inequitable consequences or burdens on impacted communities. References to the advisory committee as provided in Rule 0125 will be amended in this section.

## Feedback We Heard on Draft

In reviewing comments from advisory committee members and the public, we heard significant concern from local governments about resources and logistics needed for communities over 10,000 people to stand up an additional committee to provide input. Given this input and the advice from legal counsel referenced above, staff has removed the requirement for a land use and transportation planning advisory committee from the current draft of the rules. However, other approaches to embed equity considerations in the process will be considered, and guidance from the department to local governments will include recommendations regarding equitable engagement and decision-making in land use and transportation decision-making.

## How Equity is Incorporated in the Rules

Although the draft amendments contain the four rules that specifically call out equity as discussed above, equity along with climate is woven into the fabric of the other draft rules. Presented below is a discussion of how some of the other rules center equity.

### Issue-Specific Equity: Scenario Planning

The proposed rule amendments for Regional Scenario Planning (Division 44) included in the [RAC meeting #5](#) packet in March (packet pages 39 – 41) ask for these plans to be developed through an inclusive process centered on inclusive engagement. The rules further require an assessment of the housing and transportation needs of priority populations in the region and for the region to define the performance measures that will determine if implementation of the plan is resulting in equitable outcomes.

### Issue-Specific Equity: Spatial Equity Analysis

One important element of improving outcomes for priority populations is identifying where concentrations of these community members live. With spatial tools including mapping, populations can be cross-referenced with outcomes such as access to safe walking infrastructure, transit, and other amenities. Accordingly, staff is working with other state agencies to develop an equity mapping tool. The purpose of this tool is to help local governments and their community members better understand the expected benefits of policies and investments with respect to populations who may have not received fair benefit and access to public infrastructure to date. Spatial equity analysis tools were discussed in [RAC meeting #5](#) in March (packet page 46).

### Issue-Specific Equity: Climate-Friendly Areas

The designation of Climate-Friendly Areas and associated development standards have the potential to displace members of priority populations. These impacts are often most acute in areas with a high percentage of residential renters, with historically lower rental costs, and higher concentrations of members of priority populations. With the “upzoning” needed in Climate-Friendly Areas to achieve a more compact and efficient urban form that will achieve reductions in climate pollution, redevelopment opportunities may increase, allowing taller buildings and a greater mix of allowed uses than were previously allowed. This can create a situation where current residents of these areas may be priced out due to rising rents and land values.

To mitigate for these potential impacts, the draft rules for the designation of Climate-Friendly Areas include several requirements. The process for the designation of Climate-Friendly Areas in Rule -0320 ([RAC 7 Packet](#) pages 58 – 59) contains requirements for engagement of priority populations in the designation process, along with plans for achieving fair and equitable housing outcomes within Climate-Friendly Areas. The analysis of fair and equitable housing outcomes associated with the designation of Climate-Friendly Areas must include specific consideration of the potential for displacement and the identification of mitigation measures needed to avoid potential displacement.

Lastly, for those cities within metropolitan areas with a population over 10,000, Section (4) of Rule -0320 includes a requirement to assess progress towards fair and equitable housing production goals in Climate-Friendly Areas as part of the regular Housing Production Strategy. This section includes a reference to the proposed amendments to the Housing Rule (660-008-0050) addressing the required analysis of progress towards fair and equitable housing production goals in Climate-Friendly Areas.

Although our conversations regarding equitable outcomes have focused on the needs of priority populations, as defined in the Equitable Outcomes Statement, close readers will notice the proposed amendments to the Housing Rule are specific to “state and federal protected classes.” This is because the housing rules have been developed to conform with fair housing laws and requirements. Fair housing laws provide legal protections to renters and owners who are members of protected classes. Although there is quite a bit of overlap between priority populations and state and federal protected classes, they are not the same. The following table provides a basic analysis of the different terms in the context of fair housing (not employment).

#### **Analysis of Similarities and Differences between Identified Priority Populations and State and Federal Protected Classes in the Context of Fair Housing**

<b>Priority Populations</b>	<b>Federal Protected Classes</b>	<b>Oregon Protected Classes</b>
Black and African American people	Race, color	Race, color



households can reduce transportation costs by owning fewer cars or driving less. Post-adoption, staff will begin work to provide guidance and technical assistance to assist communities with building equity into parking pricing and permit efforts.

## Equity and Implementation

As noted above, effectively addressing equity will take many tools and resources, multiple agencies, various levels of government, and many years. Some of it will be formal guidance given to localities as they apply rules at the local level.

A few actions the department is engaged in:

The department paid Dr. Lisa Bates and other experts from Portland State University to develop an anti-displacement toolkit. The toolkit is designed to assess the potential for displacement of priority populations as a result of land use decisions or other government actions, and identifies tools for mitigating potential displacement impacts. DLCD staff are hosting a webinar **September 9, at 10:30 am** to discuss those tools. You all should have received notice of the webinar.

Several state agencies have been coordinating on developing spatial equity data and corresponding tools needed by state and local governments to identify neighborhoods with concentrations of priority populations for restorative investments. The department has been actively involved in these discussions and advocating for tools to support local decision making to increase equitable outcomes. We anticipate this effort will result in state-provided data and tools cities and counties can use to implement the proposed rules.

We have updated DLCD's grant-making criteria and the criteria for grants for the Transportation and Growth Management program (a joint program with ODOT which helps plan for land use and transportation choices) to include equity components.

We have also been in discussions with other state agencies to share ideas about directing resources towards equity efforts. For example, we have been in discussion with other state agencies about using Climate-Friendly Areas to help make decisions about state investments. Similarly, we have worked with ODOT on their work to include equity scoring in their funding decisions.

## Advisory Committee Input

We are eager to hear impressions from advisory committee members. Systemic changes are necessary to achieve our climate and equity goals. Though some people have indicated parts of our draft rules go too far, others may feel like the concepts do not go far enough or leave something important out.

Key Questions (Item 4 of the RAC 8 packet) are set up to receive your guidance, in addition to our discussions at the advisory committee meeting.

## Key Question

Given the Commission does not have the authority to require community advisory committees, what other ideas should we consider to center the voices of priority populations in decision-making?

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
Cody Meyer, Land Use and Transportation Planner  
**SUBJECT:** **RAC 8 Item 6: Summary of Pedestrian, Bicycle, and Transit Planning Rules**  
**DATE:** September 8, 2021

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This document includes a summary of the draft rules directing local governments to plan for high quality pedestrian, bicycle, and transit networks. These requirements are implemented when a city or county develops and adopts a local Transportation System Plan.

In July staff presented conceptual approaches to the Transportation Planning Rules at the advisory committee meeting and at the meeting of the Land Conservation and Development Commission. We heard general support for the conceptual approaches and have completed a draft set of rules on these topics. These draft rules are expected to change based on further input received from the advisory committee, Commission, and the public.

We are working with Metro and will be consulting with potentially affected local governments to determine how these rules, along with many other draft amendments, may apply in the Portland Metropolitan Area.

We appreciate your thoughts and guidance as we work from this draft to final rule language.

### Background

The [commission's charge](#) includes the following element to be included in the rules:

Require **high quality pedestrian, bicycle, and transit** infrastructure planning. For pedestrian networks, rules will focus on complete networks in climate-friendly areas and access to transit, schools, and other services. For bicycle networks, rules will focus on a connected network of neighborhood greenways and protected bikeways on major corridors, allowing cyclists of all ages and abilities to access the complete network. For transit networks, rules will focus on priority corridors, with investments to improve transit travel time, improve access to stops and stations, and promote compact, mixed-use development patterns near stops and stations.

The rules presented in this packet are our draft attempt to meet this directive. The draft rules build on existing transportation planning requirements and extend them in ways to make it easier for more people to travel to more places without need for a car.

## Draft Rules Overview

This memo includes a summary overview of the proposed rules. For detailed draft rule language please refer to the draft rules in item 11 of this packet.

The rules focus on ensuring high quality facilities in places where it makes a difference: in Climate-Friendly Areas, in neighborhoods with concentrations of priority populations, along priority transit corridors, and to access key destinations.

Requirements for each mode – pedestrian, bicycle, and public transportation – are set out in a separate set of numbered rules.

- Rules from 0500 through 0520 are for pedestrian system planning.
- Rules from 0600 through 0630 are for bicycle system planning.
- Rules from 0700 through 0750 are for public transportation system planning.

In each set of rules, there is a pattern of four rules setting out how to complete each modal plan:

- A rule **ending in 00**, to set overall direction and point to the other rules in that section;
- A rule **ending in 05**, to direct how cities and counties inventory the existing system;
- A rule **ending in 10**, laying out the minimum requirements for the system; and
- A rule **ending in 20**, directing how cities and counties develop the mode-specific list of projects, which will be integrated into a multimodal list as part of the development of the Transportation System Plan.

The bicycle system section also has a rule, **0630**, with requirements about bicycle parking; and the public transportation system section has a rule, **0750**, with requirements about planning for transportation options.

### Pedestrian System Rules 0500-0520:

*Packet item 11 pages 43-46*

The pedestrian system means a system for people walking and people using low speed mobility devices. The pedestrian system should be a complete and connected network providing for safe and comfortable travel for all people. The pedestrian network should serve most trips under one mile in urban areas.

**Rule 0500: Pedestrian System Planning.** This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation system through a Pedestrian System Element. Cities and counties must plan for a complete and connected pedestrian system that includes safe and accessible sidewalks and crossings. Cities and counties must identify gaps and deficiencies in the pedestrian system by comparing an inventory of current facilities with a plan for a fully built system.

**Rule 0505: Pedestrian System Inventory.** This rule describes how cities must inventory their pedestrian system. The rule prioritizes Climate-Friendly Areas, neighborhoods near schools, arterials, and collectors for the inventory. The inventory must also include crash and crash risk data.

**Rule 0510: Pedestrian System Requirements.** This rule provides the minimum requirements for the planned pedestrian system. Cities and counties may choose to exceed the standards in this rule.

- The rule provides for sidewalks that are progressively wider and more protected as the adjacent streets get bigger and faster; as well as additional considerations in neighborhoods with concentrations of priority populations and in Climate-Friendly Areas.



- The rule requires planning to dedicate a substantial portion of the public right of way in Climate-Friendly Areas to pedestrian uses.
- Cities and counties must plan for enhanced tree canopy and infrastructure using natural and living materials in pedestrian spaces in Climate-Friendly Areas and in neighborhoods with concentrations of priority populations.
- The rule directs planning for enhanced pedestrian crossings of arterial and collector streets in key locations.

**Rule 0520: Pedestrian System Projects.** This rule directs local governments to develop a prioritized list of pedestrian system projects as part of the Transportation System Plan.

## **Bicycle System Rules 0600-0630:**

*Packet item 11 pages 46-50*

The bicycle system means a system for people riding bicycles and other vehicles that operate at a similar speed and scale including, but are not limited to electric bicycles, kick-style and electric scooters, and skateboards; but not motorcycles. The bicycle system should be a complete and connected network providing for safe, efficient, and comfortable travel for all people. The bicycle network should serve most trips under three miles in urban areas.

**0600: Bicycle System Planning.** This rule, and subsequent rules, describe how cities must plan for a safe, accessible and connected bicycle network that serves a variety of users. The rule requires a Bicycle System Element that provides for a substantial portion of short-distance urban travel to be by bicycle. Cities must plan for a complete and connected bicycle system that is centered on safety and accessibility. Cities must identify gaps and deficiencies in the bicycle system by comparing an inventory of current facilities with a plan for a fully built system.

**0605: Bicycle System Inventory.** This rule describes how cities must inventory their bicycle system. The rule prioritizes Climate-Friendly Areas, schools, arterials, and collectors for the inventory. The inventory must also include crash data.

**0610: Bicycle System Requirements.** This rule includes the minimum requirements for the bicycle system. Cities may choose to exceed the standards in this rule.

- The rule requires higher levels of protection and separation for higher speed and volume streets and highways. The rule describes a range of facilities, including separated or protected bicycle facilities.
- The rule requires planning for a connected network of bicycle facilities to provide a safe and comfortable experience for people of all ages and abilities. This includes low volume streets as well as separated or protected facilities on larger streets.
- Separated or protected bicycle facilities must be planned in Climate-Friendly Areas along arterials and collectors.
- On arterials or collectors where separated or protected bicycle facilities are not planned, the minimum bicycle facility is a buffered bicycle lane.

**Rule 0620: Bicycle System Projects.** This rule directs local governments to develop a prioritized list of bicycle system projects as part of the Transportation System Plan.

**0630: Bicycle Parking.** This rule includes updated requirements for bicycle parking. Existing statewide requirements require bicycle parking for commercial and multi-family land uses. This rule expands this

to require covered and secure parking for some uses where longer-term parking is expected, and short-term parking at retail uses, transit facilities, and other key destinations. The rule requires that long-term parking include provisions for electric charging and to accommodate a range of devices beyond bicycles.

## **Public Transportation System Rules 0700-0750:**

*Packet item 11 pages 50-54*

The public transportation system consists of local, regional, and intercity transit services. The public transportation system should serve people riding transit within urban areas, as well as travel within regions or between cities.

In most places, the city or county adopting a Transportation System Plan is not a transit service provider. The rules require coordination with transit service providers. The rule requires cities and counties to encourage transit service by identifying priority transit corridors, adding transit-supportive land uses near transit, and adding and improving transit supportive facilities along transit routes.

**Rule 0700: Public Transportation System Planning.** This rule describes how cities must plan for their public transportation system. Transportation Systems Plans must include a Public Transportation Element that plans for transit priority corridors, transit supportive infrastructure and coordination with transit providers. The element must identify gaps and deficiencies in the public transportation system and must identify key destinations.

**Rule 0705: Public Transportation System Inventory.** This rule describes how cities must inventory their public transportation system. The inventory must include information on services, facilities, and connections with key destinations.

**Rule 0710: Public Transportation System Requirements.** This rule includes the minimum requirements for safe, connected, and accessible public transportation system facilities.

- The rule requires planning for a connected local transit network that serves key destinations.
- Plans must identify priority transit corridors planned for the highest level of transit service.
- The rule requires planning for a range of transit supportive facilities along transit priority corridors and in other locations. Transit supportive facilities include transit stops and ancillary facilities, as well as transit priority infrastructure including signals, queue jumps, and semi exclusive or exclusive bus lanes or transitways.
- Cities and counties must coordinate with transit service providers to identify needs for intercity transit service.

**Rule 0720: Public Transportation System Projects.** This rule directs local governments to develop a prioritized list of public transportation system projects as part of the Transportation System Plan.

**Rule 0750: Transportation Options Plan.** This rule describes how cities develop a transportation options element of their Transportation System Plan. The rule requires cities and counties to coordinate closely with transportation options providers, public transportation providers, and other cities and counties to identify existing programs, services, and projects; as well as future needs.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
Cody Meyer, Land Use and Transportation Planner  
**SUBJECT:** **RAC 8 Item 7: Summary of Transportation System Plan Development Rules**  
**DATE:** September 8, 2021

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In July staff presented conceptual approaches to the Transportation Planning Rules at Rulemaking Advisory Committee meeting and at the meeting of the Land Conservation and Development Commission. We heard general support for the conceptual approaches and have completed a draft set of rules on these topics. These draft rules are expected to change based on input received from the Rulemaking Advisory Committee and the Commission.

We are working with Metro and will be consulting with potentially affected local governments to determine how these rules, along with many other draft amendments, may apply in the Portland Metropolitan Area.

We appreciate your thoughts and guidance as we work from this draft to final rule language.

### Background

This memo describes the framework and requirements for some of the draft rules for the development of a local Transportation System Plan. The proposed rules require transportation plans to meet the greenhouse gas targets in Division 44.

These rules implement the [Executive Order 20-04](#) direction to DLCD and ODOT to “make rule amendments that direct changes to the transportation plans in metropolitan planning areas to meet greenhouse gas reduction goals.” These rules also implement the [commission’s charge](#) to:

**Prioritize and select** projects within transportation system plans that generally support achievement of greenhouse gas reduction targets. Rules will require plans to have a “financially constrained” list of planned projects based on estimated project costs and projected revenue. Pedestrian, bicycle, and transit projects will be given relatively high level of priority. In metropolitan jurisdictions that have an adopted plan to reduce climate pollution, investments and actions must be aligned with the adopted plan when updating a prioritized project list.

The rules provide further direction on how to rank projects using climate and equity to develop an overall illustrative list of project needs. The rules then provide for the selection of projects to be incorporated into a financially-constrained project list which are likely to be funded within the 20-year planning horizon.

To meet the Metropolitan Greenhouse Gas Reduction Targets in Division 44, cities and counties will all need to reduce their share of vehicle miles traveled per capita. The regional scenario planning discussed earlier in the rulemaking process sets a regional vision and provides a roadmap of regional goals to reduce pollution and improve equitable outcomes. While the scenario plans set a strategy,

implementing that strategy will be made in local Transportation System Plans and Regional Transportation Plans. These are the adopted plans where specific needs are assessed, projects scoped, funding is identified, and project lists are assembled.

Projecting greenhouse gas emissions in a scenario planning exercise relies on a strategic planning model (VisionEval, formerly GreenStep), while Transportation System Plans and Regional Transportation Plans rely on travel demand models. One of the primary outputs of these travel demand models is vehicle miles traveled – **VMT**. These rule amendments recognize the need to connect local decision-making that rely on travel demand models with the greenhouse gas targets. Staff developed this proposal with the intent of the use of existing travel demand models to meet the requirements within these rules.

## Draft Rules Overview

This memo includes a summary overview of the proposed rules. This summary covers the highlights for each rule. For detailed draft rule language please refer to the draft rules in item 11 of this packet.

The set of rules described in this memo include the following:

- **Rule 0160** directs how cities and counties use modeling and analysis tools in transportation planning. The rule includes how local Transportation System Plans meet the vehicle miles traveled per capita reduction target.
- **Rule 0165** is based on provisions in existing rule 0035 and guides how cities and counties evaluate transportation system alternatives.
- **Rule 0200** directs how cities and counties create a multimodal prioritized project list. This is called an “illustrative list” and includes more projects than will be built under the timeframe of the plan. The illustrative list must be built to meet the vehicle miles traveled per capita target.
- **Rule 0205** provides for a financial plan within the transportation system plan to determine the amount of funds available over the course of the plan to implement projects.
- **Rule 0210** directs cities and counties to develop a “financially-constrained” project list that could reasonably be implemented over the life of the plan, based on the ranked illustrative project list and the financial plan.

Rules 0170 and 0180 continue to be under review and will be released in October. **Rule 0170** is intended to guide how transportation performance standards may be used. These are sometimes called “mobility standards.” **Rule 0180** sets a framework for making decisions about prioritization throughout the Transportation Planning Rules.

## Rule 0160: Transportation Planning Modeling and Vehicle Miles Traveled Reduction Targets

*Packet item 11 pages 29-31*

This rule contains requirements for how cities and counties use modeling and analysis tools to develop Transportation System Plans. The rule requires that these plans be developed with the goal of reducing pollution through reductions in driving. Since the greenhouse gas reduction targets were calibrated to the institutional influence of local actions, they are in practice vehicle miles traveled reduction targets.

Cities and Counties may choose either an individual approach via their Transportation System Plan or a regional approach through the federally required Regional Transportation Plan. Both approaches rely on using an illustrative project list (not financially constrained) to meet the target using the same methodology. Regardless of the approach taken, cities will need to demonstrate an overall reduction in vehicle miles traveled in their financially-constrained project list.

Since the greenhouse gas targets are aspirational targets, meeting a corresponding vehicle miles traveled reduction target will need to be demonstrated through the illustrative project list. The greenhouse gas reduction targets were set using the assumptions of state-led fleet, fuel, pricing, and technology actions assumed in the Statewide Transportation Strategy, and accordingly, the vehicle miles traveled reduction targets will need to rely on these same assumptions about how vehicles will emit less carbon in the future.

**Sections (1) and (2).** These sections state the purpose of the rule is to guide the development of a Transportation System Plan. Section (2) specifies that modeling and analysis tools must use the best available science when calculating vehicle miles traveled; projections must include the demand induced by adding vehicle roadway capacity to the system.

**Section (3).** This section requires that findings relied upon for adoption of a Transportation System Plan must include the modeling assumptions and how the plan will reduce vehicle miles traveled per capita by the amounts necessary to meet the Metropolitan Greenhouse Gas Reduction Targets in Division 44.

**Section (4).** This section provides the requirements for an individual approach for meeting vehicle miles traveled reduction targets through a local Transportation System Plan. The section sets the vehicle miles traveled targets by referencing the Metropolitan Greenhouse Gas Reduction Targets in Division 44.

**Subsection (a).** This subsection specifies that the requirement applies to the illustrative project list provided in rule 0200.

**Subsection (b).** This subsection requires that cities and counties include any approved performance targets for local actions in rule 0910 and land use assumptions consistent with their Climate-Friendly Areas in the target calculation. Policies may not be included in the project list, so it is important that the analysis include supportive policies.

**Subsection (c).** This subsection requires the target calculation to use the assumptions of future state and federal actions on vehicle fleets, fuels, and pricing from either an approved regional scenario consistent with the Metropolitan Greenhouse Gas Reduction rules in Division 44 or the default values found in the Statewide Transportation Strategy.

**Section (5) - (7).** These sections allow cities and counties to meet the requirements of this rule using a regional approach through the Federally required Regional Transportation Plan. Subsections a-d are the same as in Section (3). Section (6) requires cities and counties to submit the conforming Regional Transportation Plan when making findings on plan adoption or amendment. Section (7) requires that cities and counties submit their option for either an individual or regional approach to the department by the end of 2022.

**Section (8).** This section requires that cities and counties reduce vehicle miles traveled in their financially constrained project list required in rule 0210. The section allows for flexibility in demonstrating the reductions and does not specify a reduction target.

## **Rule 0165: Evaluation and Selection of Transportation System Alternatives**

*Packet item 11 pages 31-32*

This rule provides criteria for cities and counties to use when evaluating and selecting between transportation system alternatives in the development of a Transportation System Plan. The contents of this rule were largely pulled from requirements in the existing rules, at OAR 660-012-0035.

**Section (1).** This section requires that plans evaluate alternative solutions to potential needs using capital facilities, demand management measures, or a no build alternative.

**Section (2).** This section specifies the standards to be used in transportation system alternative analysis, including supporting planned land uses, minimizing negative impacts to air and water quality, minimizing adverse effects, minimizing conflicts between modes of transportation, increasing transportation options and reducing principal reliance on the automobile (Goal 12).

**Subsection (f).** This subsection adds vehicle miles traveled reduction as a standard to be used in transportation system alternative analysis. This will be needed to meet the vehicle miles traveled reduction requirements in rule 0160.

**Section (3).** This section adds a requirement for Transportation System Plans to be designed to achieve the performance targets for local action in rule 0910.

## **Rule 0200: Combined and Illustrative Project Lists**

*Packet item 11 pages 32-33*

This rule describes how cities and counties take the combined list of projects developed in the modal elements of the Transportation System Plan (rules 0500 – 0800), develop multimodal projects, and produce a combined project list. The rule requires cities and counties to use the combined project list to develop an illustrative project list. The illustrative project list must include a set of projects that would meet targets for reductions in per capita vehicle miles traveled.

**Section (1) and (2).** These sections provide direction on how the modal project lists developed in the modal elements are combined into a multimodal project list.

**Section (3).** This section provides direction on how the overall project list from the combined modal lists in section (1) is refined and assembled into the illustrative project list that meets the vehicle miles traveled targets requirement in rule 0160.

**Section (4).** This section requires that projects are individually scored on their ability to reduce vehicle miles traveled, increase equitable outcomes, and meet the local action performance targets in section 0910.

**Section (5).** This section requires cost estimates to be made for the top ranked projects. This step is necessary to select the projects to be included within the budget of the financially constrained project list.

## **Rule 0205: Transportation System Financial Plan**

*Packet item 11 pages 33-34*

This rule describes how cities develop a Financial Plan in the Transportation System Plan. The Financial Plan includes a list of funding sources that are expected to fund transportation facilities and services, and the amount of funding available for transportation projects over the planning period.

**Sections (1) and (2).** These sections require cities and counties to create a Financial Plan by identifying a list of funding sources.

**Sections (3) and (4).** These sections require that each funding source include an estimate of the amount of funding available and any restrictions that may apply to that funding. The total amount from the funding sources and Financial Plan is used to set the overall budget for the Financially-Constrained Project List in rule 0210.

## Rule 0210: Financially-Constrained Project List

*Packet item 11 pages 34-35*

This rule provides direction on how to develop a financially-constrained project list. Projects on the financially-constrained project list are the top priority projects to be considered for further project development, funding, and construction. The financially constrained list of projects in the local Transportation System Plan is used to develop the federally required Regional Transportation Plan. The financially constrained list will also be the only projects that may be assumed as “reasonably likely” when considering if an amendment to a comprehensive plan or land use regulation has a “significant effect” on the transportation system in the existing rules in 0060.

The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita vehicle miles traveled, and support meeting targets set against a range of performance measures.

**Section (1) and (2).** These sections require cities and counties to assemble a financially-constrained project list using the illustrative project list in rule 0200 and the financial plan in rule 0205. This project list is allowed to be up to 125% of the financial budget to allow for contingencies. Section (2) provides the criteria for the selection of the top priority projects; reducing vehicle miles traveled, improving equitable outcomes, and meeting performance targets.

**Section (3).** This section provides direction for project prioritization. If the list of projects do not meet the climate and equity criteria provided in section (2), the list must be changed until the overall project list meets the criteria.

**Section (4).** This section requires that future plan amendments include an update to the financially-constrained project list using the criteria of this rule.

**Section (5).** This section requires that cities and counties are supporting implementation of the plan by selecting projects for inclusion in a capital improvement program using the climate and equity criteria in section (2).

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 8



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young, Senior Urban Planner  
**SUBJECT:** **RAC 8 Item 8: Climate-Friendly Areas: What We Heard**  
**DATE:** September 8, 2021

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In the packet for RAC meeting #7 we distributed the first draft rules for Climate-Friendly Areas ([pages 57-60 and 75-76](#)), and took some questions. Since that meeting, we have received other input, including survey responses from the RAC and letters from the public. We are hoping to distribute the next draft of the rule by October 8 in the packet for RAC meeting 8.5.

### **Climate-Friendly Areas: What We've Heard**

Responses to the draft parking rules from RAC members and cities varied. These responses may be reviewed in full in items 13 and 14 of this packet.

The post-meeting survey from RAC 7 included a poll with four questions related to Climate-Friendly Areas. The responses to the four questions are below. It should be noted that the quick poll received fewer responses than the longer survey questions.

**1. In general, are the proposed deadlines for local governments to designate Climate-Friendly Areas: (14 respondents)**

- About right? (14% - two respondents)
- Don't allow enough time? (79% - 11 respondents)
- Provide more time than is necessary? (7% - one respondent)

**2. In general, do the proposed rules regarding the process for local governments to adopt Climate-Friendly Areas: (12 respondents)**

- Sufficiently address equitable outcomes? (8% - one respondent)
- Require too much work for local governments? (58% - seven respondents)
- Not sufficient to address equitable outcomes? (33% four respondents)

**3. In general, do you think the proposed land use requirements for Climate-Friendly Areas are: (13 respondents)**

- Sufficient to facilitate development in Climate-Friendly Areas? (23% - three respondents)
- Insufficient to facilitate development in Climate-Friendly Areas (more detail is needed)? (31% - four respondents)
- Are more complicated than is needed to facilitate development in Climate-Friendly Areas? (46% - six respondents)



#### 4. In general, are the proposed amendments to the Housing Rule: (12 respondents)

- Sufficiently clear and feasible to help local governments to meet climate and equity goals? (33% - four respondents)
- Too complicated to meet our climate and equity goals? (25% - three respondents)
- Not sufficient to meet our climate and equity goals? (42% - five respondents)

Staff has reviewed the more detailed survey comments, along with public input, and provides the following summary:

#### Most Common Comments Regarding Climate-Friendly Areas:

- The majority of survey respondents (79%) feel that more time will be needed to designate CFAs. The draft rules require the larger local governments, with a population greater than 10,000, to designate CFAs by March 31, 2023, which will be approximately one year after planned adoption of the rules in March of 2022. Smaller local governments would have two years to designate CFAs. Given current obligations and deadlines to implement requirements from HB 2001 and 2003, among other necessary work, local governments would be very challenged to meet these deadlines.
- Local governments need assistance to implement CFA requirements, including funding, model code, staff or consultant assistance with code changes, and opportunity area mapping.
- The “one-size fits all” approach of the draft rules is too prescriptive. The scale of local governments affected by the rules varies widely, as does the strength of local development markets.
- Please clarify if the draft rules would apply only to those local governments that have not yet complied with Metro’s 2040 Growth Concept or to every local government in the Portland Metro region.

A few individual comments are provided below for illustrative purposes. However, all comments are important and may be reviewed in Items 13 and 14 of the meeting packet.

- “Public engagement requirements seem unrealistic given the aggressive timelines and lack of local government staff and funding.”
- “In addition to displacement, how do you ensure that "priority populations" can afford the Climate Friendly-Areas, and we don't further concentrate resources in areas of existing privilege?”
- “There needs to be an understanding of the tradeoffs between implementing these areas quickly for climate change purposes and the time that is necessary to ensure equitable outcomes and broad outreach to traditionally overlooked populations.”
- “There are several takeaways I think: 1) persons who experience multiple or intersectional discrimination are less likely to be able to engage (given other priorities & time constraints & other barriers) and thus less likely to have their voices heard and needs met; 2) DLCD, cities, and counties need to understand that some people should be compensated for their time (otherwise they can't afford to engage); 3) DLCD, cities, and counties may need to design particular strategies to reach folks who are not "normally" part of the conversation; 4) community engagement cannot just be holding one meeting in a community and expecting a truly diverse group to appear.”

- “Personally I would recommend focusing this section on requiring that zoning for the CFA (in aggregate) has the minimum required density (both residential and commercial) and allowed mix of uses for the critical mass that is needed [to] ensure that there are the people and the destinations (with the necessary infrastructure for walking, biking, transit use) that will shift mode travels from light vehicles to walking, biking and transit use....In terms of design I would recommend providing principles and/or elements that must be addressed, e.g. height, setback and the like, but I would allow the local governments to tailor the designs understanding that sites will be different. (-0325(1)) As I have noted elsewhere I would not require that all the area within a CFA would allow every use listed in this section but rather that in aggregate that all the land uses are allowed.”
- “I suggest that the rule should set a few key high level requirements and then leave it up to local governments to implement.”
- “DLCD/local governments should designate CFAs and allocate employment and population to them at the first major planning activity of a metropolitan jurisdiction (RTP, TSP, HNA, etc..) or the dates in the staff proposed rule (June 2023/2024), whichever comes first.”
- “I’d suggest that the state set minimum housing density requirements for a whole city as a UGB expansion requirement and let cities figure out how to get there.”
- “The questions articulated in Chapter 660, Division 8 are appropriate and consider relevant aspects for meeting equity goals.”
- “First, UGB expansions should not be tied to CFA performance, for several reasons: • We question whether this is even legal. The legal requirements for justifying a UGB expansions include Goals 10 and 14 and related rules and statutes (as well as every other Goal) While meeting one’s housing targets inside CFAs will probably be part of a city showing it is meeting its Goal 10 obligations, that alone is likely not sufficient. • Many cities do not want to expand their UGB, so if this is meant to be a stick or carrot, it is likely irrelevant to some cities.”

### **Climate-Friendly Areas: Staff Response and Next Steps**

Staff will consider adjustments to the draft rules based on this input, including, but not limited to:

1. Deadlines for the designation of Climate-Friendly Areas;
2. Alternative process steps for the designation of Climate-Friendly Areas;
3. Alternative approaches to development standards in Climate-Friendly Areas;
4. Clarification of how draft rules would or would not apply to local governments within the Portland Metro region; and
5. Consideration of how urban growth boundary expansions may or may not be related to development in Climate-Friendly Areas.

We are exploring additional changes in response to the other comments, and will work to answer as many questions as possible. We are also considering other ways the rules may be made simpler to understand and implement. We welcome further specific suggestions for simplicity.

### **Staff Contact**

Further questions and comments may be directed to [kevin.young@dlcd.oregon.gov](mailto:kevin.young@dlcd.oregon.gov), or 503-602-0238.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 8

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Evan Manvel, Land Use and Transportation Planner  
**SUBJECT:** **RAC 8 Item 9: Parking and Electric Vehicle Rules Update**  
**DATE:** September 8, 2021

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In the packet for RAC meeting #7 we distributed the first draft rules about parking reform and electric vehicles ([pages 62-68](#)), and took some questions. Since that meeting, we have received other input, including survey responses from the RAC and letters from the public. We are hoping to distribute the next draft of the rule by October 8 in the packet for RAC meeting 8.5.

### **Parking Reform: What We've Heard**

Responses to the draft parking rules from RAC members and cities varied.

Most RAC members expressing a clear opinion on “whether the rules struck the right balance between reforming parking and giving communities options” felt the rules were *correctly balanced* or *not strong enough* – that parking mandates/minimums simply should be repealed. Some commenters felt parking maximums should be strengthened.

Others felt the rules were too prescriptive or unwieldy. While not exhaustive, some specific concerns are listed here. Multiple people voiced concern about the provisions proposing converting on-street parking. Multiple people voiced critiques of the shadow plat provision. One commenter raised concerns about the specific prices. Another thought the parking garage elements onerous. One commenter raised concern about the geographic size around priority transit corridors, other commenters had questions about other specific numbers. We heard suggested language changes to be more inclusive. One commenter raised concerns about implementing ADA parking under reduced overall mandates. One commenter voiced the rules might undermine a community’s parking plan. Another had concern about allowing on-street parking provision to meet mandates.

Multiple commenters voiced skepticism that parking mandates were related to the climate crisis. We received questions about some details of pricing policies, such as the logistics of collecting a tax on parking lot income and experiences with the unbundling policies. One commenter voiced concern about unsafe parking and about spillover parking into private lots. We heard multiple suggestions to promote time-based limits, not just permits and meters. We heard a question about why historic structures or districts were in the list, and a general question about why the list of uses was what it was. One commenter argued the deregulation would burden those living in multi-unit development and not single-unit development. Finally, multiple commenters voiced concerns about the proposed implementation timeline.

## **Parking Reform: Staff Response and Next Steps**

Staff propose to make some adjustments to the draft rules:

1. Change the terminology of “walk” to “pedestrian travel” through the parking rules;
2. Remove the on-street parking provision in 0405(1)(d);
3. Remove the shadow plat provision in 0405(3)(d);
4. Remove specific direction on converting parking for other uses in 0405(4) while retaining the direction to facilitate such conversions;
5. Remove the language on where parking meter revenue must go to in 0410(3)(b)(A); and
6. Add timed parking as an option under 0410(5)(b)(M).

We are exploring additional changes in response to the other comments, and will work to answer as many questions as possible.

We are also considering other ways the rules may be made simpler to understand and implement. While we do not believe the draft rules are particularly unwieldy, we welcome further specific suggestions for simplicity.

Finally: parking reform is clearly connected to Oregon’s efforts to reduce climate pollution. One-size-fits-all parking mandates tied to each new development go beyond what the market would normally provide, or they would have no purpose. They therefore make driving easier, and appear cheaper, than it is. The costs of parking, as previously noted, are hidden in the costs of goods, wages, and rents – and hence, the costs of driving are being subsidized through those other goods. Literature detailing how parking regulations and pricing impact driving and car ownership includes [Millard](#), [Pinski](#), [Manville](#), [Manville again](#), [Kuzmyak](#), [Shoup](#), [Weinberger](#) and [CAPCOA](#). Parking lots also increase urban heat island effects, see [Makido and Shandas](#).

Parking reform also broadly improves equity for priority populations, and equity is a key part of this rulemaking. That connection has been detailed in previous memos and at RAC meetings.

## **Electric Vehicle (EV) Charging: Feedback and Next Steps**

We heard concern from some that the electric vehicle provisions were too strong, may impact housing affordability, and should be left up to the market. We heard concern about the chargers being “Level 2 chargers or above” being explicitly stated in the rules, but aren’t sure if “or above” was clear. We also heard concern the draft rules went beyond HB 2180 (2021).

There were questions about the Commission’s authority to require EV charging stations. Staff have re-consulted with legal counsel and confirmed our belief the Commission may require EV charging stations, especially if language focuses on parking lots and garages. We are continuing conversations with counsel.

We heard some desire to move the 30% threshold of project cost for waiving retrofits down to 20%, and some questions about who pays for the electricity at the charging station.

We are working to clarify expected costs of such stations to further inform decision-making and next steps, and answer the questions raised.

## **Staff Contact**

Further questions and comments may be directed to [evan.manvel@dlcd.oregon.gov](mailto:evan.manvel@dlcd.oregon.gov), or 971-375-5979.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
Changes to Existing Rules		<p>The existing rules will mostly remain the same, with some changes as noted below:</p> <ul style="list-style-type: none"> <li>0000: Updates to reflect changes across the division.</li> <li>0005: Updates to reflect changes across the division.</li> <li>0015: Changes to remove requirements specific to metropolitan areas.</li> <li>0016: This rule only applies in metropolitan areas and will be deleted.</li> <li>0035: Changes to remove requirements specific to metropolitan areas.</li> <li>0045: Changes to remove requirements specific to metropolitan areas.</li> <li>0060: Updates to reflect changes across the division.</li> </ul> <p>We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.</p>
660-012-0000	Purpose	<p>The purpose provides an overview of the commission’s reasons for adopting the division, including how the division implements the statewide planning goals. A clear purpose statement is useful for everyone who uses the rules; including the public, local governments, and the courts.</p> <p>We propose to adjust the purpose to focus on the challenges of today and the future. The updated purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation safety (with traffic deaths trending higher and four times that of leading countries, and twice that of Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution, and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has inequitably impacted key priority populations, and decision making has centered the voices of the privileged at the expense of those populations.</p> <p>This purpose acknowledges those problems and focuses on remedies. The purpose retains key coordination and planning elements.</p>
660-012-0005	Definitions	<p>Every division of rules has a list of definitions. We will keep the list of definitions in the existing division, with changes and additions, as necessary. These definitions apply to the existing rules which will continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of metropolitan areas.</p>
660-012-0015	Preparation and Coordination of Transportation Systems Plans	<p>We propose to alter this existing rule. The existing rule gives overarching direction to local governments in how to prepare and coordinate development of local and regional Transportation System Plans. We propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to local governments outside of metropolitan areas. New rules will direct how local governments in metropolitan areas prepare and coordinate development of local Transportation System Plans.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0016	Coordination with Federally-Required Transportation Plans in Metropolitan Areas	<p>Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.</p> <p>We expect to use some of the elements in this rule in our updated rules in order to encourage regional planning efforts. Updated local transportation planning requirements in metropolitan areas will require advanced local actions, including the development of financially constrained local plans, that will inform federally-required RTPs. Additionally, metropolitan areas will be required to undertake regional scenario planning, which is required in the Metropolitan Greenhouse Gas Reduction Rules (OAR Chapter 660, Division 44).</p>
660-012-0035	Evaluation and Selection of Transportation System Alternatives	We propose to alter this existing rule. The existing rule directs how local governments evaluate and select transportation alternatives. We propose to delete some parts of this rule pertaining only to local governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments in metropolitan areas will evaluate and select transportation alternatives.
660-012-0045	Implementation of the Transportation System	We propose to alter this existing rule. The existing rule directs how local governments are to implement the local transportation system plan. We propose to delete one section of this rule pertaining only to metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the requirements within this section.
660-012-0060	Plan and Land Use Regulation Amendments	<p>This rule guides cities and counties when they change the acknowledged comprehensive plan after adoption of a Transportation System Plan. The rule provides for consideration of transportation system needs in response to the proposed changes.</p> <p>Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable Communities Rulemaking.</p> <p>This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing some minor changes to reflect changes in how performance standards work within metropolitan areas.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
New Rules 0011-0012: Applicability and Effective Dates		These rules are intended to help implement the new rules numbered 0100 and above, which will apply to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions, and when those rules apply.
660-012-0011	Applicable Rules	<p>This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-0100 and above. Local governments in other parts of the state will continue to use the existing rules, although cities outside metropolitan areas may opt into using the updated rules if they wish.</p> <p>We are working with Metro and will be consulting with potentially affected local governments to determine how rules may apply in the Portland Metropolitan Area.</p> <p>The following rules will continue to apply statewide, even in metropolitan areas:</p> <ul style="list-style-type: none"> <li>• OAR 660-012-0000, Purpose</li> <li>• OAR 660-012-0005, Definitions</li> <li>• OAR 660-012-0010, Transportation Planning</li> <li>• OAR 660-012-0060, Plan and Land Use Regulation Amendments</li> <li>• OAR 660-012-0065, Transportation Improvements on Rural Lands</li> <li>• OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land</li> </ul> <p>The latter two rules only apply to rural lands statewide.</p>
660-012-0012	Effective Dates	This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most provisions will take effect shortly after the commission adopts the rule amendments, but the implementation of some provisions may be phased in over time.
New Rules 0100-0299: General Provisions		This part of the Transportation Planning Rules will contain general provisions for how cities and counties in metropolitan areas conduct coordinated land use and transportation planning. These include updated rules for how cities and counties undertake Transportation System Plans within urban areas. There are significant changes and clarifications in how this process works, including how cities and counties ensure equitable participation in decision-making, and how plans are amended and updated over time.
660-012-0100	Urban Transportation System Plans	This rule provides the starting point for how cities in metropolitan areas will be required to adopt, amend, and implement local Transportation System Plans in urban areas. The rule lists all the required elements of a Transportation System Plan. The rule also provides for how cities will determine the base and horizon years of a local Transportation System Plan.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0105	Transportation System Plan Updates	This rule describes how cities update their Transportation System Plans. The rule provides for either a major or minor update to plans. The existing rules were written when most places did not even have a Transportation System Plan, so there is little guidance about how they are to be kept up to date. The purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between larger updates.
660-012-0110	Transportation System Planning Area	This rule sets out requirements for the geographic scope of Transportation System Plans. The default assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban unincorporated areas.
660-012-0115	Transportation System Planning Engagement	This rule directs how cities must engage the public, and specifically priority populations, in the development and approval of Transportation System Plans.
660-012-0120	Priority Populations	<p>Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped identify priority populations to consider in this rulemaking, expanding on a list from the Governor’s office. To rectify harms done in the past and in current practice, communities must prioritize these populations in decision-making processes and outcomes.</p> <p>This rule sets out a Definition of priority populations for use in transportation and land use planning consistent with the Equitable Outcomes Statement developed by the Rules Advisory Committee. The rule also requires cities and counties to identify areas with concentrations of priority populations; and to identify and engage with recognized tribes with ancestral lands in the area of the city or county.</p>
660-012-0125	Decision-Making with Priority Populations	This rule directs how local governments center priority populations in decision-making. The rule requires local governments to implement an involvement program with a range of activities to ensure equitable participation in decision-making and work toward equitable outcomes. The rule requires cities and counties to regularly assess and report on progress.
660-012-0130	Equity Analysis	This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is required for a variety of actions throughout the division. The purpose of an equity analysis is to identify impacts of proposed projects and policies and potentially inequitable consequences or burdens on impacted communities.
660-012-0140	Transportation System Refinement Plans	This rule provides cities and counties with the opportunity to defer some decisions that would otherwise be made in a Transportation System Plan to a later refinement planning process. This rule is largely based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.
660-012-0145 [Renumbered]	Temporary Projects	This rule makes clear that certain temporary or pilot projects need not be included in the Transportation System Plan to be implemented. These are expected to be short-term trials or temporary fixes in advance of a plan update.



<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0150	Transportation System Inventories	This rule includes general requirements for inventories of existing facilities and services in Transportation System Plans. The specific requirements for each mode of transportation are in separate rules, as noted in this rule.
660-012-0160	Transportation Planning Modeling and Vehicle Miles Travelled Reduction Targets	This rule sets priorities for how cities and counties use modeling and analysis in transportation planning. The rule includes a requirement that Transportation System Plans are consistent with the regional greenhouse gas reduction target, by way of using a vehicle miles traveled reduction target.
660-012-0165	Evaluation and Selection of Transportation System Alternatives	This rule provides criteria for cities and counties to use when evaluating and selecting between transportation system alternatives in a Transportation System Plan.
660-012-0170	Transportation Performance Standards	<p>This rule provides a framework for how decisions are made using transportation performance standards. These include decisions made about transportation system planning, reviewing comprehensive plan and land use regulation amendments, and in the local review of development proposals.</p> <p>Currently many, but not all, decisions have relied heavily on performance standards related to motor vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and mobility.</p>
660-012-0180	Transportation Prioritization Factors	This rule sets the context for prioritizing projects in local Transportation System Plans; and how cities, counties, Metro, and state agencies make decisions about investments in the transportation system. The prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes, safety, and accessibility.
660-012-0200	Combined and Illustrative Project Lists	This rule describes how cities and counties take the combined list of projects developed in the modal elements of the Transportation System Plan, develop multimodal projects, and produce a combined project list. The rule requires cities and counties to use the combined project list to develop an illustrative project list. The Illustrative project list must include a set of projects that would meet targets for reductions in per capita vehicle miles traveled.
660-012-0205	Transportation System Financial Plan	This rule describes how cities develop a Financial Plan in the Transportation System Plan. The Financial Plan includes a list of funding sources that are expected to fund transportation facilities and services, and the amount of funding available for transportation projects over the planning period.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0210	Financially-Constrained Project List	<p>This rule gives cities and counties a method to develop a financially-constrained project list. Projects on the financially-constrained project list are the planned projects to be considered for further project development, funding, and construction. The financially-constrained list of projects in the local Transportation System Plan will inform the federally required Regional Transportation Plan. The financially-constrained list will also be the only projects that may be assumed as “reasonably likely” when considering if an amendment to a comprehensive plan or land use regulation has a “significant effect” on the transportation system.</p> <p>The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita vehicle miles traveled, and support meeting targets set against a range of performance measures.</p>
New Rules 0300-0399: Coordinated Land Use and Transportation Planning		The Transportation Planning Rules are, at their heart, a guide for local governments to make coordinated plans for both land use and their transportation system. This part of the Transportation Planning Rules focus on land use requirements, including requirements for Climate-Friendly Areas.
660-012-0300	Coordinated Land Use and Transportation System Planning	This rule contains general provisions for cities and counties in how they accomplish coordinated land use and transportation planning.
660-012-0310	Designation of Climate-Friendly Areas	This rule describes the requirements for the designation of Climate-Friendly Areas. The rule sets out some basic standards for which areas should and should not be considered for designation as a Climate-Friendly Area.
660-012-0320	Process for Designation of Climate-Friendly Areas	This rule describes the process to be followed for cities and counties to designate Climate-Friendly Areas, including consideration for, and mitigation of, potential inequitable impacts that might result from designation, such as the displacement of priority populations.
660-012-0325	Land Use Requirements in Climate-Friendly Areas	This rule describes development codes and other land use requirements cities and counties must adopt for Climate-Friendly Areas.
660-012-0330	Land Use Requirements	<p>These land use requirements apply to cities and counties within metropolitan areas and have to do with how land use interacts with the transportation system. Many of these requirements are in the existing rules, however this rule extends and adds to the existing requirements. These requirements apply across the urban area, and are in addition to the Climate-Friendly Area specific requirements in those areas.</p> <p>The rule requires local governments to provide for walkable and connected neighborhoods; for commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on auto-oriented land uses; some additional requirements for larger cities; and to have protections for existing and future transportation facilities.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0340	Land Use Assumptions	This rule describes how cities and counties make assumptions about the future development of the urban area, for purposes of transportation planning. These assumptions are based on the required population forecasts, existing comprehensive plans and land use regulations, and other provisions in the Transportation Planning Rules. These assumptions are used to help make coordinated land use and transportation plans.
660-012-0350	Urban Growth Boundary Expansions	This rule includes requirements for local jurisdictions to ensure they are being consistent with coordinated transportation planning requirements when proposing to expand an Urban Growth Boundary. The rules provide for requirements prior to undertaking an Urban Growth Boundary Expansion and requirements as part of the process of expanding the Urban Growth Boundary.
660-012-0360	Key Destinations	This rule lists key destinations for use in coordinated transportation and land use planning. These are important places for all people to be able to access to meet daily needs and participate in society.
New Rules 0400-0499: Parking		This part of the Transportation Planning Rules relates to how cities and counties manage parking. The rules follow current best practice and move cities and counties away from one-size-fits-all mandates for development to build a large amount of costly off-street parking, towards more targeted management strategy and more deference to builders and property owners to provide parking for the diversity of development types as the market dictates.
660-012-0400	Parking Management	This rule directs jurisdictions to implement the parking rules.
660-012-0405	Parking Regulation Improvements	<p>This rule works to include best practices of managing the details of parking codes. For example, it limits requirements to build the most costly form of parking (garages). It also provides builders to find cost-effective solutions for providing parking if on-site is not feasible, or if shared parking (e.g. between a morning coffee shop and an evening movie theater) is feasible.</p> <p>This rule also works to encourage electric vehicle infrastructure in line with recent legislation.</p> <p>Finally, this rule aims to reduce the negative externalized impacts of parking. It works to make large parking lots more walkable, and to address some of the heat island effects through trees. It aims to mitigate the climate impacts of driving and parking through either increased clean energy or increased tree canopy. It also aims to ensure communities allow for the temporary or permanent conversion of parking to more valuable uses.</p>
660-012-0410	Reduction of Parking Mandates	This rule reduces costly parking mandates, following the trend in planning practice and previous Department rulemaking on traditional missing middle housing types. The rule works to reduce regulatory burdens for developing certain types of needed development, such as child care facilities. The rule also targets locations that usually have lower parking demand – those with better transportation choices and more walkable development patterns – for reduced mandates. Finally, the rule provides a choice for communities to either adopt best practices when it comes to internalizing the costs of parking on the users of that parking, or to reduce their parking mandates more significantly.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0415	Parking Management Requirements for More Populous Communities	<p>This rule aims to support retrofitting of existing development with electric vehicle charging in Oregon’s most populous communities.</p> <p>The rule also aims to encourage those communities to better manage existing parking supply before requiring significant amounts of new parking.</p> <p>The rule further aims to ensure communities set parking maximums, where appropriate, to ensure car-heavy development does not dominate places where walkable development should be emphasized.</p> <p>Finally, the rule looks to make sure the most populous communities try demand-management approaches before building large new parking structures.</p>
New Rules 0500-0599: Pedestrian System		This part of the Transportation Planning Rules relates to planning for the pedestrian system. The pedestrian system is intended to serve people walking, as well as people using mobility devices or other vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the bicycle system.
660-012-0500	Pedestrian System Planning	This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access for most trips under one mile.
660-012-0505	Pedestrian System Inventory	This rule describes how cities must inventory their pedestrian system.
660-012-0510	Pedestrian System Requirements	This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to exceed the standards in this rule.
660-012-0520	Pedestrian System Projects	This rule guides cities in determining the list of pedestrian system projects.
New Rules 0600-0699: Bicycle System		This part of the Transportation Planning Rules relates to planning for the bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using other types of vehicles that operate at a bicycle speed and scale. These rules also include updated requirements for bicycle parking.
660-012-0600	Bicycle System Planning	This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected bicycle network that serves a variety of users. The rule requires a bicycle system element that provides for a substantial portion of short urban trips under 3 miles to be by bicycle.
660-012-0605	Bicycle System Inventory	This rule describes how cities must inventory their bicycle system. The rule requires an inventory of bicycle facilities in key areas, including multi-use paths.
660-012-0610	Bicycle System Requirements	This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system that meets a substantial portion of local travel needs under three miles. Updated requirements ensure cities and counties will plan for higher levels of

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
		separation beyond a standard bike lane for people riding bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to allow the widest range of people to safely ride bikes within communities. The rules require the development of connected network of safe bicycle facilities.
660-012-0620	Bicycle System Projects	This rule guides cities in determining the list of bicycle system projects.
660-012-0630	Bicycle Parking	This rule includes updated requirements for bicycle parking. Existing statewide requirements require bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and secure parking for some uses where longer-term parking is expected, and short-term parking at retail uses, transit facilities, and other key destinations. The rule requires that long-term parking include provisions for electric charging and to accommodate a range of devices beyond bicycles.
New Rules 0700-0799: Public Transportation System		This part of the Transportation Planning Rules relates to planning for the public transportation system. The public transportation system is intended to serve people riding transit within urban areas, as well as travel within regions or between cities. This set of rules also includes requirements for a local Transportation Options plan element.
660-012-0700	Public Transportation System Planning	This rule and subsequent rules describe how cities must plan for their public transportation system.
660-012-0705	Public Transportation System Inventory	This rule describes how cities must inventory their public transportation system.
660-012-0710	Public Transportation System Requirements	This rule includes the minimum requirements for safe, connected, and accessible public transportation system facilities.
660-012-0720	Public Transportation System Projects	This rule guides cities in determining the list of public transportation projects.
660-012-0750	Transportation Options Plan	This rule describes how cities develop a transportation options element of their Transportation System Plan. The rule requires cities and counties to coordinate closely with transportation options providers, public transportation providers, and other cities and counties to identify existing programs, services, and projects; as well as future needs.
New Rules 0800-0899: Streets and Highways System		This part of the Transportation Planning Rules relates to planning for the street and highway system. The rules consider that the street and highway system is mostly fully built out. Future planning must assume a reduction in the amount of driving people do, in favor of increased travel in other modes.
660-012-0800	Urban Street and Highway System Planning	This rule, and subsequent rules, describes how cities must plan for their street and highway transportation system.
660-012-0805	Urban Street and Highway System Inventory	This rule describes how cities must inventory their street and highway system.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0810	Street and Highway System Requirements	This rule describes the minimum requirements for the street and highway system. The rule encourages: narrow and slow local streets; identifying arterials that are more focused on longer trips, and those more focused on local access, and treating them differently; and to accommodate the growth of other modes.
660-012-0820	Street and Highway System Projects	This rule guides cities in determining the list of street and highway system projects.
660-012-0830	Review of Vehicle Miles Travelled-Increasing Facilities	This rule provides for an additional level of review of transportation facilities that could increase Vehicle Miles Traveled. The rule is intended to ensure that additional alternatives are reviewed and tried before investments are made in transportation facilities that are not consistent with the state's climate goals.
660-012-0835	Vehicle Miles Travelled-Increasing Facility Consultation Process	This rule provides for local governments to undertake a consultation process in advance of adopting a Vehicle Miles Traveled-Increasing facility into a local comprehensive plan, including the Transportation System Plan.  The consultation process is intended to provide time for the local government to review, assess, and implement alternatives to the Vehicle Miles Traveled-Increasing facility. The goal is to avoid implementation of as many of these facilities as possible, limiting them only to those that are truly necessary to meet the transportation needs of the state and community.
New Rules 0900-0999: Monitoring and Reporting		This part of the Transportation Planning Rules relates to how cities and counties will regularly report progress through compilation of submission of regular reports to the department. Annual reports will include a narrative of progress made over the past year, with more substantial reports required every four to five years.
660-012-0900	Monitoring and Reporting	This rule requires cities and counties to submit a report to the department annually. Most years the report will be a minor report, with an update of activities. However, every four or five years a major report must also include additional information on how the city and region are performing across a range of performance measures.
660-012-0905	Orders Approving a Report	This rule provides a process for receipt, review, and approval of submitted reports. The process in this rule was developed through the 2017-2018 rulemaking process. The rule gives the director of DLCD the opportunity to review a report for completeness, then either approve the report or refer it to the commission. There is an appeal process for approved reports to the commission. The commission may either approve or remand a report that was referred or appealed to the commission.
660-012-0910	Transportation System Performance Measures	This rule requires reporting on local action performance measures to demonstrate that the actions necessary to achieve the greenhouse gas reduction targets are being implemented. Transportation System Plans are required to include policies and projects that will meet the local target for each performance measure.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 8



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 8 Item 11: Draft Transportation Planning Rules Amendments**  
**DATE:** September 8, 2021

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### Summary

These proposed amendments to the Transportation Planning Rules (Oregon Administrative Rules Chapter 660, Division 12) are a response to the direction provided in [Executive Order 20-04](#), the multi-agency work through the [Every Mile Counts](#) Multi-Agency Work Program, to implement the [Statewide Transportation Strategy](#). The proposed rules are informed by guidance received from the Land Conservation and Development Commission and the advisory committee, as well as the community conversations that staff held throughout the state in June.

The Transportation Planning Rules guide local governments as they make coordinated land use and transportation plans. The proposed amendments are intended to update Oregon's land use and transportation planning systems at the state, regional, and local levels to meet the state's goals for climate and equity.

To meet our goals, urgent and aggressive action is needed. We must do things differently than we have in the past, or risk unacceptable outcomes. Our existing plans have resulted in a transportation system that serves motor vehicle traffic very well, with a complete network providing convenient and reliable access to anyone who has the ability and means to own and operate a car. However, in comparison to the investments in the automotive system, investments in walking, cycling, and transit have been left behind. As a result, these networks are incomplete.

The results of these decisions mean that:

- Our transportation system inflicts barriers on many people, including people with disabilities, people with lower incomes, people of color, women, and the young and old;
- Our transportation system generates high levels of pollution, including pollution affecting the earth's climate, as well as other air, soil, water, and noise pollution; and
- Our transportation system is costly to governments as well as families.

The proposed amendments are intended to counter these systemic issues by placing an emphasis on building neighborhoods where it is not necessary to own and operate a motor vehicle to fully participate in community life. This includes access to work, shopping, school, medical facilities, parks, and other locations and services that people use every day.

The end goal is to transform Oregon’s communities to be safe, equitable, sociable, and pleasant places where driving is not required, and the amount of driving is reduced. The proposed rule amendments will do this by:

- Requiring cities and counties to create more places where walkable, mixed-use development is allowed and encouraged;
- Prioritizing investments in high-quality, connected, and safe pedestrian, bicycle, and transit networks;
- Right-sizing parking requirements; and
- Changing the methods of planning for transportation, including which standards are used to determine success or failure.

### About This Document

- This draft only includes some proposed changes to the Transportation Planning Rules. Staff will release the additional draft rule language in October. We have provided the summary text of rules where we haven’t yet provided draft rule language.
- This document is organized with proposed changes to existing rules first, followed by new proposed rules.
- The rules have been divided into several parts, this is just for ease of reading and not part of the rules.
- Where we are making changes to **existing rules**, we use ~~striketrough~~ and underline for deleted and new text. Where the entire rule is new, we just have the text.
- The box at the top of each rule helps to explain it. It is not part of the rules, but just to help readers understand what is in each rule.

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1 **Updated Rules**

2 **Changes to Existing Rules**

3 The existing rules will mostly remain the same, with some changes as noted below:

4 0000: Updates to reflect changes across the division.

5 0005: Updates to reflect changes across the division.

6 0015: Changes to remove requirements specific to metropolitan areas.

7 0016: This rule only applies in metropolitan areas and is proposed to be deleted.

8 0035: Changes to remove requirements specific to metropolitan areas.

9 0045: Changes to remove requirements specific to metropolitan areas.

10 0060: Updates to reflect changes across the division.

11 We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.

12 Changes from the text of existing rules are noted with underline under added text, and ~~strikeouts~~  
13 ~~through deleted text~~.

14 ***0000: Purpose***

15 The purpose provides an overview of the commission’s reasons for adopting the division, including how  
16 the division implements the statewide planning goals. A clear purpose statement is useful for everyone  
17 who uses the rules; including the public, local governments, and the courts.

18 We propose to adjust the purpose to focus on the challenges of today and the future. The updated  
19 purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation  
20 safety (with traffic deaths trending higher and four times that of leading countries, and twice that of  
21 Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete  
22 for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution,  
23 and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has  
24 inequitably impacted key priority populations, and decision making has centered the voices of the  
25 privileged at the expense of those populations.

26 This purpose acknowledges those problems and focuses on remedies. The purpose retains key  
27 coordination and planning elements.

28 A draft of this rule was provided in the [RAC 7 Packet](#), pages 40-43.

1 **0005: Definitions**

2 Every division of rules has a list of definitions. We will keep the list of definitions in the existing division,  
3 with changes and additions, as necessary. These definitions apply to the existing rules which will  
4 continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of  
5 metropolitan areas.

6 Changes in section numbering are not marked in this rule.

7 A draft of this rule will be available in October.

8 **0015: Preparation and Coordination of Transportation System Plans**

9 We propose to alter this existing rule. The existing rule gives overarching direction to local governments  
10 in how to prepare and coordinate development of local and regional Transportation System Plans. We  
11 propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to  
12 local governments outside of metropolitan areas. New rules will direct how local governments in  
13 metropolitan areas prepare and coordinate development of local Transportation System Plans.

14 (1) ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program  
15 for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-  
16 0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of  
17 transportation facilities and services adequate to meet identified state transportation needs:

18 (a) The state TSP shall include the state transportation policy plan, modal systems plans, and  
19 transportation facility plans as set forth in OAR chapter 731, division 15;

20 (b) State transportation project plans shall be compatible with acknowledged comprehensive  
21 plans as provided for in OAR chapter 731, division 15. Disagreements between ODOT  
22 and affected local governments shall be resolved in the manner established in that  
23 division.

24 (2) ~~MPOs and counties~~ Counties shall prepare and amend regional TSPs in compliance with this  
25 division. ~~MPOs shall prepare regional TSPs for facilities of regional significance within their~~  
26 ~~jurisdiction.~~ Counties shall prepare regional TSPs for all other areas and facilities:

27 (a) Regional TSPs shall establish a system of transportation facilities and services adequate  
28 to meet identified regional transportation needs and shall be consistent with adopted  
29 elements of the state TSP;

30 (b) Where elements of the state TSP have not been adopted, the ~~MPO or~~ county shall  
31 coordinate the preparation of the regional TSP with ODOT to assure that state  
32 transportation needs are accommodated;

33 (c) ~~Regional TSPs prepared by MPOs other than metropolitan service districts shall be~~  
34 ~~adopted by the counties and cities within the jurisdiction of the MPO. Metropolitan~~  
35 ~~service districts shall adopt a regional TSP for areas within their jurisdiction;~~

36 (d) (c) Regional TSPs prepared by counties shall be adopted by the county.

- 1 (3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning  
 2 jurisdiction in compliance with this division:
- 3 (a) Local TSPs shall establish a system of transportation facilities and services adequate to  
 4 meet identified local transportation needs and shall be consistent with regional TSPs and  
 5 adopted elements of the state TSP;
- 6 (b) Where the regional TSP or elements of the state TSP have not been adopted, the city or  
 7 county shall coordinate the preparation of the local TSP with the regional transportation  
 8 planning body and ODOT to assure that regional and state transportation needs are  
 9 accommodated.
- 10 (4) Cities and counties shall adopt regional and local TSPs required by this division as part of their  
 11 comprehensive plans. Transportation financing programs required by OAR 660-012-0040 may be  
 12 adopted as a supporting document to the comprehensive plan.
- 13 (5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local  
 14 governments, special districts, and private providers of transportation services.
- 15 (6) Mass transit, transportation, airport and port districts shall participate in the development of TSPs  
 16 for those transportation facilities and services they provide. These districts shall prepare and  
 17 adopt plans for transportation facilities and services they provide. Such plans shall be consistent  
 18 with and adequate to carry out relevant portions of applicable regional and local TSPs.  
 19 Cooperative agreements executed under ORS 197.185(2) shall include the requirement that mass  
 20 transit, transportation, airport and port districts adopt a plan consistent with the requirements of  
 21 this section.
- 22 (7) Where conflicts are identified between proposed regional TSPs and acknowledged  
 23 comprehensive plans, representatives of affected local governments shall meet to discuss means  
 24 to resolve the conflicts. These may include:
- 25 (a) Changing the draft TSP to eliminate the conflicts; or
- 26 (b) Amending acknowledged comprehensive plan provision to eliminate the conflicts;
- 27 ~~(c) For MPOs which are not metropolitan service districts, if conflicts persist between~~  
 28 ~~regional TSPs and acknowledged comprehensive plans after efforts to achieve~~  
 29 ~~compatibility, an affected local government may petition the Commission to resolve the~~  
 30 ~~dispute.~~

31 **0016: Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas**

32 Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation  
 33 planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning  
 34 Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.

35 We expect to use some of the elements in this rule in our updated rules in order to encourage regional  
 36 planning efforts. Updated local transportation planning requirements in metropolitan areas will require  
 37 advanced local actions, including the development of financially-constrained local plans, that will inform  
 38 federally-required RTPs. Additionally, metropolitan areas will be required to undertake regional scenario  
 39 planning, which is required in the Metropolitan Greenhouse Gas Reduction Rules (OAR Chapter 660,  
 40 Division 44).

- 1 ~~(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation~~  
2 ~~system plans required by this division in coordination with regional transportation plans (RTPs)~~  
3 ~~prepared by MPOs required by federal law. Insofar as possible, regional transportation system~~  
4 ~~plans for metropolitan areas shall be accomplished through a single coordinated process that~~  
5 ~~complies with the applicable requirements of federal law and this division. Nothing in this rule is~~  
6 ~~intended to make adoption or amendment of a regional transportation plan by a metropolitan~~  
7 ~~planning organization a land use decision under Oregon law.~~
- 8 ~~(2) When an MPO adopts or amends a regional transportation plan that relates to compliance with~~  
9 ~~this division, the affected local governments shall review the adopted plan or amendment and~~  
10 ~~either:~~
- 11 ~~(a) Make a finding that the proposed regional transportation plan amendment or update is~~  
12 ~~consistent with the applicable provisions of adopted regional and local transportation~~  
13 ~~system plan and comprehensive plan and compliant with applicable provisions of this~~  
14 ~~division; or~~
- 15 ~~(b) Adopt amendments to the relevant regional or local transportation system plan that make~~  
16 ~~the regional transportation plan and the applicable transportation system plans consistent~~  
17 ~~with one another and compliant with applicable provisions of this division. Necessary~~  
18 ~~plan amendments or updates shall be prepared and adopted in coordination with the~~  
19 ~~federally required plan update or amendment. Such amendments shall be initiated no~~  
20 ~~later than 30 days from the adoption of the RTP amendment or update and shall be~~  
21 ~~adopted no later than one year from the adoption of the RTP amendment or update or~~  
22 ~~according to a work plan approved by the commission. A plan amendment is "initiated"~~  
23 ~~for purposes of this subsection where the affected local government files a post-~~  
24 ~~acknowledgement plan amendment notice with the department as provided in OAR~~  
25 ~~chapter 660, division 18.~~
- 26 ~~(c) In the Portland Metropolitan area, compliance with this section shall be accomplished by~~  
27 ~~Metro through adoption of required findings or an amendment to the regional~~  
28 ~~transportation system plan.~~
- 29 ~~(3) Adoption or amendment of a regional transportation plan relates to compliance with this division~~  
30 ~~for purposes of section (2) if it does one or more of the following:~~
- 31 ~~(a) Changes plan policies;~~
- 32 ~~(b) Adds or deletes a project from the list of planned transportation facilities, services or~~  
33 ~~improvements or from the financially constrained project list required by federal law;~~
- 34 ~~(c) Modifies the general location of a planned transportation facility or improvement;~~
- 35 ~~(d) Changes the functional classification of a transportation facility; or~~
- 36 ~~(e) Changes the planning period or adopts or modifies the population or employment forecast~~  
37 ~~or allocation upon which the plan is based.~~
- 38 ~~(4) The following amendments to a regional transportation plan do not relate to compliance with this~~  
39 ~~division for purposes of section (2):~~
- 40 ~~(a) Adoption of an air quality conformity determination;~~
- 41 ~~(b) Changes to a federal revenue projection;~~
- 42 ~~(c) Changes to estimated cost of a planned transportation project; or~~

1 ~~(d) Deletion of a project from the list of planned projects where the project has been~~  
2 ~~constructed or completed.~~

3 ~~(5) Adoption or amendment of a regional transportation plan that extends the planning period beyond~~  
4 ~~that specified in the applicable acknowledged comprehensive plan or regional transportation~~  
5 ~~system plan is consistent with the requirements of this rule where the following conditions are~~  
6 ~~met:~~

7 ~~(a) The future year population forecast is consistent with those issued or adopted under ORS~~  
8 ~~195.033 or 195.036;~~

9 ~~(b) Land needed to accommodate future urban density population and employment and other~~  
10 ~~urban uses is identified in a manner consistent with Goal 14 and relevant rules;~~

11 ~~(c) Urban density population and employment are allocated to designated centers and other~~  
12 ~~identified areas to provide for implementation of the metropolitan area's integrated land~~  
13 ~~use and transportation plan or strategy; and~~

14 ~~(d) Urban density population and employment or other urban uses are allocated to areas~~  
15 ~~outside of an acknowledged urban growth boundary only where:~~

16 ~~(A) The allocation is done in conjunction with consideration by local governments of~~  
17 ~~possible urban growth boundary amendments consistent with Goal 14 and~~  
18 ~~relevant rules, and~~

19 ~~(B) The RTP clearly identifies the proposed UGB amendments and any related~~  
20 ~~projects as illustrative and subject to further review and approval by the affected~~  
21 ~~local governments.~~

## 22 ***0035: Evaluation and Selection of Transportation System Alternatives***

23 We propose to alter this existing rule. The existing rule directs how local governments evaluate and  
24 select transportation alternatives. We propose to delete some parts of this rule pertaining only to local  
25 governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments  
26 in metropolitan areas will evaluate and select transportation alternatives.

27 (1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can  
28 reasonably be expected to meet the identified transportation needs in a safe manner and at a  
29 reasonable cost with available technology. The following shall be evaluated as components of  
30 system alternatives:

31 (a) Improvements to existing facilities or services;

32 (b) New facilities and services, including different modes or combinations of modes that  
33 could reasonably meet identified transportation needs;

34 (c) Transportation system management measures;

35 (d) Demand management measures; and

36 (e) A no-build system alternative required by the National Environmental Policy Act of 1969  
37 or other laws.

- 1 ~~(2)~~ Local governments in MPO areas of larger than 1,000,000 population shall, and other  
2 governments may also, evaluate alternative land use designations, densities, and design standards  
3 to meet local and regional transportation needs. Local governments preparing such a strategy  
4 shall consider:
- 5 (a) Increasing residential densities and establishing minimum residential densities within one  
6 quarter mile of transit lines, major regional employment areas, and major regional retail  
7 shopping areas;
- 8 (b) Increasing allowed densities in new commercial office and retail developments in  
9 designated community centers;
- 10 (c) Designating lands for neighborhood shopping centers within convenient walking and  
11 eyeing distance of residential areas; and
- 12 (d) Designating land uses to provide a better balance between jobs and housing considering:
- 13 (A) The total number of jobs and total of number of housing units expected in the  
14 area or subarea;
- 15 (B) The availability of affordable housing in the area or subarea; and
- 16 (C) Provision of housing opportunities in close proximity to employment areas.
- 17 ~~(3)~~(2) The following standards shall be used to evaluate and select alternatives:
- 18 (a) The transportation system shall support urban and rural development by providing types  
19 and levels of transportation facilities and services appropriate to serve the land uses  
20 identified in the acknowledged comprehensive plan;
- 21 (b) The transportation system shall be consistent with state and federal standards for  
22 protection of air, land and water quality including the State Implementation Plan under  
23 the Federal Clean Air Act and the State Water Quality Management Plan;
- 24 (c) The transportation system shall minimize adverse economic, social, environmental and  
25 energy consequences;
- 26 (d) The transportation system shall minimize conflicts and facilitate connections between  
27 modes of transportation; and
- 28 (e) The transportation system shall avoid principal reliance on any one mode of  
29 transportation by increasing transportation choices to reduce principal reliance on the  
30 automobile. In MPO areas this shall be accomplished by selecting transportation  
31 alternatives which meet the requirements in section (4) of this rule.
- 32 ~~(4)~~ In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for  
33 increasing transportation choices and reducing reliance on the automobile. Adopted standards are  
34 intended as means of measuring progress of metropolitan areas towards developing and  
35 implementing transportation systems and land use plans that increase transportation choices and  
36 reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish  
37 reduced reliance by changing land use patterns and transportation systems so that walking,  
38 eyeing, and use of transit are highly convenient and so that, on balance, people need to and are  
39 likely to drive less than they do today.



- 1 ~~(5) MPO areas shall adopt standards to demonstrate progress towards increasing transportation~~  
2 ~~choices and reducing automobile reliance as provided for in this rule:~~
- 3 ~~(a) The commission shall approve standards by order upon demonstration by the~~  
4 ~~metropolitan area that:~~
- 5 ~~(A) Achieving the standard will result in a reduction in reliance on automobiles;~~  
6 ~~(B) Achieving the standard will accomplish a significant increase in the availability~~  
7 ~~or convenience of alternative modes of transportation;~~  
8 ~~(C) Achieving the standard is likely to result in a significant increase in the share of~~  
9 ~~trips made by alternative modes, including walking, bicycling, ridesharing and~~  
10 ~~transit;~~  
11 ~~(D) VMT per capita is unlikely to increase by more than five percent; and~~  
12 ~~(E) The standard is measurable and reasonably related to achieving the goal of~~  
13 ~~increasing transportation choices and reducing reliance on the automobile as~~  
14 ~~described in OAR 660-012-0000.~~
- 15 ~~(b) In reviewing proposed standards for compliance with subsection (a), the commission~~  
16 ~~shall give credit to regional and local plans, programs, and actions implemented since~~  
17 ~~1990 that have already contributed to achieving the objectives specified in paragraphs~~  
18 ~~(A)–(E) above;~~
- 19 ~~(c) If a plan using a standard, approved pursuant to this rule, is expected to result in an~~  
20 ~~increase in VMT per capita, then the cities and counties in the metropolitan area shall~~  
21 ~~prepare and adopt an integrated land use and transportation plan including the elements~~  
22 ~~listed in paragraphs (A)–(E) below. Such a plan shall be prepared in coordination with~~  
23 ~~the MPO and shall be adopted within three years of the approval of the standard.~~
- 24 ~~(A) Changes to land use plan designations, densities, and design standards listed in~~  
25 ~~subsections (2)(a)–(d);~~
- 26 ~~(B) A transportation demand management plan that includes significant new~~  
27 ~~transportation demand management measures;~~
- 28 ~~(C) A public transit plan that includes a significant expansion in transit service;~~
- 29 ~~(D) Policies to review and manage major roadway improvements to ensure that their~~  
30 ~~effects are consistent with achieving the adopted strategy for reduced reliance on~~  
31 ~~the automobile, including policies that provide for the following:~~
- 32 ~~(i) An assessment of whether improvements would result in development or~~  
33 ~~travel that is inconsistent with what is expected in the plan;~~
- 34 ~~(ii) Consideration of alternative measures to meet transportation needs;~~
- 35 ~~(iii) Adoption of measures to limit possible unintended effects on travel and~~  
36 ~~land use patterns including access management, limitations on~~  
37 ~~subsequent plan amendments, phasing of improvements, etc.; and~~
- 38 ~~(iv) For purposes of this section a "major roadway expansion" includes new~~  
39 ~~arterial roads or streets and highways, the addition of travel lanes, and~~  
40 ~~construction of interchanges to a limited access highway~~

- 1                   (E) ~~Plan and ordinance provisions that meet all other applicable requirements of this~~  
2                   ~~division.~~
- 3           (d) ~~Standards may include but are not limited to:~~
- 4                   (A) ~~Modal share of alternative modes, including walking, bicycling, and transit trips;~~  
5                   (B) ~~Vehicle hours of travel per capita;~~  
6                   (C) ~~Vehicle trips per capita;~~  
7                   (D) ~~Measures of accessibility by alternative modes (i.e. walking, bicycling and~~  
8                   ~~transit); or~~
- 9                   (E) ~~The Oregon Benchmark for a reduction in peak hour commuting by single~~  
10                  ~~occupant vehicles.~~
- 11           (e) ~~Metropolitan areas shall adopt TSP policies to evaluate progress towards achieving the~~  
12                  ~~standard or standards adopted and approved pursuant to this rule. Such evaluation shall~~  
13                  ~~occur at regular intervals corresponding with federally required updates of the regional~~  
14                  ~~transportation plan. This shall include monitoring and reporting of VMT per capita.~~
- 15   (6) ~~A metropolitan area may also accomplish compliance with requirements of subsection (3)(e),~~  
16                  ~~sections (4) and (5) by demonstrating to the commission that adopted plans and measures are~~  
17                  ~~likely to achieve a five percent reduction in VMT per capita over the 20 year planning period.~~  
18                  ~~The commission shall consider and act on metropolitan area requests under this section by order.~~  
19                  ~~A metropolitan area that receives approval under this section shall adopt interim benchmarks for~~  
20                  ~~VMT reduction and shall evaluate progress in achieving VMT reduction at each update of the~~  
21                  ~~regional transportation system plan.~~
- 22   (7) ~~Regional and local TSPs shall include benchmarks to assure satisfactory progress towards~~  
23                  ~~meeting the approved standard or standards adopted pursuant to this rule at regular intervals over~~  
24                  ~~the planning period. MPOs and local governments shall evaluate progress in meeting benchmarks~~  
25                  ~~at each update of the regional transportation plan. Where benchmarks are not met, the relevant~~  
26                  ~~TSP shall be amended to include new or additional efforts adequate to meet the requirements of~~  
27                  ~~this rule.~~
- 28   (8) ~~The commission shall, at regular intervals, evaluate the results of efforts to achieve the reduction~~  
29                  ~~in VMT and the effectiveness of approved plans and standards in achieving the objective of~~  
30                  ~~increasing transportation choices and reducing reliance on the automobile.~~
- 31   ~~(9)~~(3) ~~Where existing and committed transportation facilities and services have adequate capacity to~~  
32                  ~~support the land uses in the acknowledged comprehensive plan, the local government shall not be~~  
33                  ~~required to evaluate alternatives as provided in this rule.~~

1 ~~(10)(4)~~ Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and  
2 located in an urban fringe may be included in a TSP only if the ~~improvement~~ project identified in  
3 the Transportation System Plan as described in section ~~(12)(6)~~ of this rule, will not significantly  
4 reduce peak hour travel time for the route as determined pursuant to section ~~(11)(5)~~ of this rule, or  
5 the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose  
6 of the improvement project:

- 7 (a) Improvements to transportation facilities and services within the urban growth boundary;
- 8 (b) Transportation system management measures that do not significantly increase capacity;  
9 or
- 10 (c) Transportation demand management measures. The jurisdiction needs only to consider  
11 alternatives that are safe and effective, consistent with applicable standards and that can  
12 be implemented at a reasonable cost using available technology.

13 ~~(11)(5)~~ An ~~improvement~~ project significantly reduces peak hour travel time when, based on recent data,  
14 the time to travel the route is reduced more than 15 percent during weekday peak hour conditions  
15 over the length of the route located within the urban fringe. For purposes of measuring travel  
16 time, a route shall be identified by the predominant traffic flows in the project area.

17 ~~(12)(6)~~ A "transportation improvement project" described in section ~~(10)(4)~~ of this rule:

- 18 (a) Is intended to solve all of the reasonably foreseeable transportation problems within a  
19 general geographic location, within the planning period; and
- 20 (b) Has utility as an independent transportation project.

#### 21 **0045: Implementation of the Transportation System Plan**

22 We propose to alter this existing rule. The existing rule directs how local governments are to implement  
23 the local transportation system plan. We propose to delete one section of this rule pertaining only to  
24 metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the  
25 requirements within this section.

- 26 (1) Each local government shall amend its land use regulations to implement the TSP.
  - 27 (a) The following transportation facilities, services and improvements need not be subject to  
28 land use regulations except as necessary to implement the TSP and, under ordinary  
29 circumstances do not have a significant impact on land use:
    - 30 (A) Operation, maintenance, and repair of existing transportation facilities identified  
31 in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and  
32 major regional pipelines and terminals;
    - 33 (B) Dedication of right-of-way, authorization of construction and the construction of  
34 facilities and improvements, where the improvements are consistent with clear  
35 and objective dimensional standards;
    - 36 (C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k),  
37 consistent with the provisions of OAR 660-012-0065; and
    - 38 (D) Changes in the frequency of transit, rail and airport services.

- 1 (b) To the extent, if any, that a transportation facility, service or improvement concerns the  
 2 application of a comprehensive plan provision or land use regulation, it may be allowed  
 3 without further land use review if it is permitted outright or if it is subject to standards  
 4 that do not require interpretation or the exercise of factual, policy or legal judgment;
- 5 (c) In the event that a transportation facility, service or improvement is determined to have a  
 6 significant impact on land use or to concern the application of a comprehensive plan or  
 7 land use regulation and to be subject to standards that require interpretation or the  
 8 exercise of factual, policy or legal judgment, the local government shall provide a review  
 9 and approval process that is consistent with OAR 660-012-0050. To facilitate  
 10 implementation of the TSP, each local government shall amend its land use regulations to  
 11 provide for consolidated review of land use decisions required to permit a transportation  
 12 project.
- 13 (2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with  
 14 applicable federal and state requirements, to protect transportation facilities, corridors and sites  
 15 for their identified functions. Such regulations shall include:
- 16 (a) Access control measures, for example, driveway and public road spacing, median control  
 17 and signal spacing standards, which are consistent with the functional classification of  
 18 roads and consistent with limiting development on rural lands to rural uses and densities;
- 19 (b) Standards to protect future operation of roads, transitways and major transit corridors;
- 20 (c) Measures to protect public use airports by controlling land uses within airport noise  
 21 corridors and imaginary surfaces, and by limiting physical hazards to air navigation;
- 22 (d) A process for coordinated review of future land use decisions affecting transportation  
 23 facilities, corridors or sites;
- 24 (e) A process to apply conditions to development proposals in order to minimize impacts and  
 25 protect transportation facilities, corridors or sites;
- 26 (f) Regulations to provide notice to public agencies providing transportation facilities and  
 27 services, MPOs, and ODOT of:
- 28 (A) Land use applications that require public hearings;
- 29 (B) Subdivision and partition applications;
- 30 (C) Other applications which affect private access to roads; and
- 31 (D) Other applications within airport noise corridors and imaginary surfaces which  
 32 affect airport operations; and
- 33 (g) Regulations assuring that amendments to land use designations, densities, and design  
 34 standards are consistent with the functions, capacities and performance standards of  
 35 facilities identified in the TSP.

1 (3) Local governments shall adopt land use or subdivision regulations for urban areas and rural  
2 communities as set forth below. The purposes of this section are to provide for safe and  
3 convenient pedestrian, bicycle and vehicular circulation consistent with access management  
4 standards and the function of affected streets, to ensure that new development provides on-site  
5 streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in  
6 areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids  
7 wherever possible levels of automobile traffic which might interfere with or discourage  
8 pedestrian or bicycle travel.

9 (a) Bicycle parking facilities as part of new multi-family residential developments of four  
10 units or more, new retail, office and institutional developments, and all transit transfer  
11 stations and park-and-ride lots;

12 (b) On-site facilities shall be provided which accommodate safe and convenient pedestrian  
13 and bicycle access from within new subdivisions, multi-family developments, planned  
14 developments, shopping centers, and commercial districts to adjacent residential areas  
15 and transit stops, and to neighborhood activity centers within one-half mile of the  
16 development. Single-family residential developments shall generally include streets and  
17 accessways. Pedestrian circulation through parking lots should generally be provided in  
18 the form of accessways.

19 (A) "Neighborhood activity centers" includes, but is not limited to, existing or  
20 planned schools, parks, shopping areas, transit stops or employment centers;

21 (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall  
22 be required along arterials, collectors and most local streets in urban areas, except  
23 that sidewalks are not required along controlled access roadways, such as  
24 freeways;

25 (C) Cul-de-sacs and other dead-end streets may be used as part of a development  
26 plan, consistent with the purposes set forth in this section;

27 (D) Local governments shall establish their own standards or criteria for providing  
28 streets and accessways consistent with the purposes of this section. Such  
29 measures may include but are not limited to: standards for spacing of streets or  
30 accessways; and standards for excessive out-of-direction travel;

31 (E) Streets and accessways need not be required where one or more of the following  
32 conditions exist:

33 (i) Physical or topographic conditions make a street or accessway  
34 connection impracticable. Such conditions include but are not limited to  
35 freeways, railroads, steep slopes, wetlands or other bodies of water  
36 where a connection could not reasonably be provided;

37 (ii) Buildings or other existing development on adjacent lands physically  
38 preclude a connection now or in the future considering the potential for  
39 redevelopment; or

40 (iii) Where streets or accessways would violate provisions of leases,  
41 easements, covenants, restrictions or other agreements existing as of May  
42 1, 1995, which preclude a required street or accessway connection.

- 1 (c) Where off-site road improvements are otherwise required as a condition of development  
2 approval, they shall include facilities accommodating convenient pedestrian and bicycle  
3 travel, including bicycle ways along arterials and major collectors;
- 4 (d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian  
5 routes, facilities and improvements which:
- 6 (A) Are reasonably free from hazards, particularly types or levels of automobile  
7 traffic which would interfere with or discourage pedestrian or cycle travel for  
8 short trips;
- 9 (B) Provide a reasonably direct route of travel between destinations such as between  
10 a transit stop and a store; and
- 11 (C) Meet travel needs of cyclists and pedestrians considering destination and length  
12 of trip; and considering that the ~~optimum~~ most common trip length of pedestrians  
13 is generally ~~1/4 to~~ under 1/2 mile.
- 14 (e) Internal pedestrian circulation within new office parks and commercial developments  
15 shall be provided through clustering of buildings, construction of accessways, walkways  
16 and similar techniques.
- 17 (4) To support transit in urban areas containing a population greater than 25,000, where the area is  
18 already served by a public transit system or where a determination has been made that a public  
19 transit system is feasible, local governments shall adopt land use and subdivision regulations as  
20 provided in (a)–(g) below:
- 21 (a) Transit routes and transit facilities shall be designed to support transit use through  
22 provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking  
23 restrictions and similar facilities, as appropriate;
- 24 (b) New retail, office and institutional buildings at or near major transit stops shall provide  
25 for convenient pedestrian access to transit through the measures listed in paragraphs (A)  
26 and (B) below.
- 27 (A) Walkways shall be provided connecting building entrances and streets adjoining  
28 the site;
- 29 (B) Pedestrian connections to adjoining properties shall be provided except where  
30 such a connection is impracticable as provided for in OAR 660-012-  
31 0045(3)(b)(E). Pedestrian connections shall connect the on-site circulation  
32 system to existing or proposed streets, walkways, and driveways that abut the  
33 property. Where adjacent properties are undeveloped or have potential for  
34 redevelopment, streets, accessways and walkways on site shall be laid out or  
35 stubbed to allow for extension to the adjoining property;

- 1 (C) In addition to paragraphs (A) and (B) above, on sites at major transit stops  
 2 provide the following:
- 3 (i) Either locate buildings within 20 feet of the transit stop, a transit street or  
 4 an intersecting street or provide a pedestrian plaza at the transit stop or a  
 5 street intersection;
- 6 (ii) A reasonably direct pedestrian connection between the transit stop and  
 7 building entrances on the site;
- 8 (iii) A transit passenger landing pad accessible to ~~disabled persons~~ people  
 9 with disabilities;
- 10 (iv) An easement or dedication for a passenger shelter if requested by the  
 11 transit provider; and
- 12 (v) Lighting at the transit stop.
- 13 (c) Local governments may implement (4)(b)(A) and (B) above through the designation of  
 14 pedestrian districts and adoption of appropriate implementing measures regulating  
 15 development within pedestrian districts. Pedestrian districts must comply with the  
 16 requirement of (4)(b)(C) above;
- 17 (d) Designated employee parking areas in new developments shall provide preferential  
 18 parking for carpools and vanpools;
- 19 (e) Existing development shall be allowed to redevelop a portion of existing parking areas  
 20 for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride  
 21 stations, transit-oriented developments, and similar facilities, where appropriate;
- 22 (f) Road systems for new development shall be provided that can be adequately served by  
 23 transit, including provision of pedestrian access to existing and identified future transit  
 24 routes. This shall include, where appropriate, separate accessways to minimize travel  
 25 distances;
- 26 (g) Along existing or planned transit routes, designation of types and densities of land uses  
 27 adequate to support transit.
- 28 ~~(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce~~  
 29 ~~reliance on the automobile which:~~
- 30 ~~(a) Allow transit oriented developments (TODs) on lands along transit routes;~~
- 31 ~~(b) Implements a demand management program to meet the measurable standards set in the~~  
 32 ~~TSP in response to OAR 660-012-0035(4);~~
- 33 ~~(c) Implements a parking plan which:~~
- 34 ~~(A) Achieves a 10 percent reduction in the number of parking spaces per capita in the~~  
 35 ~~MPO area over the planning period. This may be accomplished through a~~  
 36 ~~combination of restrictions on development of new parking spaces and~~  
 37 ~~requirements that existing parking spaces be redeveloped to other uses;~~
- 38 ~~(B) Aids in achieving the measurable standards set in the TSP in response to OAR~~  
 39 ~~660-012-0035(4);~~

- 1                    ~~(C) — Includes land use and subdivision regulations setting minimum and maximum~~  
2                    ~~parking requirements in appropriate locations, such as downtowns, designated~~  
3                    ~~regional or community centers, and transit-oriented developments; and~~
- 4                    ~~(D) — Is consistent with demand management programs, transit-oriented development~~  
5                    ~~requirements and planned transit service.~~
- 6                    ~~(d) — As an alternative to (c) above, local governments in an MPO may instead revise~~  
7                    ~~ordinance requirements for parking as follows:~~
- 8                    ~~(A) — Reduce minimum off-street parking requirements for all non-residential uses~~  
9                    ~~from 1990 levels;~~
- 10                   ~~(B) — Allow provision of on-street parking, long-term lease parking, and shared~~  
11                   ~~parking to meet minimum off-street parking requirements;~~
- 12                   ~~(C) — Establish off-street parking maximums in appropriate locations, such as~~  
13                   ~~downtowns, designated regional or community centers, and transit-oriented~~  
14                   ~~developments;~~
- 15                   ~~(D) — Exempt structured parking and on-street parking from parking maximums;~~
- 16                   ~~(E) — Require that parking lots over 3 acres in size provide street-like features along~~  
17                   ~~major driveways (including curbs, sidewalks, and street trees or planting strips);~~  
18                   ~~and~~
- 19                   ~~(F) — Provide for designation of residential parking districts.~~
- 20                   ~~(e) — Require all major industrial, institutional, retail and office developments to provide either~~  
21                   ~~a transit stop on site or connection to a transit stop along a transit trunk route when the~~  
22                   ~~transit operator requires such an improvement.~~
- 23                   ~~(6)(5)~~ In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d),  
24                   local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet  
25                   local travel needs in developed areas. Appropriate improvements should provide for more direct,  
26                   convenient and safer bicycle or pedestrian travel within and between residential areas and  
27                   neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include,  
28                   for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways  
29                   between buildings, and providing direct access between adjacent uses.
- 30                   ~~(7)(6)~~ Local governments shall establish standards for local streets and accessways that minimize  
31                   pavement width and total right-of-way consistent with the operational needs of the facility. The  
32                   intent of this requirement is that local governments consider and reduce excessive standards for  
33                   local streets and accessways in order to reduce the cost of construction, provide for more efficient  
34                   use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic  
35                   volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Not  
36                   withstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement  
37                   need not be adopted as land use regulations.



1 **0060: Plan and Land Use Regulation Amendments**

2 This rule guides cities and counties when they change the acknowledged comprehensive plan after  
3 adoption of a Transportation System Plan. The rule provides for consideration of transportation system  
4 needs in response to the proposed changes.

5 **Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable  
6 Communities Rulemaking.**

7 This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing  
8 some minor changes to reflect changes in how performance standards work within metropolitan areas.

9 A draft of this rule will be available in October.

10 **New Rules 0011-0012: Applicability and Effective Dates**

11 These rules are intended to help implement the new rules numbered 0100 and above, which will apply  
12 to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of  
13 urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions,  
14 and when those rules apply.

15 **0011: Applicable Rules**

16 This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-  
17 0100 and above. Local governments in other parts of the state will continue to use the existing rules,  
18 although cities outside metropolitan areas may opt into using the updated rules if they wish.

19 We are working with Metro and will be consulting with potentially affected local governments to  
20 determine how rules may apply in the Portland Metropolitan Area.

21 The following rules will continue to apply statewide, even in metropolitan areas:

- 22 OAR 660-012-0000, Purpose
- 23 OAR 660-012-0005, Definitions
- 24 OAR 660-012-0010, Transportation Planning
- 25 OAR 660-012-0060, Plan and Land Use Regulation Amendments
- 26 OAR 660-012-0065, Transportation Improvements on Rural Lands
- 27 OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land

28 The latter two rules only apply to rural lands statewide.

- 29 (1) OAR 660-012-0000, OAR 660-012-0005, OAR 660-012-0010, OAR 660-12-0011, OAR 660-  
30 012-0012, OAR 660-012-0060, OAR 660-012-0065, and OAR 660-012-0070 apply statewide.

- 1 (2) OAR 660-012-0100 through OAR 660-012-0910 apply to the following local governments:
- 2 (a) Cities within metropolitan areas;
- 3 (b) Portions of counties within Urban Growth Boundaries of cities in metropolitan areas; and
- 4 (c) Metro.
- 5 (3) OAR 660-012-0010 through OAR 660-012-0055 apply to all local governments other than those
- 6 listed in section (2) of this rule, where this division is applicable.
- 7 (4) Cities that otherwise would be required to use rules as provided in section (3) of this rule, may
- 8 choose to instead adopt a Transportation System Plan meeting the rules that apply to jurisdictions
- 9 as provided in section (2) of this rule. Upon acknowledgement of such a Transportation System
- 10 Plan, the city shall continue to be subject to these rules in all respects.
- 11 (5) All cities are either subject to the rules in section (2) or section (3) of this rule, but not both.
- 12 (6) Counties may have different applicable rules in different parts of the county.

13 **0012: Effective Dates**

14 This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most  
 15 provisions will take effect shortly after the commission adopts the rule amendments, but the  
 16 implementation of some provisions will be phased in over time.

- 17 (1) The rules in this division adopted on [March XX, 2022], and amendments to rules in this division
- 18 adopted on that date, are effective April 26, 2022, except as provided in this rule.
- 19 (2) A city or county adopting, amending, or updating a Transportation System Plan that is required to
- 20 meet the requirements as provided in OAR 660-012-0100 may instead use existing requirements
- 21 as provided in OAR 660-012-0015 if the city or county has submitted notice of the proposed
- 22 change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later
- 23 than May 30, 2022.
- 24 (3) Planning areas as provided in OAR 660-012-0110 are for the entire urban growth boundary until
- 25 and unless a county acts to separate the planning area as provided in that rule. Inside the Portland
- 26 Metropolitan Area, cities, counties, and Metro shall designate planning areas within the urban
- 27 area no later than June 30, 2022.
- 28 (4) Cities and counties must make their selection of approach to plan for reducing vehicle miles
- 29 traveled per capita as provided in OAR 660-012-0160(4) no later than December 31, 2022. Cities
- 30 and counties must notify the director of their selection prior to this date.
- 31 (5) The requirements of OAR 660-012-0170 limiting the use of motor vehicle congestion standards
- 32 take effect on January 1, 2023.
- 33 (6) Cities and Counties shall designate Climate-Friendly Areas as provided in OAR 660-012-0310 as
- 34 follows:
- 35 (a) A city or county outside a metropolitan service district with a population of 10,000 or more
- 36 within the urban growth boundary that is subject to the requirements of OAR 660-012-
- 37 0310(1) shall designate Climate-Friendly Areas as provided in OAR 660-012-0320 by March
- 38 31, 2023.

- 1 (b) A city or county outside a metropolitan service district with a population of more than 2,500  
2 within the urban growth boundary that is subject to the requirements of OAR 660-012-  
3 0310(1) shall designate Climate-Friendly Areas as provided in OAR 660-012-0320 by March  
4 31, 2024.
- 5 (c) Within the urban growth boundary of a metropolitan service district, a county with planning  
6 jurisdiction in unincorporated areas provided with urban water, sanitary sewer, stormwater,  
7 and transportation services; or a city shall meet the requirements of OAR 660-012-0310 by  
8 March 31, 2023.
- 9 (7) Cities and counties must adopt comprehensive plan amendments and land use regulations meeting  
10 requirements as provided in OAR 660-012-0400 no later than December 31, 2022.
- 11 (8) Cities and counties choosing to report on the share of on-street parking spaces that are priced as  
12 provided in OAR 660-012-0415(2)(a)(B) must:
- 13 (a) Demonstrate at least 5% of on-street parking spaces are priced by December 21, 2022; and  
14 (b) Demonstrate at least 10% of on-street parking spaces are priced by December 31, 2024.
- 15 (9) Cities and counties must implement the requirements for electric vehicle charging stations as  
16 provided in OAR 660-012-0405(1) as follows:
- 17 (a) Starting January 1, 2023, at least 20% of parking spots must have a charging station;  
18 (b) Starting January 1, 2025, at least 25% of parking spaces must have a charging station; and  
19 (c) Starting January 1, 2030, at least 30% of parking spaces must have a charging station.
- 20 (10) Requirements as provided in OAR 660-012-0900 are modified as follows:
- 21 (a) The first reporting year for the reporting requirements as provided in OAR 660-012-0900  
22 is 2022, with reports due no later than May 31, 2023.
- 23 (b) Cities and counties otherwise required to complete a major report for the 2022 reporting  
24 year as provided in OAR 660-012-0900 may delay submission of the major report until  
25 the 2023 reporting year. A city or county electing to do so must submit a minor report for  
26 the 2022 reporting year and cite this provision in that report.

1 **New Rules 0100-0299: General Provisions**

2 This part of the Transportation Planning Rules will contain general provisions for how cities and counties  
3 in metropolitan areas conduct coordinated land use and transportation planning. These include updated  
4 rules for how cities and counties undertake Transportation System Plans within urban areas. There are  
5 significant changes and clarifications in how this process works, including how cities and counties ensure  
6 equitable participation in decision-making, and how plans are amended and updated over time.

7 **0100: Urban Transportation System Plans**

8 This rule provides the starting point for how cities in metropolitan areas will be required to adopt,  
9 amend, and implement local Transportation System Plans in urban areas. The rule lists all the required  
10 elements of a Transportation System Plan. The rule also provides for how cities will determine the base  
11 and horizon years of a local Transportation System Plan.

12 (1) Cities shall develop and adopt an urban Transportation System Plan. An urban Transportation  
13 System Plan includes the following elements:

- 14 (a) The core Transportation System Plan elements as provided in section (2) of this rule;
- 15 (b) Transportation System Inventories as provided in OAR 660-012-0150;
- 16 (c) A pedestrian system element as provided in OAR 660-012-0500;
- 17 (d) A bicycle system element as provided in OAR 660-012-0600;
- 18 (e) A public transportation system element as provided in OAR 660-012-0700;
- 19 (f) A street and highway system element as provided in OAR 660-012-0800;
- 20 (g) A financial plan as provided in OAR 660-012-0205; and
- 21 (h) A financially-constrained project list as provided in OAR 660-012-0210.

22 (2) Transportation System Plans must also include the following core elements:

- 23 (a) Major core elements to be updated with major updates to a Transportation System Plan as  
24 provided in OAR 660-012-0105:
  - 25 (A) The base and planning horizon years for the plan as provided in section (3) of  
26 this rule;
  - 27 (B) The land use assumptions used in development of the transportation system plan,  
28 as developed under OAR 660-012-0340;
- 29 (b) Minor core elements to be updated with major or minor updates to a Transportation  
30 System Plan as provided in OAR 660-012-0105:
  - 31 (A) A list of all components of the plan, and the date of adoption or amendment of  
32 each;
  - 33 (B) The policies in the city's comprehensive plan that apply to coordinated land use  
34 and transportation system planning;
  - 35 (C) The goals and policies of the Transportation System Plan;
  - 36 (D) Those areas designated by the city with concentrations of priority populations as  
37 provided in OAR 660-012-0120;

- 1 (E) A record of the engagement, involvement, and decision-making processes used in  
 2 development of the plan, as provided in OAR 660-012-0125, and an equity  
 3 analysis as provided in OAR 660-012-0130.
- 4 (F) The dates of each report made to the director as provided in OAR 660-012-0900.  
 5 These must include all reports made for the planning area, including city and  
 6 county reports, if applicable.
- 7 (3) The base and horizon years of urban Transportation System Plans shall be determined as follows:
- 8 (a) The base year for an urban Transportation System Plan is the present or past year which  
 9 is used for the development of plan elements. The base year must be the year of adoption  
 10 of a major update to the Transportation System Update, or no earlier than three years  
 11 prior.
- 12 (b) The horizon year for an urban Transportation System Plan is the future year for which the  
 13 plan contains potential projects. The horizon year is no more than twenty years from the  
 14 year of adoption of a major update to the Transportation System Plan.
- 15 (4) Cities must coordinate the development of urban Transportation System Plans with counties,  
 16 transportation facility owners, and transportation service providers.
- 17 (5) Cities must develop urban Transportation System Plans and amendments to those plans consistent  
 18 with the provisions of OAR 660-012-0105 through OAR 660-012-0140.
- 19 (6) Adoption or amendment of an urban Transportation System Plan shall constitute the land use  
 20 decision regarding the need for transportation facilities, services, and major improvements; and  
 21 their function, mode, and general location.
- 22 (7) Findings of compliance with applicable statewide planning goals and acknowledged  
 23 comprehensive plan policies and land use regulations shall be developed in conjunction with the  
 24 adoption or amendment of the Transportation System Plan.

25 **0105: Transportation System Plan Updates**

26 This rule describes how cities update their Transportation System Plans. The rule provides for either a  
 27 major or minor update to plans. The existing rules were written when most places did not even have a  
 28 Transportation System Plan, so there is little guidance about how they are to be kept up to date. The  
 29 purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between  
 30 larger updates.

- 31 (1) Cities may adopt a major update to an urban Transportation System Plan as provided in section  
 32 (2), or a minor update as provided in section (3).
- 33 (2) A major update to an urban Transportation System Plan is any update that:
- 34 (a) Includes a change to the horizon year of the plan;
- 35 (b) Any update where the adoption date is fewer than [five] years prior to January 1 of the  
 36 planning horizon year of the acknowledged plan; or
- 37 (c) Is intended to include a Vehicle Miles Traveled-Increasing facility in the plan that has  
 38 been reviewed as provided in OAR 660-012-0830.

- 1 (3) A city making a major update to a Transportation System Plan must:
- 2 (a) Include an update to the core Transportation System Plan elements as provided in OAR
- 3 660-012-0100, and include all other applicable elements as provided in OAR 660-012-
- 4 0100.
- 5 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the
- 6 major update to the transportation system plan.
- 7 (c) Complete the review of any Vehicle Miles Traveled-Increasing facilities in the plan as
- 8 provided in OAR 660-012-0830 prior to adoption in the Transportation System Plan.
- 9 (4) A minor update to an urban Transportation System Plan is any update which is not a major update
- 10 as provided in section (2) of this rule. A city making a minor update to a Transportation System
- 11 Plan must:
- 12 (a) Include, at minimum, an update to core Transportation System Plan elements as provided
- 13 in OAR 660-012-0100.
- 14 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the
- 15 minor update to the Transportation System Plan.
- 16 (5) Notwithstanding any other provision in this rule, cities having an acknowledged Transportation
- 17 System Plan adopted as provided in OAR 660-012-0015 shall adopt a major update to the
- 18 Transportation System Plan. Cities may use any part of existing acknowledged plans to meet the
- 19 applicable requirements.
- 20 (6) Notwithstanding any other provision in this rule, cities that do not have an acknowledged
- 21 Transportation System Plan shall adopt a new plan in the manner of adopting a major update to a
- 22 Transportation System Plan. Cities may use any part of existing acknowledged plans to meet the
- 23 applicable requirements.

24 **0110: Transportation System Planning Area**

25 This rule sets out requirements for the geographic scope of Transportation System Plans. The default

26 assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including

27 unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban

28 unincorporated areas.

- 29 (1) The planning area for urban Transportation System Plans is the area encompassed by the
- 30 acknowledged Urban Growth Boundary, including both incorporated and unincorporated areas.
- 31 The unincorporated area within Urban Growth Boundaries is the urbanizable area.
- 32 (2) Cities are responsible for the development and adoption of urban transportation system plans for
- 33 the entire planning area. Cities shall work cooperatively with counties to effectively plan for the
- 34 urbanizable area.
- 35 (3) Counties are responsible for cooperatively working with cities on the development and adoption
- 36 of urban transportation system plans including the urbanizable area.
- 37 (4) Cities and counties must jointly determine how urban transportation system planning will occur
- 38 in the urbanizable area, including plan adoption, through intergovernmental agreement.
- 39 (5) In lieu of sections (2) and (3) of this rule, a county may choose to develop and adopt a separate
- 40 urban transportation system plan for areas in the urbanizable area. The county and associated city
- 41 must meet the requirements as provided in sections (4) and (7) of this rule.

- 1 (6) In the Portland Metropolitan Area, Metro shall work cooperatively with cities and counties to  
2 determine responsibility for planning areas in the urbanizable area. All lands within the Metro  
3 Urban Growth Boundary must be within the planning area of either a city or county. Where a  
4 county has responsibility for a planning area, the county must meet the requirements as provided  
5 under section (7) of this rule.
- 6 (7) Counties planning for unincorporated urban areas as provided in this rule, and associated cities,  
7 must meet these requirements:
- 8 (a) Counties must meet the applicable requirements of this division as if they were a city,  
9 even when requirements only refer to cities.
- 10 (b) Outside of the Portland Metropolitan Area, both the city and county must meet all  
11 applicable requirements based on the population of the entire urban area.
- 12 (c) Outside of the Portland Metropolitan Area, both the city and the county must adopt  
13 Transportation System Plans with the same horizon year.
- 14 (d) In the Portland Metropolitan Area, counties must meet all applicable requirements based  
15 on the higher of the population of the planning area, or the population of the largest city  
16 in the county.
- 17 (8) Counties must plan areas outside Urban Growth Boundaries as rural, regardless of location within  
18 a metropolitan area. Counties planning for unincorporated communities within a metropolitan  
19 area must meet requirements as provided in OAR Chapter 660, Division 22.

20 **0115: Transportation System Planning Engagement**

21 This rule directs how cities must engage the public, and specifically priority populations, in the  
22 development and approval of Transportation System Plans.

- 23 (1) Cities and counties must develop urban transportation system plans using methods of engaging  
24 the public and making decisions consistent with the statewide planning goals and provisions of  
25 the local comprehensive plan.
- 26 (2) Public engagement and decision making must place an increased emphasis on centering the  
27 voices of Priority Populations as provided in OAR 660-012-0120.
- 28 (3) Cities or counties engaged in a major update of the transportation system plan as provided in  
29 OAR 660-012-0105, or an update of the future land use assumptions as provided in OAR 660-  
30 012-0340, must make a special effort to ensure priority populations, as provided in OAR 660-  
31 012-0120, are informed about the choices that need to be made in the planning process, given a  
32 meaningful opportunity to inform the planning process, and to the extent possible, have an  
33 equitable share of the decision-making power over key decisions.

1 **0120: Priority Populations**

2 Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and  
3 decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped  
4 identify priority populations to consider in this rulemaking, expanding on a list from the Governor’s  
5 office. To rectify harms done in the past and in current practice, communities must prioritize these  
6 populations in decision-making processes and outcomes.

7 This rule sets out a Definition of priority populations for use in transportation and land use planning  
8 consistent with the Equitable Outcomes Statement developed by the Rules Advisory Committee. The  
9 rule also requires cities and counties to identify areas with concentrations of priority populations; and to  
10 identify and engage with recognized tribes with ancestral lands in the area of the city or county.

11 (1) In order to implement provisions of this division, cities and counties must prioritize community-  
12 led engagement and decision-making, with specific attention to the priority populations listed in  
13 section (2) of this rule.

14 (2) When updating or amending a transportation systems plan, cities and counties must identify  
15 populations of people living in the community who need prioritized attention with regard to  
16 transportation and land use planning due to historic and current marginalization. Priority  
17 populations include, but are not limited to:

18 (a) Black and African American people;

19 (b) Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii  
20 Native);

21 (c) People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North  
22 African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity  
23 populations);

24 (d) Immigrants, including undocumented immigrants;

25 (e) People with limited English proficiency;

26 (f) People with disabilities;

27 (g) People experiencing homelessness;

28 (h) Low-income and low-wealth community members;

29 (i) Low- and moderate-income renters and homeowners;

30 (j) Single parents;

31 (k) Lesbian, gay, bisexual, transgender, queer, intersex, asexual, or two-spirit community  
32 members; and

33 (l) Youth and seniors.

34 (3) Cities and counties must identify geographic areas with above average concentrations of priority  
35 populations.



1 **0125: Decision-Making with Priority Populations**

2 This rule directs how local governments center priority populations in decision-making. The rule requires  
3 local governments to implement an involvement program with a range of activities to ensure equitable  
4 participation in decision-making and work toward equitable outcomes. The rule requires cities and  
5 counties to regularly assess and report on progress.

6 (1) Cities and counties must, as a part of an involvement program required as provided in OAR 660-  
7 015-0000(1), center the voices of priority populations in processes at all levels of decision-  
8 making under this division. Actions that may accomplish this include, but are not limited to:

9 (a) Regularly reporting on progress made under this rule as provided by section (3);

10 (b) Conducting equity analyses as provided in OAR 660-012-0130;

11 (c) Engaging in additional outreach activities with priority populations and in areas with  
12 concentrations of priority populations. Such outreach activities shall include activities in  
13 languages and formats that can be used by everyone, be accessible to people with  
14 disabilities, and be accessible to people without internet access, with limited  
15 transportation and child care options, and with schedule constraints around employment  
16 or other critical responsibilities;

17 (d) Considering the effect on priority populations when developing plans, including land use  
18 plans and plans for public investment;

19 (e) Developing decision-making factors that recognize historic and current inequities, and  
20 work to reduce them.

21 (2) Cities and counties must identify those recognized sovereign tribes whose ancestral lands include  
22 the area now within the city or county. The city or county must engage with affected tribes to  
23 notify them of coordinated land use and transportation planning activities and projects under this  
24 division. Cities and counties must engage in consultation with affected tribal governments upon  
25 request.

26 (3) Cities and counties must regularly assess and report on progress made under this rule by:

27 (a) Reporting to the department annually as provided in OAR 660-012-0900;

28 (b) Making regular reports to the planning commission and governing body of the city or  
29 county; and

30 (c) Making regular public reports to the community.

31 **0130: Equity Analysis**

32 This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is  
33 required for a variety of actions throughout the division. The purpose of an equity analysis is to identify  
34 impacts of proposed projects and policies and potentially inequitable consequences or burdens on  
35 impacted communities.

36 (1) Cities and counties must ensure that land use and transportation plans required in this division  
37 improve outcomes for priority populations by using an equity analysis. An equity analysis is  
38 intended to determine benefits and burdens on priority populations, as provided in OAR 660-012-  
39 0120.

- 1 (2) A city or county engaging in an equity analysis must:
- 2 (a) Engage with people in the community who are members of priority populations as  
3 provided in OAR 660-012-0120 to develop key community outcomes;
- 4 (b) Assess, document, acknowledge, and address where past policies and effects of climate  
5 change have harmed and are likely to perpetuate harm to priority populations;
- 6 (c) Recognize where and how intersectional discrimination compounds disadvantages;
- 7 (d) Gather lived experience, qualitative, and quantitative information from the community on  
8 how the proposed change benefits or burdens priority populations;
- 9 (e) Analyze the proposed changes for impacts and alignment with desired key community  
10 outcomes;
- 11 (f) Develop strategies to create greater equity or minimize unintended consequences;
- 12 (g) Develop and track key indicators over time and continue to communicate with and  
13 involve the advisory committee; and
- 14 (h) Report back and share the information learned from the analysis and unresolved issues  
15 with the advisory committee.

16 **0140: Transportation System Refinement Plans**

17 This rule provides cities and counties with the opportunity to defer some decisions that would otherwise  
18 be made in a Transportation System Plan to a later refinement planning process. This rule is largely  
19 based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.

20 A draft of this rule was provided in the [RAC 7 Packet](#), page 54

21 **0145: Temporary Projects**

22 This rule makes clear that certain temporary or pilot projects need not be included in the Transportation  
23 System Plan to be implemented. These are expected to be short-term trials or temporary fixes in  
24 advance of a plan update.

- 25 (1) Notwithstanding any other part of this division, an operator of a transportation facility may  
26 undertake a temporary project to change streets, roads, or highways consistent with this rule,  
27 without specific inclusion in a project list in a transportation system plan.
- 28 (2) Temporary projects may include:
- 29 (a) Temporary projects to convert areas dedicated to existing on-street parking or general-  
30 purpose travel lanes to pedestrian facilities, areas, or plazas; bicycle facilities; or transit  
31 lanes.
- 32 (b) Temporary projects to implement a pilot program to price facilities for motor vehicles on  
33 a street or highway. This rule does not restrain any parking pricing or parking  
34 management activities.
- 35 (c) Temporary transportation projects to provide basic transportation network connectivity  
36 and function after a major emergency impacting the transportation system to a significant  
37 degree.

- 1 (3) Temporary projects under this rule may be in place for up to two years, or three years within a  
2 Climate-Friendly Area. Projects extending past this duration must be adopted into the  
3 Transportation System Plan.

4 **0150: Transportation System Inventories**

5 This rule includes general requirements for inventories of existing facilities and services in  
6 Transportation System Plans. The specific requirements for each mode of transportation are in separate  
7 rules, as noted in this rule.

- 8 (1) The provisions of this rule apply to OAR 660-012-0505, OAR 660-012-0605, OAR 660-012-  
9 0705, and OAR 660-012-0805.
- 10 (2) Cities and counties must coordinate with other transportation facility and service providers,  
11 including, but not limited to state agencies, other cities and counties, and public transportation  
12 system operators in the development of the transportation system inventory.
- 13 (3) Inventories must include all publicly accessible transportation facilities and services within the  
14 planning area, regardless of ownership or maintenance responsibility. Inventories must note  
15 ownership or maintenance responsibility for all facilities.
- 16 (4) Inventories at the Transportation System level must include a planning-level assessment of  
17 existing transportation facilities and services. Inventories must clearly identify the desired  
18 function of a facility or service, primary users of the facility or service, and the planned land use  
19 context of differing segments of the facility.
- 20 (A) Function includes the classification of the facility or services, its primary uses, and  
21 whether it primarily serves local, regional, or pass-through and/or freight traffic.
- 22 (B) Primary users of the facility includes whether users are primarily on foot, bicycle, transit,  
23 freight, or personal vehicle.
- 24 (C) Land use context includes determining what types of planned land uses surround the  
25 facility.

26 **0160: Transportation Planning Modeling and Vehicle Miles Traveled Reduction Targets**

27 This rule sets priorities for how cities and counties use modeling and analysis in transportation planning.  
28 The rule includes a requirement that Transportation System Plans are consistent with the regional  
29 greenhouse gas reduction target, by way of using a vehicle miles traveled reduction target.

- 30 (1) If a city or county uses models or methods of mathematical analysis to develop a transportation  
31 system plan, other elements of local comprehensive plans, or to develop or implement a land use  
32 regulation, then the city or county shall do so consistent with this rule.
- 33 (2) All modeling and analysis must account for the light duty vehicle miles traveled that is  
34 attributable to potential projects, including the induced travel of additional roadway capacity.
- 35 (3) Cities and counties shall include findings on any land use action, including the adoption of a  
36 major or minor Transportation System Plan amendment, which makes use of a modeling or  
37 analysis tool. This rule does not require land use actions to make use of a modeling or analysis  
38 tool. The findings shall include:
- 39 (a) The assumptions and inputs used with the modeling or analysis tool;

- 1 (b) How the action will reduce light duty vehicle miles traveled per capita, consistent with  
2 OAR 660-044-0005.
- 3 (4) Cities and counties shall select either an individual approach as provided in section (5) of this  
4 rule, or jointly choose the regional approach as provided in section (6) of this rule.
- 5 (5) Cities and counties shall develop Transportation System Plans to reduce light duty vehicle miles  
6 traveled per capita by the amounts necessary to meet the applicable greenhouse gas reduction  
7 targets provided in OAR 660-044-0020 and 660-044-0025. To meet the light duty vehicle miles  
8 traveled per capita reduction target a city or county shall use:
- 9 (a) The illustrative project list as provided in OAR 660-012-0200;
- 10 (b) Land use and transportation policies consistent with the adopted performance targets as  
11 provided in OAR 660-12-0910; including forecast land use patterns as provided in OAR  
12 660-12-0340; and
- 13 (c) Future projections for state and federal actions included in an approved land use and  
14 transportation scenario plan as provided in OAR 660-044-0120 or the Statewide  
15 Transportation Strategy as adopted by the Oregon Transportation Commission, including:
- 16 (A) Auto operating costs, reflecting changes in vehicle fuel efficiency, state-led  
17 pricing policies, and energy prices; and
- 18 (B) Emission rates by vehicle group, reflecting changes in vehicle technology, both  
19 fleet fuel efficiency and energy carbon intensity.
- 20 (6) Cities and counties may choose to work together to meet light duty vehicle miles traveled per  
21 capita reduction targets in section (3) by developing a Regional Transportation Plan that  
22 demonstrates a reduction in the light duty vehicle miles traveled per capita by the amounts  
23 necessary to meet the applicable greenhouse gas reduction targets provided in OAR 660-044-  
24 0020 and 660-044-0025. To meet the light duty vehicle miles traveled per capita reduction target  
25 through a regional approach cities and counties shall use:
- 26 (a) The illustrative project list as provided in OAR 660-012-0200;
- 27 (b) Land use and transport policies consistent with the adopted performance targets as  
28 provided in OAR 660-12-0910; including forecast land use patterns as provided in OAR  
29 660-12-0340; and
- 30 (c) Future projections for state and federal actions included in an approved land use and  
31 transportation scenario plan as provided in OAR 660-044-0120 or the Statewide  
32 Transportation Strategy as adopted by the Oregon Transportation Commission, including:
- 33 (C) Auto operating costs, reflecting changes in vehicle fuel efficiency, state-led  
34 pricing policies, and energy prices; and
- 35 (D) Emission rates by vehicle group, reflecting changes in vehicle technology, both  
36 fleet fuel efficiency and energy carbon intensity.
- 37 (7) A city or county that has selected the regional approach in section (5) of this rule shall include the  
38 most recent Regional Transportation Plan that meets the requirements of section (5) when making  
39 findings for the adoption or amendment of a Transportation System Plan as provided in OAR  
40 660-012-0105.

1 (8) Cities and counties shall demonstrate an overall reduction in light duty vehicle miles traveled per  
2 capita from the base year in the financially-constrained project list as provided in OAR 660-012-  
3 0210.

4 **0165: Evaluation and Selection of Transportation System Alternatives**

5 This rule provides criteria for cities and counties to use when evaluating and selecting between  
6 transportation system alternatives in a Transportation System Plan.

- 7 (1) The Transportation System Plan shall be based upon evaluation of potential impacts of system  
8 alternatives that can reasonably be expected to meet the identified transportation needs in a safe  
9 manner and at a reasonable cost with available technology. The following shall be evaluated as  
10 components of system alternatives:
- 11 (a) Improvements to existing facilities or services;
  - 12 (b) New facilities and services, including different modes or combinations of modes that  
13 could reasonably meet identified transportation needs;
  - 14 (c) Transportation system management measures;
  - 15 (d) Demand management measures; and
  - 16 (e) A no-build system alternative required by the National Environmental Policy Act of 1969  
17 or other laws.
- 18 (2) The following standards shall be used to evaluate and select alternatives:
- 19 (a) The transportation system shall support development by providing types and levels of  
20 transportation facilities and services appropriate to serve the land uses identified in the  
21 acknowledged comprehensive plan;
  - 22 (b) The transportation system shall be consistent with state and federal standards for  
23 protection of air, land and water quality including the State Implementation Plan under  
24 the Federal Clean Air Act and the State Water Quality Management Plan;
  - 25 (c) The transportation system shall minimize adverse economic, social, environmental and  
26 energy consequences;
  - 27 (d) The transportation system shall minimize conflicts and facilitate connections between  
28 modes of transportation;
  - 29 (e) The transportation system shall avoid principal reliance on any one mode of  
30 transportation by increasing transportation choices to avoid principal reliance on the  
31 automobile; and
  - 32 (f) The transportation system accommodates planned population and employment growth  
33 while achieving a reduction in Vehicle Miles Traveled per capita consistent with the  
34 Greenhouse Gas Emissions Reduction Targets in OAR 660-044-0020 and OAR 660-044-  
35 0025.
- 36 (3) Transportation System Plans must be designed to achieve transportation performance targets for  
37 performance standards as provided in OAR 660-012-0910 for increasing transportation choices,  
38 avoid principal reliance on the automobile, and reducing transportation-related climate pollution.

1 **0170: Transportation Performance Standards**

2 This rule provides a framework for how decisions are made using transportation performance standards.  
3 These include decisions made about transportation system planning, reviewing comprehensive plan and  
4 land use regulation amendments, and in the local review of development proposals.

5 Currently many, but not all, decisions have relied heavily on performance standards related to motor  
6 vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into  
7 account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and  
8 mobility.

9 A draft of this rule will be available in October.

10 **0180: Transportation Prioritization Framework**

11 This rule sets the context for prioritizing projects in local Transportation System Plans; and how cities,  
12 counties, Metro, and state agencies make decisions about investments in the transportation system. The  
13 prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes,  
14 safety, and accessibility.

15 A draft of this rule will be available in October.

16 **0200: Combined and Illustrative Project Lists**

17 This rule describes how cities and counties take the combined list of projects developed in the modal  
18 elements of the Transportation System Plan, develop multimodal projects, and produce a combined  
19 project list. The rule requires cities and counties to use the combined project list to develop an  
20 illustrative project list. The Illustrative project list must include a set of projects that would meet targets  
21 for reductions in per capita vehicle miles traveled.

- 22 (1) Cities and counties shall create a multimodal project list by combining:
- 23 (a) The pedestrian project list developed as provided in OAR 660-012-0520;
  - 24 (b) The bicycle project list developed as provided in OAR 660-012-0620;
  - 25 (c) The public transportation project list developed as provided in OAR 660-012-0720; and
  - 26 (d) The streets and highways project list developed as provided in OAR 660-012-0820.
- 27 (2) Cities and counties shall review the multimodal project list to determine if there are opportunities  
28 to combine proposed projects from multiple single-mode lists into a single multimodal project.  
29 These multimodal projects must be added to the multimodal project list to create the combined  
30 project list.
- 31 (3) Cities and counties shall review the combined project list and remove projects as necessary to  
32 meet the requirements of this section to develop the illustrative project list.
- 33 (a) There is no limit to the number of projects which may be included on the illustrative  
34 project list.
  - 35 (b) The city or county must ensure the illustrative project list meets the Vehicle Miles  
36 Traveled per capita targets as provided in OAR 660-012-0160.

- 1 (4) Cities and counties shall develop a method of prioritizing projects on the illustrative project list.  
 2 Each project on the illustrative project list must be individually ranked. Cities and counties must  
 3 meet the following requirements when developing a method of prioritizing projects on the  
 4 illustrative project list:
- 5 (a) The project will help reduce vehicle miles travelled;
  - 6 (b) The project burdens priority populations less than and benefit as much as the city or  
 7 county population as a whole;
  - 8 (c) The project will help achieve the performance targets as provided in OAR 660-012-0910;  
 9 and
  - 10 (a) Cities and counties shall describe the method used to prioritize the illustrative project list  
 11 in the Transportation System Plan.
- 12 (5) Cities and counties shall develop planning-level cost estimates for the top ranked projects on the  
 13 prioritized illustrative project list as provided in section (4) of this rule. The city or county must  
 14 make estimates for as many projects as the city or county reasonably believes could be funded in  
 15 the planning period. The city or county need not make cost estimates for every project on the  
 16 illustrative project list.

17 **0205: Transportation System Financial Plan**

18 This rule describes how cities develop a Financial Plan in the Transportation System Plan. The Financial  
 19 Plan includes a list of funding sources that are expected to fund transportation facilities and services,  
 20 and the amount of funding available for transportation projects over the planning period.

- 21 (1) Cities and counties must include a Financial Plan in the Transportation System Plan. The  
 22 Financial Plan must include the list of funding sources and amount of funding available, as  
 23 provided in this rule.
- 24 (2) Cities and counties must include a list of transportation system funding sources in the  
 25 Transportation System Plan. The list of funding sources must include all funding sources that the  
 26 city expects to use over the planning period to operate, maintain, or construct the transportation  
 27 system. These sources include, but are not limited to:
- 28 (a) Local, regional, state, and federal funding sources; and
  - 29 (b) Sources expected to be directed to transportation facilities or services within the planning  
 30 area controlled by any transportation facility or service operator.
- 31 (3) The list of funding sources must include, for each source of funding identified:
- 32 (a) The expected amounts of funding for each year over the remainder of the planning  
 33 period;
  - 34 (b) The purpose of the source of funding and any key limitations on the use of the funding;  
 35 and
  - 36 (c) Reasons for expecting the finding source to be available during the planning period.  
 37 These reasons may include, but are not limited to:
    - 38 (A) The source comes from transportation facility pricing revenues, including  
 39 parking revenues;
    - 40 (B) The source comes from tax or bond revenues;

- 1 (C) The source comes from fees or other local revenues;
  - 2 (D) The source comes from grants given using a formula or other regular
  - 3 disbursement;
  - 4 (E) The source comes from regional funds provided through a Metropolitan Planning
  - 5 Organization; and
  - 6 (F) The source previously provided funds to the city or county and can reasonably
  - 7 expected to provide more in the future.
- 8 (4) The city or county must use the list of funding sources to determine the amount of funding
- 9 expected to be available for use to develop transportation projects over the planning period.
- 10 Funding amounts which are expected to be used to maintain and operate the transportation
- 11 system, or used for other purposes than to fund transportation projects, must be excluded. The
- 12 Transportation System Plan must clearly describe the amounts that are included and excluded.
- 13 The amount of funding expected will be used to develop the financially-constrained project list as
- 14 provided in OAR 660-012-0210.

15 **0210: Financially-Constrained Project List**

16 This rule gives cities and counties a method to develop a financially-constrained project list. Projects on

17 the financially-constrained project list are the planned projects to be considered for further project

18 development, funding, and construction. The financially-constrained list of projects in the local

19 Transportation System Plan will inform the federally required Regional Transportation Plan. The

20 financially-constrained list will also be the only projects that may be assumed as “reasonably likely”

21 when considering if an amendment to a comprehensive plan or land use regulation has a “significant

22 effect” on the transportation system.

23 The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita

24 vehicle miles traveled, and support meeting targets set against a range of performance measures.

- 25 (1) Cities and counties shall include a financially-constrained project list in a Transportation System
- 26 Plan. Cities and counties shall use the prioritized illustrative project list developed as provided in
- 27 OAR 660-012-0200 and the amount of funding available developed as provided in OAR 660-
- 28 012-0205 to produce the financially-constrained project list.
- 29 (2) Cities and counties shall take the top available projects on the prioritized illustrative project list,
- 30 using the planning-level cost estimates developed as provided in OAR 660-012-0200, up to 125%
- 31 of the funding available. Using this list, cities and counties shall:
- 32 (a) Review the list of projects to determine if the city or county may reasonably demonstrate
  - 33 that the list of projects would result in a reduction of per capita Vehicle Miles Traveled,
  - 34 as provided in OAR 660-012-0160;
  - 35 (b) Review the list of projects to ensure that it would result in burdens on priority
  - 36 populations less than and benefit as much as the city or county population as a whole to
  - 37 determine if the outcomes of the project list are equitable; and
  - 38 (c) Review the list of projects against the targets set for each performance measure as
  - 39 provided in OAR 660-012-0910 to determine if the list results in progress toward meeting
  - 40 the targets.
- 41 (3) If the list of projects cannot meet each test in section (2), the city or county must remove one or
- 42 more projects from the list and add the next highest ranked project or projects from the prioritized



1 project list and review the updated list as provided in section (2). The city or county shall repeat  
2 this process until a list is produced that meets each test. This shall be the financially-constrained  
3 project list.

4 (4) Cities or counties making a major or minor amendment to the Transportation System Plan as  
5 provided in OAR 660-012-0105 which includes an update to any project list, must update the  
6 financially-constrained project list as provided in this rule.

7 (5) Cities and counties shall prioritize the implementation of projects from the financially-  
8 constrained project list for their ability to reduce climate pollution and improve equitable  
9 outcomes using the criteria provided in section (2) of this rule.

## 10 **New Rules 0300-0399: Coordinated Land Use and Transportation Planning**

11 The Transportation Planning Rules are, at their heart, a guide for local governments to make  
12 coordinated plans for both land use and their transportation system. This part of the Transportation  
13 Planning Rules focus on land use requirements, including requirements for Climate-Friendly Areas.

### 14 ***0300: Coordinated Land Use and Transportation System Planning***

15 This rule contains general provisions for cities and counties within metropolitan areas in how they  
16 accomplish coordinated land use and transportation planning.

17 (1) Cities and counties must ensure land use and transportation plans are coordinated.

18 (2) Cities and counties must, if applicable, adopt and implement Climate-Friendly Areas as provided  
19 in OAR 660-012-0310.

20 (3) Cities and counties must adhere to the applicable land use requirements as provided in OAR 660-  
21 012-0330.

22 (4) Cities and counties must, in the development of transportation plans, use the land use assumptions  
23 described as provided in OAR 660-0340.

24 (5) Cities and counties must develop a list of key destinations, as provided in OAR 660-012-0360.

25 (6) Cities and counties must meet the parking management requirements as provided in OAR 660-  
26 012-0400.

### 27 ***0310: Designation of Climate-Friendly Areas***

28 This rule describes the requirements for the designation of Climate-Friendly Areas. The rule sets out  
29 some basic standards for which areas should and should not be considered for designation as a Climate-  
30 Friendly Area.

31 A draft of this rule was provided in the [RAC 7 Packet](#), pages 57-58

1 **0320: Process for Designation of Climate-Friendly Areas**

2 This rule describes the process to be followed for cities and counties to designate Climate-Friendly  
3 Areas, including consideration for, and mitigation of, potential inequitable impacts that might result  
4 from designation, such as the displacement of priority populations.

5 A draft of this rule was provided in the [RAC 7 Packet](#), pages 58-59

6 **0325: Land Use Requirements in Climate-Friendly Areas**

7 This rule describes development codes and other land use requirements cities and counties must adopt  
8 for Climate-Friendly Areas.

9 A draft of this rule was provided in the [RAC 7 Packet](#), pages 59-60

10 **0330: Land Use Requirements**

11 These land use requirements apply to cities and counties within metropolitan areas and have to do with  
12 how land use interacts with the transportation system. Many of these requirements are in the existing  
13 rules, however this rule extends and adds to the existing requirements. These requirements apply across  
14 the urban area, and are in addition to the Climate-Friendly Area specific requirements in those areas.

15 The rule requires local governments to provide for walkable and connected neighborhoods; for  
16 commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on  
17 auto-oriented land uses; some additional requirements for larger cities; and to have protections for  
18 existing and future transportation facilities.

- 19 (1) Cities and counties must implement plans and land use regulations to support compact, walkable,  
20 mixed-use land use development patterns in urban areas. Land use development patterns must  
21 support access by people walking, bicycling, and riding transit.
- 22 (2) Cities and counties must have land use regulations that provide for walkable and connected  
23 neighborhoods. Land use regulations must meet the following requirements for neighborhood  
24 design and access:
- 25 (a) Neighborhoods must be designed with connected networks of streets, paths, accessways,  
26 and other facilities to provide circulation within the neighborhood and connectivity to  
27 adjacent districts for walking and cycling. A connected street network is desirable for  
28 motor vehicle traffic but may be discontinuous where necessary to limit excessive  
29 through travel, or to protect a safe environment for walking and bicycling in the  
30 neighborhood.
- 31 (b) Neighborhoods must be designed with direct pedestrian access to key destinations as  
32 provided in OAR 660-012-0360 via sidewalks, pedestrian crossings, pedestrian  
33 accessways, or paths.
- 34 (c) Cities and counties must set block length and block perimeter standards at distances that  
35 will provide for pedestrian network connectivity. Pedestrian accessways or pedestrian-  
36 oriented public alleys through a block may be used to meet a block length or perimeter  
37 standard. Cities and counties may choose to provide for exemptions in cases where  
38 topography, natural features, railroads, or expressways would make these provisions

- 1 prohibitive. In these cases, the city or county must ensure that the block length and  
2 perimeter are as short as possible.
- 3 (d) Cities and counties shall set standards to reduce out-of-direction travel for people walking  
4 or bicycling.
- 5 (3) Cities and counties must have land use regulations in commercial and mixed-use districts that  
6 provide for a compact character and walkability, and allow direct access by walking, cycling, and  
7 transit. Land use regulations must meet the following requirements for commercial or mixed-use  
8 site design:
- 9 (a) Primary pedestrian entrances to buildings shall be oriented to a public street. An  
10 uninterrupted accessway, courtyard, plaza, or other pedestrian-oriented space must be  
11 provided between primary pedestrian entrances and the public sidewalk, except where the  
12 entrance opens directly to the sidewalk. All pedestrian entrances shall be designed to be  
13 barrier-free. Where a building has more than one ground-floor business, each business  
14 shall have at least one pedestrian entrance that meets the requirements of this subsection.
- 15 (b) No vehicular parking, circulation, access, or loading shall be permitted on-site between  
16 buildings and public streets. Bicycle parking may be permitted.
- 17 (c) On-site accessways shall be provided to directly connect key pedestrian entrances to  
18 public sidewalks, to any on-site parking, and to adjacent properties, as applicable.
- 19 (d) Any pedestrian entrances facing an on-site parking lot must be secondary to primary  
20 pedestrian entrances as required in this section. Primary pedestrian entrances must be  
21 open during business hours.
- 22 (e) Large sites must be designed with a connected network of public streets to meet the  
23 requirements of this section.
- 24 (f) Sites adjacent to a transit stop or station on a priority transit corridor must be oriented to  
25 the transit stop or station. The site design must provide a high level of pedestrian  
26 connectivity and amenities adjacent to the stop or station. Cities and counties must  
27 require an easement or dedication for a transit shelter if there is inadequate space in the  
28 existing right of way.
- 29 (4) Cities and counties must have land use regulations in residential neighborhoods that provide for  
30 slow neighborhood streets comfortable for family walking and cycling, efficient and sociable  
31 development patterns, and provide for connectivity within the neighborhood and to adjacent  
32 districts. Land use regulations in residential neighborhoods must include:
- 33 (a) Front yard and street side yard setbacks must be limited or zero. Where a setback more  
34 than zero is required, the city or county must set a standard that aims to minimize the  
35 total width of the existing or planned street right of way and required setback on each  
36 side of the street. Cities or counties may consider a standard related to the required  
37 building height.
- 38 (b) Buildings must be designed to face the street, with direct pedestrian access from building  
39 entrances to the sidewalk. Driveways and garages must be limited in width and must be  
40 off alleys where possible.
- 41 (5) Cities and counties must have land use regulations that ensure auto-oriented land uses are  
42 compatible with a walkable community. Land use regulations must include:
- 43 (a) Auto-oriented land uses must meet the site design requirements in this rule.

- 1 (b) Auto-oriented land uses that provide goods or services not directly related to the  
2 operation of an automobile must provide safe and convenient access opportunities for  
3 people walking, using a mobility device, or riding a bicycle. Access to goods and services  
4 must be equivalent to people driving a motor vehicle.
- 5 (c) Outside of Climate-Friendly Areas, where a permitted auto-oriented land use may not  
6 reasonably meet a site design standard prescribed in this rule due to the nature of the use,  
7 the city or county may prescribe an alternate standard. Alternate standards must protect  
8 pedestrian facilities and support walkability to the extent possible.
- 9 (6) Cities and counties with an urban area over 100,000 in population must have reasonable land use  
10 regulations providing for the development of low-car districts. These districts must be developed  
11 with no-car or low-car streets, where walking or using mobility devices are the primary methods  
12 of travel within the district. Cities and counties must make provisions for emergency vehicle  
13 access and local freight delivery. These districts must be permitted in locations where residential  
14 or mixed-use development is permitted.
- 15 (7) Cities and counties must implement land use regulations to protect transportation facilities,  
16 corridors, and sites for their identified functions. These regulations must include, but are not  
17 limited to:
- 18 (a) Access control actions consistent with the function of the transportation facility,  
19 including but not limited to driveway spacing, median control, and signal spacing;
- 20 (b) Standards to protect future construction and operation of streets, transitways, paths, and  
21 other transportation facilities;
- 22 (c) Standards to protect public use airports as provided in OAR 660-013-0080;
- 23 (d) Processes to make a coordinated review of future land use decisions affecting  
24 transportation facilities, corridors, or sites;
- 25 (e) Processes to apply conditions to development proposals in order to minimize impacts and  
26 protect transportation facilities, corridors or sites;
- 27 (f) Regulations to provide notice to public agencies providing transportation facilities and  
28 services, Metropolitan Planning Organizations, the Oregon Department of  
29 Transportation, and the Oregon Department of Aviation of:
- 30 (A) Land use applications that require public hearings;
- 31 (B) Subdivision and partition applications;
- 32 (C) Other applications which affect private access to roads; and
- 33 (D) Other applications within airport noise corridors and imaginary surfaces which  
34 affect airport operations.
- 35 (g) Regulations assuring that amendments to land use designations, densities, and design  
36 standards are consistent with the functions, capacities and performance standards of  
37 facilities identified in the TSP.

1 **0340: Land Use Assumptions**

2 This rule describes how cities and counties make assumptions about the future development of the  
3 urban area, for purposes of transportation planning. These assumptions are based on the required  
4 population forecasts, existing comprehensive plans and land use regulations, and other provisions in the  
5 Transportation Planning Rules. These assumptions are used to help make coordinated land use and  
6 transportation plans.

- 7 (1) Cities and counties shall develop and adopt future land use assumptions for the purpose of  
8 transportation system planning. The requirements of this rule apply to provisions of this division.  
9 Future land use assumptions must include the planning horizon year of the Transportation System  
10 Plan and a common horizon year for all jurisdictions across the metropolitan area.
- 11 (2) Future land use assumptions must be consistent with the most recent final population forecast as  
12 provided in OAR 660-032-0020.
- 13 (3) Future land use assumptions must assume existing acknowledged comprehensive plan  
14 designations and policies, and existing land use regulations remaining in force throughout the  
15 planning period; except where these designations, policies, or regulations are superseded by  
16 statute or rule. Future land use assumptions must assume existing acknowledged Urban Growth  
17 Boundaries throughout the planning period.
- 18 (4) Where applicable, future land use assumptions must allocate growth assumptions within the  
19 capacity of jobs and housing within Climate-Friendly Areas designated as provided in OAR 660-  
20 012-0310 before allocating growth to other parts of the city or county. Notwithstanding section  
21 (3), future land use assumptions may assume reasonable levels of development as provided in  
22 OAR 660-012-0325 within Climate-Friendly Areas.
- 23 (5) Future land use assumptions must be developed at approximately a block-level of detail to  
24 understand where future development is expected. Future land use assumptions are used for  
25 transportation system development and analysis.

26 **0350: Urban Growth Boundary Expansions**

27 This rule includes requirements for local jurisdictions to ensure they are being consistent with  
28 coordinated transportation planning requirements when proposing to expand an Urban Growth  
29 Boundary. The rules provide for requirements prior to undertaking an Urban Growth Boundary  
30 Expansion and requirements as part of the process of expanding the Urban Growth Boundary.

- 31 (1) A city and county must meet the following requirements prior to undertaking an Urban Growth  
32 Boundary expansion as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
- 33 (a) The city must have an acknowledged Transportation System Plan as provided in OAR  
34 660-012-0100. If the county has responsibility for planning in urban unincorporated areas  
35 as provided in OAR 660-012-0110, the county must also have an acknowledged  
36 Transportation System Plan for the urban area as provided in OAR 660-012-0100.
- 37 (b) The city and county must have submitted all regular reports as provided in OAR 660-  
38 012-0900 and have had each report approved by order as provided in OAR 660-012-  
39 0905.
- 40 (c) The city and county must have designated Climate-Friendly Areas as provided in OAR  
41 660-012-0310 and must demonstrate compliance with OAR 660-008-0010(2).

- 1 (d) The city and county must have adopted land use regulations as provided in OAR 660-  
2 012-0330.
- 3 (2) A city and county must meet the following requirements as part of the Urban Growth Boundary  
4 expansion process as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
- 5 (a) The city and county must assess the ability of lands within the existing Urban Growth  
6 Boundary to accommodate the additional levels of growth expected. Cities and counties  
7 must assume that the future development of Climate-Friendly Areas and more land-  
8 efficient and transportation-efficient patterns of development across the urban area will  
9 be different and more intensive than existing patterns of development.
- 10 (b) Lands otherwise of the same level of priority category for an Urban Growth Boundary  
11 expansion as provided in OAR 660-024-0067 or OAR 660-038-0170 may be prioritized  
12 by determining the potential level of access to existing urban pedestrian, bicycle, and  
13 transit networks, and the ability of those networks to be extended to the candidate areas  
14 for expansion.
- 15 (c) Transportation system planning assumptions developed to make decisions about an  
16 Urban Growth Boundary expansion must be consistent with targets set under measures as  
17 provided in OAR 660-012-0910 and must result in a reduction in Vehicle Miles Traveled  
18 per capita.
- 19 (d) Transportation system planning assumptions developed to make decisions about an  
20 Urban Growth Boundary expansion may not assume the construction of any facility  
21 required to be reviewed as a Vehicle Miles Traveled-Increasing facility as provided in  
22 OAR 660-012-0830.
- 23 (e) The city and county must determine if the designation of additional lands as part of  
24 Climate-Friendly Areas will be required to meet the targets for households within these  
25 areas, as provided in OAR 660-012-0310.
- 26 (3) Where an Urban Growth Boundary is intended to follow an existing or planned street, road, or  
27 highway right-of-way, the boundary shall be placed on the rural side of the right-of-way or  
28 planned right-of-way, so that the right-of-way is inside the Urban Growth Boundary.
- 29 (4) Cities and counties with areas added to an Urban Growth Boundary where the requirements of  
30 OAR 660-012-0060 are not applied at the time of Urban Growth Boundary amendment as  
31 provided in OAR 660-024-0020 or OAR 660-038-0020 must update the land use assumptions as  
32 provided in OAR 660-012-0340 prior to an update of the Transportation System Plan as provided  
33 in OAR 660-012-0105.

34 **0360: Key Destinations**

35 This rule lists key destinations for use in coordinated transportation and land use planning. These are  
36 important places for all people to be able to access to meet daily needs and participate in society.

- 37 (1) Cities and counties shall use the key destinations described in this rule, as well as other  
38 destinations determined locally, for purposes of coordinated land use and transportation planning.
- 39 (2) Key destinations include, but are not limited to:
- 40 (a) Climate-Friendly Areas;
- 41 (b) Pedestrian-oriented commercial areas outside of Climate-Friendly Areas;

- 1 (c) Transit stations, stops, and terminals;
- 2 (d) Retail and service establishments, including grocery stores;
- 3 (e) Child care facilities, schools, and colleges;
- 4 (f) Parks, recreation centers, paths, trails, and open spaces;
- 5 (g) Farmers markets;
- 6 (h) Libraries, government offices, community centers, arts facilities, post offices, social  
7 service centers, and other civic destinations;
- 8 (i) Medical or dental clinics and hospitals;
- 9 (j) Major employers;
- 10 (k) Gyms and health clubs;
- 11 (l) Major sports or performance venues; and
- 12 (m) Other key destinations determined locally.

13 **New Rules 0400-0499: Parking**

14 This part of the Transportation Planning Rules relates to how cities and counties manage parking. The  
15 rules follow current best practice and move cities and counties away from one-size-fits-all mandates for  
16 development to build a large amount of costly off-street parking, towards more targeted management  
17 strategy and more deference to builders and property owners to provide parking for the diversity of  
18 development types as the market dictates.

19 ***0400: Parking Management***

20 This rule directs jurisdictions to implement the parking rules.

21 A draft of this rule was provided in the [RAC 7 Packet](#), page 62

22 ***0405: Parking Regulation Improvements***

23 This rule works to include best practices of managing the details of parking codes. For example, it limits  
24 requirements to build the most costly form of parking (garages). It also provides builders to find cost-  
25 effective solutions for providing parking if on-site is not feasible, or if shared parking (e.g. between a  
26 morning coffee shop and an evening movie theater) is feasible.

27 This rule also works to encourage electric vehicle infrastructure in line with recent legislation.

28 Finally, this rule aims to reduce the negative externalized impacts of parking. It works to make large  
29 parking lots more walkable, and to address some of the heat island effects through trees. It aims to  
30 mitigate the climate impacts of driving and parking through either increased clean energy or increased  
31 tree canopy. It also aims to ensure communities allow for the temporary or permanent conversion of  
32 parking to more valuable uses.

33 A draft of this rule was provided in the [RAC 7 Packet](#), pages 62-64

1 **0410: Reduction of Parking Mandates**

2 This rule reduces costly parking mandates, following the trend in planning practice and previous  
3 Department rulemaking on traditional missing middle housing types. The rule works to reduce  
4 regulatory burdens for developing certain types of needed development, such as child care facilities. The  
5 rule also targets locations that usually have lower parking demand – those with better transportation  
6 choices and more walkable development patterns – for reduced mandates. Finally, the rule provides a  
7 choice for communities to either adopt best practices when it comes to internalizing the costs of parking  
8 on the users of that parking, or to reduce their parking mandates more significantly.

9 A draft of this rule was provided in the [RAC 7 Packet](#), pages 64-66

10 **0415: Parking Management for More Populous Communities**

11 This rule aims to support retrofitting of existing development with electric vehicle charging in Oregon’s  
12 most populous communities.

13 The rule also aims to encourage those communities to better manage existing parking supply before  
14 requiring significant amounts of new parking.

15 The rule further aims to ensure communities set parking maximums, where appropriate, to ensure car-  
16 heavy development does not dominate places where walkable development should be emphasized.

17 Finally, the rule looks to make sure the most populous communities try demand-management  
18 approaches before building large new parking structures.

19 A draft of this rule was provided in the [RAC 7 Packet](#), pages 67-68

20 **New Rules 0500-0599: Pedestrian System**

21 This part of the Transportation Planning Rules relates to planning for the pedestrian system. The  
22 pedestrian system is intended to serve people walking, as well as people using mobility devices or other  
23 vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the  
24 bicycle system.

25 **0500: Pedestrian System Planning**

26 This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation  
27 system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access  
28 for most trips under one mile.

29 (1) Urban Transportation System Plans must include a pedestrian system element that meets the  
30 requirements of this rule. For the purposes of this division, the pedestrian system is intended to  
31 serve people walking, as well as people using mobility devices, or other devices or vehicles that  
32 operate at a similar speed and scale as people walking. The pedestrian system is intended to serve  
33 most short trips under one mile in cities.

34 (2) A pedestrian system element must include the following elements:



- 1 (a) The complete pedestrian system as described in section (3) of this rule that includes the
- 2 full buildout of the pedestrian system within the Urban Growth Boundary;
- 3 (b) Identification of gaps and deficiencies in the pedestrian system as described in section (4)
- 4 of this rule;
- 5 (c) Locations of key pedestrian destinations as described in OAR 660-012-0360; and
- 6 (d) A list of prioritized pedestrian system projects as described in OAR 660-012-0520.
- 7 (3) The complete pedestrian system is the full build out of a complete pedestrian system within the
- 8 planning area. A city determines the complete pedestrian system plan by:
  - 9 (a) Using the pedestrian system inventory developed under OAR 660-012-0505 as a base;
  - 10 (b) Adding the minimum pedestrian facilities to places that do not presently meet the
  - 11 minimum pedestrian system requirements in OAR 660-012-0510; and
  - 12 (c) Adding enhanced facilities above the minimum pedestrian system requirements where the
  - 13 city finds that enhanced facilities are necessary or desirable to meet the goals of the city’s
  - 14 comprehensive plan.
- 15 (4) Cities must identify gaps and deficiencies in the pedestrian system by comparing the complete
- 16 pedestrian system plan with the pedestrian system inventory developed under OAR 660-012-
- 17 0505. Any part of the complete pedestrian system not presently built to the standard in the
- 18 complete pedestrian system plan must be identified as a gap or deficiency.

19 **0505: Pedestrian System Inventory**

20 This rule describes how cities must inventory their pedestrian system.

- 21 (1) Pedestrian system inventories must include information on sidewalks and street crossings for all
- 22 areas within Climate-Friendly Areas, within ¼ mile of all schools, and along all arterials and
- 23 collectors. Pedestrian system inventories must also include information on all pedestrian and
- 24 multiuse paths.
  - 25 (a) Inventories of sidewalks and paths must include information on width and condition.
  - 26 (b) Inventories of street crossings must include crossing distances, the type of crossing,
  - 27 closed crossings, curb ramps, and distance between crossings.
- 28 (2) Pedestrian system inventories must include the crash risk factors of inventoried pedestrian
- 29 facilities, including but not limited to speed, volume, and roadway width. Pedestrian system
- 30 inventories must also include the location of all reported injuries and deaths of people walking or
- 31 using a mobility device. This must include all reported incidents from at least 10 years prior to the
- 32 Transportation System Plan base year to the year of adoption of the pedestrian inventory.

33 **0510: Pedestrian System Requirements**

34 This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to

35 exceed the standards in this rule.

- 36 (1) Pedestrian facility owners must design, build, and maintain pedestrian facilities to permit
- 37 comfortable travel for all people, including people with disabilities.

- 1 (2) All streets and highways, other than expressways, shall have sidewalks, as provided in ORS  
2 366.514.
- 3 (a) Sidewalks must be planned for both sides of each street.
- 4 (b) Cities must plan for progressively wider and more protected sidewalks and pedestrian  
5 areas in the following contexts:
- 6 (A) Arterials must have wider and more protected sidewalks than collector streets,  
7 which must have wider and more protected sidewalks than local streets.
- 8 (B) Streets and highways in Climate-Friendly Areas and in areas with concentrations  
9 of priority populations as provided in OAR 660-012-0120 must be planned for  
10 wider and more protected sidewalks and more enhanced crossings than on similar  
11 facilities outside of these areas.
- 12 (C) A substantial portion of the right-of-way in Climate-Friendly Areas must be  
13 dedicated to pedestrian uses, including but not limited to sidewalks, pedestrian  
14 plazas, and protective buffers.
- 15 (c) Cities must plan for enhanced tree canopy and other infrastructure that uses natural and  
16 living materials in pedestrian spaces in Climate-Friendly Areas and areas with  
17 concentrations of priority populations as provided in OAR 660-012-0120.
- 18 (3) Off-street multi-use paths must be designed to permit comfortable joint or separated use for  
19 people walking and cycling.
- 20 (4) Enhanced crossings are pedestrian facilities to cross streets or highways that provide a high level  
21 of safety and priority to people crossing the street. Enhanced crossings must have adequate  
22 nighttime illumination to see pedestrians from all vehicular approaches. Enhanced crossings must  
23 be provided, at minimum, in the following locations:
- 24 (a) Closely spaced along arterial streets in Climate-Friendly Areas;
- 25 (b) Near transit stops on access-focused arterial or collector street in a Climate-Friendly Area  
26 or on a priority transit corridor; and
- 27 (c) At off-street path or trail crossings of any arterial or collector street.
- 28 (5) Cities may take exemptions to the standards in this rule through findings in the Transportation  
29 System Plan, for each location where an exemption is desired, for the following reasons:
- 30 (a) A city may plan for a sidewalk on one side of local streets in locations where topography  
31 would make it difficult to build a sidewalk on the other side of the street. Enhanced street  
32 crossings must be provided at each end of sections where there is a sidewalk on only one  
33 side of the street.
- 34 (b) A city may plan for no sidewalks on local streets that are sufficiently narrow, and carry  
35 little or no vehicular traffic, so that pedestrians are the primary users of the street.

36 **0520: Pedestrian System Projects**

37 This rule guides cities in determining the list of pedestrian system projects.

- 38 (1) Cities must develop a list of pedestrian system projects that would address all of the gaps and  
39 deficiencies in the pedestrian system identified by the city under OAR 660-012-0500(4).

- 1 (2) Cities must develop pedestrian project prioritization factors that are able to sort the list of  
 2 pedestrian system projects into a prioritized list of pedestrian system projects. Cities must develop  
 3 pedestrian project prioritization factors by engaging priority populations as provided in OAR 660-  
 4 012-0125.
- 5 (3) Cities must use pedestrian project prioritization factors to prioritize the following factors above  
 6 other factors:
- 7 (a) Pedestrian system investments in Climate-Friendly Areas;
- 8 (b) Pedestrian system investments in areas with concentrations of priority populations, as  
 9 determined under OAR 660-012-0120;
- 10 (c) Pedestrian system investments in areas pedestrian safety risk factors such as roadways  
 11 with high speeds and high traffic volumes
- 12 (d) Pedestrian system investments in areas with reported pedestrian serious injuries and  
 13 deaths;
- 14 (e) Pedestrian system investments that provide access to key pedestrian destinations;
- 15 (f) Pedestrian system investments that will connect to, fill gaps in, and expand the existing  
 16 pedestrian network;
- 17 (g) Pedestrian system investments that prioritize pedestrian travel consistent with the  
 18 prioritization factors in OAR 660-012-0180; and
- 19 (h) Where applicable, pedestrian system investments that will help meet the performance  
 20 targets as provided in OAR 660-012-0910.
- 21 (4) The transportation system plan must describe the prioritization factors and method of prioritizing  
 22 pedestrian projects used to develop the prioritized list of pedestrian system projects.

23 **New Rules 0600-0699: Bicycle System**

24 This part of the Transportation Planning Rules relates to planning for a safe, accessible and connected  
 25 bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using  
 26 other types of vehicles that operate at a bicycle speed and scale. These rules also include updated  
 27 requirements for bicycle parking.

28 **0600: Bicycle System Planning**

29 This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected  
 30 bicycle network that serves a variety of users. The rule requires a bicycle system element that provides  
 31 for a substantial portion of short urban trips under 3 miles to be by bicycle.

- 32 (1) Urban Transportation System Plans must include a bicycle system element that meets the  
 33 requirements of this rule. The bicycle system must be designed to provide safe and comfortable  
 34 routes for a range of users and abilities. For the purposes of this division, the bicycle system is  
 35 intended to serve people riding bicycles and other vehicles that operate at a similar speed and  
 36 scale to people riding bicycles. These vehicles include, but are not limited to: electric bicycles,  
 37 kick-style and electric scooters, and skateboards; and do not include motorcycles.
- 38 (2) A bicycle system element must include the following elements:

- 1 (a) The complete bicycle system as described in section (3) that includes the full buildout of
- 2 the bicycle system within the Urban Growth Boundary;
- 3 (b) Identification of gaps and deficiencies in the bicycle system as described in section (4);
- 4 (c) Locations of key bicycle destinations as described in OAR 660-012-0360; and
- 5 (d) A list of prioritized bicycle system projects as described in OAR 660-012-0620.
- 6 (3) The complete bicycle system is the full build out of a complete bicycle system within the
- 7 planning area. A city determines the complete bicycle system plan by:
  - 8 (a) Using the bicycle system inventory developed under OAR 660-012-0605 as a base;
  - 9 (b) Adding the minimum bicycle facilities to places that do not presently meet the minimum
  - 10 bicycle system requirements in OAR 550-012-0610; and
  - 11 (c) Adding enhanced facilities above the minimum bicycle system requirements where the
  - 12 city finds that enhanced facilities are necessary or desirable to meet the goals of the city's
  - 13 comprehensive plan.
- 14 (4) Cities must identify gaps and deficiencies in the bicycle system by comparing the complete
- 15 bicycle system with the bicycle system inventory developed under OAR 660-012-0605. Any part
- 16 of the complete bicycle system not presently built to the standard in the complete bicycle plan
- 17 must be identified as a gap or deficiency.

18 **0605: Bicycle System Inventory**

19 This rule describes how cities must inventory their bicycle system. The rule requires an inventory of  
 20 bicycle facilities in key areas, including multi-use paths.

- 21 (1) Bicycle system inventories must include information on bicycle lanes, bicycle routes, paths, and
- 22 other types of bicycle facilities. Inventories must include information on width, type, and
- 23 condition.
- 24 (2) Bicycle system inventories must include information on bicycle facilities of all types within
- 25 Climate-Friendly Areas, within ¼ mile of all schools, on designated neighborhood bikeways, and
- 26 along all arterials and collectors.
- 27 (3) Bicycle system inventories must include the crash risk factors of inventoried bicycle facilities,
- 28 including but not limited to speed, volume, separation, and roadway width. Bicycle system
- 29 inventories must also include the location of all reported injuries and deaths of people on
- 30 bicycles. This must include all reported incidents from at least 10 years prior to the
- 31 Transportation System Plan base year to the year of adoption of the pedestrian inventory.

1 **0610: Bicycle System Requirements**

2 This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system  
3 that meets a substantial portion of local travel needs under three miles. Updated requirements ensure  
4 cities and counties will plan for higher levels of separation beyond a standard bike lane for people riding  
5 bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to  
6 allow the widest range of people to safely ride bikes within communities. The rules require the  
7 development of connected network of safe bicycle facilities.

- 8 (1) This rule describes the minimum planned bicycle facilities that must be included in plans. Cities  
9 may choose to exceed the standards in this rule.
- 10 (2) Higher levels of protection and separation are necessary for bicycle facilities on higher speed and  
11 volume streets and highways, such as arterials and collectors. Bicycle facilities include:
- 12 (a) Separated or protected bicycle facilities, which are on-street facilities that are physically  
13 protected from motorized traffic by barriers that prevent intrusion into the bicycle  
14 facility. Physical protection may include parked motor vehicles. Protected bicycle  
15 facilities may be unidirectional or two-way. Protected bicycle facilities minimize  
16 conflicting traffic at intersections and other vehicular accesses to the street or highway.  
17 Bicycle traffic is highlighted and prioritized in locations where motor vehicle traffic does  
18 cross the protected facility.
  - 19 (b) Bicycle boulevards, which are local streets with very little to no motorized traffic that are  
20 designated, signed, and prioritized for bicycle through travel. Protected or enhanced  
21 crossings are located where bicycle boulevards cross arterial or collector streets.
  - 22 (c) Bicycle paths, which are off-street facilities exclusively for the use of people cycling.
  - 23 (d) Multi-use paths, which are off-street facilities for the use of people walking and cycling.
  - 24 (e) Buffered bicycle lanes, which are on-street bike facilities with a marked but not physical  
25 buffer between the bike lane and traffic; and
  - 26 (f) Bicycle lanes, which are on-street bicycle facilities without physical or buffered  
27 protection from motorized traffic.
- 28 (3) Cities and counties must plan for a connected network of bicycle facilities that provides a safe  
29 and comfortable experience for people of all ages and abilities. A connected network is  
30 comprised of both the ability to access key destinations within a community and enough coverage  
31 of safe and comfortable facilities to ensure most people within the community can travel by  
32 bicycle.
- 33 (a) Cities and counties must develop an all ages, low stress, connected network of bicycle  
34 facilities that provide protection and separate considering the context of the parallel street  
35 or highway facility and land uses. This includes but is not limited to:
    - 36 (A) Planning for higher levels of protection along and across arterials and collectors;
    - 37 (B) Planning for connections to key destinations as provided in OAR 660-012-0360;  
38 and
    - 39 (C) Planning for a connected network of bicycle boulevards on low volume streets  
40 and in residential districts.
  - 41 (b) Cities and counties must plan for separated or protected bicycle facilities on arterials and  
42 collectors in Climate-Friendly Areas.

- 1 (c) Cities and counties must plan a minimum of a buffered bicycle lane on arterials or  
2 collectors where separated or protected bicycle facilities are not otherwise planned.

3 **0620: Bicycle System Projects**

4 This rule guides cities in determining the list of bicycle system projects.

- 5 (1) Cities must develop a list of bicycle system projects that would address all of the gaps and  
6 deficiencies in the bicycle system identified by the city under OAR 660-012-0600(4).
- 7 (2) Cities must develop bicycle project prioritization factors that are able to sort the list of bicycle  
8 system projects into a prioritized list of bicycle system projects. Cities must develop bicycle  
9 project prioritization factors by engaging priority populations as provided in OAR 660-012-0125.
- 10 (3) Cities must use bicycle project prioritization factors to prioritize the following factors above other  
11 factors:
- 12 (a) Bicycle system investments in Climate-Friendly Areas;
- 13 (b) Bicycle system investments in areas with concentrations of priority populations, as  
14 determined under OAR 660-012-0120;
- 15 (c) Bicycle system investments in areas with safety risk factors such as roadways with high  
16 speeds and high traffic volumes;
- 17 (d) Bicycle system investments in areas with reported serious injuries and deaths to people  
18 riding bicycles;
- 19 (e) Bicycle system investments that provide access to key bicycle destinations;
- 20 (f) Bicycle system investments system investments that will connect to, fill gaps in, and  
21 expand the existing bicycle system network;
- 22 (g) Bicycle system investments that prioritize bicycle travel consistent with the prioritization  
23 factors in OAR 660-012-0180; and
- 24 (h) Where applicable, bicycle system investments that will help meet the performance targets  
25 as provided in OAR 660-012-0910.
- 26 (4) The transportation system plan must describe the prioritization factors and method of prioritizing  
27 bicycle projects used to develop the prioritized list of pedestrian system projects.

28 **0630: Bicycle Parking**

29 This rule includes updated requirements for bicycle parking. Existing statewide requirements require  
30 bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and  
31 secure parking for some uses where longer-term parking is expected, and short-term parking at retail  
32 uses, transit facilities, and other key destinations. The rule requires that long-term parking include  
33 provisions for electric charging and to accommodate a range of devices beyond bicycles.

- 34 (1) Cities and counties must require and plan for adequate bicycle parking to meet the increasing  
35 need for travel by bicycle.
- 36 (2) Cities and counties shall require covered, secure bicycle parking for all new multifamily  
37 development or mixed-use development of four units or more, and new office and institutional

- 1 developments. Such bicycle parking must include at least one bicycle parking space for each  
2 residential unit and facilities for charging electric bicycles, electric wheelchairs, and other small-  
3 scale electric mobility devices. Charging must be available for simultaneous charge of electric  
4 mobility devices parked in 40% of spaces.
- 5 (3) Cities and counties shall require covered, secure bicycle parking for all new retail development.  
6 Such bicycle parking shall be located within 100 feet of the main retail entrance.
- 7 (4) Cities and counties shall require covered, secure bicycle parking for all major transit stations and  
8 park-and-ride lots.
- 9 (5) Cities and counties must require covered, secure bicycle parking in Climate-Friendly Areas, and  
10 near key destinations as provided in OAR 660-012-0360.
- 11 (6) Cities and counties must allow and provide for parking and ancillary facilities for shared bicycles  
12 or other small-scale mobility devices in Climate-Friendly Areas, and near key destinations as  
13 provided in OAR 660-012-0360.
- 14 (7) For any use, cities and counties must require at least as many bicycle parking spaces as mandated  
15 off-street motor vehicle parking spaces.
- 16 (8) Cities and counties must ensure that all bicycle parking provided must:
- 17 (a) Allow ways to secure at least two points on a bicycle;
- 18 (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position  
19 where it may be secured without conflicts from other parked bicycles, walls, or other  
20 obstructions;
- 21 (c) Be in a location that is convenient and well-lit; and
- 22 (d) Include sufficient bicycle parking spaces to accommodate large bicycles, including  
23 family and cargo bicycles.

## 24 **New Rules 0700-0799: Public Transportation System**

25 This part of the Transportation Planning Rules relates to planning for the public transportation system.  
26 The public transportation system is intended to serve people riding transit within urban areas, as well as  
27 travel within regions or between cities. This set of rules also includes requirements for a local  
28 Transportation Options plan element.

### 29 ***0700: Public Transportation System Planning***

30 This rule and subsequent rules describe how cities must plan for their public transportation system.

- 31 (1) Urban Transportation System Plans must include a public transportation system element that  
32 meets the requirements of this rule. Cities and counties must work in close cooperation with  
33 transit service providers in order to complete the public transportation system element of the  
34 Transportation System Plan.
- 35 (a) Cities and counties shall coordinate with public transportation service providers to  
36 develop the public transportation system plan element.

- 1 (b) The public transportation system plan element must include elements of the public
- 2 transportation system that are in the control of the city, county, and coordinating
- 3 transportation facility owners.
- 4 (c) The public transportation system plan element must identify elements of the public
- 5 transportation system that the city or county will work with transit service providers to
- 6 realize or improve, including transit priority corridors, transit supportive infrastructure,
- 7 and stop amenities.
- 8 (d) Cities and counties must align the public transportation system plan transit element with
- 9 Transit Development Plans, goals, and other strategic planning documents developed by
- 10 a transit service provider.
- 11 (e) Transportation System Plans do not control public transportation elements exclusively
- 12 controlled by transit service providers. These include funding or details of transit service
- 13 provision, including timetables and routing.
- 14 (2) A public transportation system element must include the following elements:
- 15 (a) The complete public transportation system as described in section (3) that includes the
- 16 full buildout and provision of services of the public transportation system within the
- 17 Urban Growth Boundary;
- 18 (b) Identification of gaps and deficiencies in the public transportation system as described in
- 19 section (4);
- 20 (c) Locations of key public transportation destinations as described in OAR 660-012-0360;
- 21 (d) A list of prioritized public transportation system projects as described in OAR 660-012-
- 22 0720; and
- 23 (e) The Transportation Options plan as provided in OAR 660-012-0750.
- 24 (3) The complete public transportation system is the full build out of a complete public transportation
- 25 system within the planning area. The city or county determines the complete public transportation
- 26 system plan by:
- 27 (a) Using the public transportation system inventory developed under OAR 660-012-0705 as
- 28 a base; and
- 29 (b) Adding the minimum public transportation services and facilities to places that do not
- 30 presently meet the minimum public transportation system requirements in OAR 660-012-
- 31 0710.
- 32 (4) Cities and counties must identify gaps and deficiencies in the public transportation system by
- 33 comparing the complete public transportation system with the public transportation system
- 34 inventory developed under OAR 660-012-0705. Any part of the complete public transportation
- 35 system not presently built or operated to the standards in the complete public transportation
- 36 system plan must be identified as a gap or deficiency. Cities and counties must identify gaps in
- 37 the transit supportive facilities provided on priority transit corridors and other transit corridors
- 38 identified as provided in OAR 660-012-0710. Transit supportive facilities include, but are not
- 39 limited to:
- 40 (a) Stations, hubs, stops, shelters, signs, and ancillary features; and
- 41 (b) Transit priority infrastructure, including signals, queue jumps, and semi exclusive or
- 42 exclusive bus lanes or transitways.



1 **0705: Public Transportation System Inventory**

2 This rule describes how cities must inventory their public transportation system.

- 3 (1) The public transportation system inventory must include information on local and intercity transit  
4 services, including the location of routes, major stations, transit stops, transitways, transit lanes,  
5 transit priority signals, queue jumps, on-route charging, and other transit supportive facilities not  
6 otherwise inventoried. Accessibility for people with disabilities must be inventoried where  
7 applicable.
- 8 (2) The public transportation system inventory must include the identification of existing service  
9 characteristics, including frequency and span of service for all services along identified transit  
10 priority corridors, serving key destinations, and serving major transit stations.
- 11 (3) Where local or intercity transit services travel outside of the planning area to other cities, the  
12 public transportation system inventory must include the identification of routes connecting to the  
13 next nearest cities with a population exceeding 9,000, as well as key destinations and major  
14 stations these routes.

15 **0710: Public Transportation System Requirements**

16 This rule includes the minimum requirements for safe, connected, and accessible public transportation  
17 system facilities.

- 18 (1) Cities must plan for a connected local transit network that serves key destinations as provided in  
19 OAR 660-012-0360, and can be accessed by housing and jobs within the planning area. Cities  
20 must identify:
- 21 (a) Priority transit corridors, which are transit corridors that are planned for the highest levels  
22 of regional transit service providing for a wide range of mobility needs; and
- 23 (b) Other transit corridors, which are planned to carry at least a moderate level of transit  
24 service providing for basic mobility needs.
- 25 (2) Cities and counties must plan for a range of transit supportive facilities along priority transit  
26 corridors and in other locations where transit priority is desired.
- 27 (a) Cities and counties must coordinate with transit service providers to determine transit  
28 priority infrastructure needed on priority transit routes for efficient transit service.
- 29 (b) Cities and counties shall prioritize expedited access for transit vehicles to and from major  
30 stops, stations, and terminals.
- 31 (c) Cities and counties shall consider intercity transit access to stations or terminals.
- 32 (3) Cities must plan for safe and accessible transit stops and stations.
- 33 (a) Along priority transit corridors and other locations where transit priority is desired, cities  
34 and counties must coordinate with transit service providers on the construction of transit  
35 supportive facilities. Cities must allow transit service providers to construct amenities at  
36 stops outright, with no or limited permitting requirements. These amenities include but  
37 are not limited to: sidewalk repair and extension, signage, lighting, benches, and shelters.
- 38 (b) Cities shall limit on-street parking at transit stop locations at the request of a transit  
39 service provider.

- 1 (4) Cities must coordinate with transit service providers to identify needs for intercity transit services  
2 at a level appropriate to the size of the urban area and the size and distance of intercity markets.
- 3 (5) Cities must coordinate with transit service providers to identify gaps in transit service provided in  
4 the Transportation System Plan, and gaps for each priority transit corridor and other transit  
5 corridors.

6 **0720: Public Transportation System Projects**

7 This rule guides cities in determining the list of public transportation projects.

- 8 (1) Cities must develop a list of public transportation projects that would address all of the gaps and  
9 deficiencies in the public transportation system identified by the city under OAR 660-012-  
10 0700(4).
- 11 (2) Cities must coordinate with transit service providers to identify the gaps in transit service  
12 provided in the Transportation System Plan and OAR 660-044-0140 or OAR 660-044-0210,  
13 including the gap in transit miles per capita, and gaps for each priority transit corridor and other  
14 transit corridors. The purpose of identifying these gaps is to illustrate the need for transit service  
15 operating funds for services operated within the planning area. The Transportation System Plan  
16 need not make provisions for funding operations of transit services directly.
- 17 (3) Cities must develop public transportation system project prioritization factors that are able to sort  
18 the list of public transportation system projects into a prioritized list of public transportation  
19 system projects. Cities must develop public transportation project prioritization factors by  
20 engaging priority populations as provided in OAR 660-012-0125.
- 21 (4) Cities must use public transportation project prioritization factors to prioritize the following  
22 factors above other factors:
- 23 (a) Public transportation system investments in Climate-Friendly Areas;
- 24 (b) Public transportation system investments in areas with concentrations of priority  
25 populations, as determined under OAR 660-012-0120, particularly in areas with  
26 concentrations of people dependent on public transportation;
- 27 (c) Public transportation system investments that provide access to key public transportation  
28 destinations;
- 29 (d) Public transportation system investments that will connect to, fill gaps in, and expand the  
30 existing public transportation network;
- 31 (e) Public transportation system investments that prioritize transit travel consistent with the  
32 prioritization factors in OAR 660-012-0180; and
- 33 (f) Where applicable, public transportation system investments that will help meet the  
34 performance targets as provided in OAR 660-012-0910.
- 35 (5) The Transportation System Plan must describe the prioritization factors and method of  
36 prioritizing public transportation projects used to develop the prioritized list of pedestrian  
37 projects.

1 **0750: Transportation Options Plan**

2 This rule describes how cities develop a transportation options element of their Transportation System  
3 Plan. The rule requires cities and counties to coordinate closely with transportation options providers,  
4 public transportation providers, and other cities and counties to identify existing programs, services, and  
5 projects; as well as future needs.

- 6 (1) Transportation System Plans must include a transportation options element that includes:
  - 7 (a) The existing programs, services, and projects identified in section (2);
  - 8 (b) The future transportation demand management needs identified in section (3) and the  
9 performance targets as provided in OAR 660-012-0910; and
  - 10 (c) A trip reduction strategy for large employers.
- 11 (2) Cities and counties shall coordinate with transportation options providers, public transportation  
12 service providers, and other cities and counties to identify existing transportation options and  
13 transportation demand management programs, services, and projects. This must include, but is  
14 not limited to:
  - 15 (a) The identification of education, outreach, and other transportation demand management  
16 programs and services that focus on multi-modal forms of transportation;
  - 17 (b) The identification of transportation demand management programs and policies that  
18 discourage the use of single occupancy vehicles; and
  - 19 (c) The identification of the transportation options needs of priority populations.
- 20 (3) Cities and counties shall coordinate with transportation options providers, public transportation  
21 service providers, and other cities and counties to identify future transportation demand  
22 management needs. This must include, but is not limited to:
  - 23 (a) Commute Trip Reduction consultation and promotion of programs such as the provision  
24 of transit passes;
  - 25 (b) Physical improvements such as carpool parking spaces and park and ride locations; and
  - 26 (c) Regional solutions for intercity travel.

27 **New Rules 0800-0899: Streets and Highways System**

28 This part of the Transportation Planning Rules relates to planning for the street and highway system. The  
29 rules consider that the street and highway system is mostly fully built out. Future planning must assume  
30 a reduction in the amount of driving people do, in favor of increased travel in other modes.

31 **0800: Urban Street and Highway System Planning**

32 This rule, and subsequent rules, describes how cities must plan for their street and highway  
33 transportation system.

34 A draft of this rule will be available in October.

1 **0805: Urban Street and Highway System Inventory**

2 This rule describes how cities must inventory their street and highway system.

3 A draft of this rule will be available in October.

4 **0810: Street and Highway System Requirements**

5 This rule describes the minimum requirements for the street and highway system. The rule encourages:  
6 narrow and slow local streets; identifying arterials that are more focused on longer trips, and those  
7 more focused on local access, and treating them differently; and to accommodate the growth of other  
8 modes.

9 A draft of this rule will be available in October.

10 **0820: Street and Highway System Projects**

11 This rule guides cities in determining the list of street and highway system projects.

12 A draft of this rule will be available in October.

13 **0830: Review of Vehicle Miles Traveled-Increasing Facilities**

14 This rule provides for an additional level of review of transportation facilities that could increase Vehicle  
15 Miles Traveled. The rule is intended to ensure that additional alternatives are reviewed and tried before  
16 investments are made in transportation facilities that are not consistent with the state’s climate goals.

17 A draft of this rule will be available in October.

18 **0835: Vehicle Miles Traveled-Increasing Facility Consultation Process**

19 This rule provides for local governments to undertake a consultation process in advance of adopting a  
20 Vehicle Miles Traveled-Increasing facility into a local comprehensive plan, including the Transportation  
21 System Plan.

22 The consultation process is intended to provide time for the local government to review, assess, and  
23 implement alternatives to the Vehicle Miles Traveled-Increasing facility. The goal is to avoid  
24 implementation of as many of these facilities as possible, limiting them only to those that are truly  
25 necessary to meet the transportation needs of the state and community.

26 A draft of this rule will be available in October.

1 **New Rules 0900-0999: Monitoring and Reporting**

2 This part of the Transportation Planning Rules relates to how cities and counties will regularly report  
3 progress through compilation of submission of regular reports to the department. Annual reports will  
4 include a narrative of progress made over the past year, with more substantial reports required every  
5 four to five years.

6 ***0900: Monitoring and Reporting***

7 This rule requires cities and counties to submit a report to the department annually. Most years the  
8 report will be a minor report, with an update of activities. However, every four or five years a major  
9 report must also include additional information on how the city and region are performing across a  
10 range of performance measures.

11 A draft of this rule was provided in the [RAC 7 Packet](#), pages 72-73

12 ***0905: Orders Approving a Report***

13 This rule provides a process for receipt, review, and approval of submitted reports. The process in this  
14 rule was developed through the 2017-2018 rulemaking process. The rule gives the director of DLCD the  
15 opportunity to review a report for completeness, then either approve the report or refer it to the  
16 commission. There is an appeal process for approved reports to the commission. The commission may  
17 either approve or remand a report that was referred or appealed to the commission.

18 A draft of this rule was provided in the [RAC 7 Packet](#), pages 73-74

19 ***0910: Transportation System Performance Measures***

20 This rule requires reporting on local action performance measures to demonstrate that the actions  
21 necessary to achieve the greenhouse gas reduction targets are being implemented. Transportation  
22 System Plans are required to include policies and projects that will meet the local target for each  
23 performance measure.

24 A draft of this rule will be available in October.

25

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 1: Meeting 8 Packet Cover Memo**  
**DATE:** October 22, 2021

Thank you for your continued participation in this process. We are making consistent progress through the rule-writing processes with your help! Your comments and questions are central to helping us build policies that will help shape the future of our state for decades to come. This cover memo includes:

- A **Meeting Overview**, including a summary of key items in this packet;
- A discussion of the **Upcoming Rulemaking Schedule**;
- A note on **Applicability in the Portland Metropolitan Area**.

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## Meeting Overview

While the advisory committee will receive a full version of the draft rules for transportation planning at this meeting, this set has not yet been reviewed by legal counsel. Parts of these rules have been released in the last two meetings. Some parts have been updated based on feedback from the advisory committee, other stakeholders, and legal counsel. Staff will continue to revise these rules in response to feedback received prior to completion of the public hearing draft of the rules in February 2022, and revised drafts will be released over the next few months. For more information on the adoption schedule, please see Packet Item 3.

At this meeting, we will discuss:

- Implementation dates for requirements in the existing drafts;
- Transportation system performance standards;
- Street and highway planning requirements;
- Revised rules for climate friendly areas; and
- Revised rules for parking and electric vehicle charging.

While the final agenda is still under development, we anticipate making time for questions and discussion by the advisory committee for each of these main agenda items with at least one breakout session. As we have scheduled this meeting for four hours, we will plan to take two breaks.

We also are requesting a technical meeting with a subcommittee of the RAC on implementation of climate friendly areas, as described in item #8.

We recognize that staff have included many documents in this packet. In addition to allowing an additional week for review prior to RAC 9, our goal is to make the large amount of material accessible through focusing on new and revised parts and providing short summaries as described below.

- **Item 4:** The [Key Questions Worksheet](#) is both a worksheet for you as well as a feedback guide for staff. You may find it useful to make notes during the meeting. After the meeting, we will send you a survey based on these questions for you to provide additional written feedback. We encourage all RAC members and alternates to provide feedback in this way. Your written comments continue to be very helpful.
- **Item 5:** [Implementation Dates](#) is an overview table showing key implementation dates for certain elements in the draft rules, as written, as well as other items of interest. The table is organized by jurisdiction within each metropolitan area.
- **Item 6:** [Summary: Transportation Performance Standards](#) is a summary of a draft rule on transportation performance standards, which are used to review the effect of proposed plan amendments or changes to land use regulations. The rules require the use of a broader set of measures than have been used in the past.
- **Item 7:** [Summary: Street & Highway Planning](#) is a short summary of the draft street and highway system planning rules. These rules work in concert with the other modal rules discussed at our last meeting – rules for the pedestrian, bicycle, and public transportation systems.

- **Item 8:** Summary: Climate Friendly Areas is a summary of the updated draft rules that direct local governments to designate, zone, and plan for climate friendly areas. This includes a new draft rule providing a path for transportation review within climate friendly areas.
- **Item 9:** Summary: Parking and Electric Vehicle Charging is a summary of what has changed in the draft rules regarding parking and electric vehicle charging from previous drafts. The memo also includes a short summary of items that we expect to address in guidance that will follow the rulemaking. The summary includes an updated diagram of parking reform options.
- **Item 10:** Summary: Monitoring & Reporting is a summary of draft rules relating to how local governments monitor and report on progress toward meeting state and local climate and equity goals.
- **Item 11:** The Summary of Draft Transportation Planning Rules provides a rule-by-rule summary of each part of the updated draft rules in Item 12. This may be easier to read first, to find the specific parts of the draft rules which may be of interest.
- **Item 12:** The Draft Transportation Planning Rules (Division 12) are the most recent drafts of updated and new rules for transportation and land use planning.
- **Item 13:** The Draft Housing Rules (Division 8) are the most recent drafts of updated rules for housing planning. These changes are related to requirements for climate friendly areas.

### Upcoming Rulemaking Schedule

An updated rulemaking schedule for the remainder of the rulemaking process is included in this packet as **Item 3**.

Based on testimony heard by the Land Conservation and Development Commission at their meeting in September, the commission has extended the rulemaking process by two months. This means the commission expects to hold a first hearing on the rules in March 2022 and adopt the rules in May 2022.

The department took this opportunity to push back this advisory committee meeting and provide additional time for the advisory committee to review this packet in advance of the meeting. Our next scheduled advisory committee meeting (RAC 10) will be held on December 17, 2021, from 9:00 a.m. to 1:00 p.m. While an additional meeting of the rulemaking advisory committee (RAC 11) is anticipated in January, staff have yet to determine the exact date and time.

In addition, staff expect to hold a series of ad-hoc workgroup meetings with interested parties, including members of the advisory committee. These workgroups will focus on specific parts of our proposed rules to discuss and make revisions.



## Applicability in the Portland Metropolitan Area

The state's rulemaking for greenhouse gas reduction applies to all of Oregon's eight metropolitan areas. However, the Portland Metropolitan Area is unique in a few key ways:

- Metro has a statutory role in regional land use planning,. There is no parallel institution in the other metropolitan areas in Oregon;
- There are existing laws, rules, and practices that govern how planning works in the Portland Metropolitan Area that are different than other places in the state; and
- Consistent with Division 44, Metro has adopted a scenario plan designed to meet greenhouse gas reduction targets and has made good progress with implementation of the plan.

Given these key differences, staff are working closely with cities and counties in the Portland Metropolitan Area as well as staff of the Metro regional government to ensure that our updated rules are consistent with how planning works in the area and are supportive of those ongoing collaborative planning efforts. Some of these changes have been reflected in the draft rules in this packet (e.g., draft rule 660-012-0102), with more to come in upcoming drafts.

## Conclusion

As always, there will be a livestream of this RAC meeting on the [DLCD YouTube channel](#). A recording of the meeting will be available for later viewing as well.

Please remember that the [project website](#) has many related materials available. You can find the packet from RAC Meeting 8 ([Part 1](#), [Part 2](#)) there, as well as a [video recording](#) of the last meeting and prior meetings. Do not hesitate to email or call our staff with any questions. This is challenging material!

Finally, if you have any questions on the materials in this packet or anything else about the rulemaking process, please contact us via phone or email at [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Emails to this address go to several staff on our project team, including those listed below.

On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative.

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**Climate Friendly and Equitable Communities  
Rulemaking Advisory Committee (RAC)**

**Meeting 9**

November 5, 2021; 8:00am – noon



This meeting will be available for livestreaming, and later available for viewing on the [DLCD YouTube channel](#). A link to this stream and a recording of the meeting will also be posted on the [rulemaking web page](#).

Public comments may be submitted to the Rulemaking Advisory Committee by sending them to [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Comments received at least three working days before the meeting will be distributed to committee members prior to the meeting. Comments also will be shared with members of the Land Conservation and Development Commission.

**DRAFT AGENDA**

Time	Topic	Draft Rule	Who
7:45 – 8:00 am	<i>Arrive and Settle In</i>		RAC members
8:00 – 8:10 am	<b>Welcome, Opening Remarks, and Review Agenda</b>		Stuart Warren, LCDC Commissioner Sylvia Ciborowski, Meeting Facilitator
8:10 – 8:25 am	<b>Climate-Friendly and Equitable Communities Rulemaking Schedule and Implementation Dates Summary</b>		Bill Holmstrom, DLCD Staff Kevin Young, DLCD Staff
8:25 – 9:15 am	<b>Transportation System Performance Standards</b>	660-012-0170	Bill Holmstrom, DLCD Staff
9:15 – 9:25 am	<b>Break</b>		
9:25 – 10:30 am	<b>Street and Highway Planning Rules</b>	660-012-0800 to 660-012-0830	Bill Holmstrom
10:30 – 10:40 am	<b>Break</b>		
10:40 – 11:25 am	<b>Revisions to Rules for Climate Friendly Areas</b>	660-012-0012 660-012-310 to 660-012-0325 660-008-	Kevin Young, DLCD Staff
11:25 – 11:55	<b>Revisions to Rules for Electric Vehicle Charging and Reducing Parking Mandates</b>	660-012-0400 to 660-012-0450	Evan Manvel, DLCD Staff
11:55 – noon	<b>Next Steps and Wrap Up</b>		Sylvia Ciborowski Nick Lelack, LCDC Commissioner

DRAFT

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 3: Rulemaking Schedule**  
**DATE:** October 22, 2021

The schedule below is an updated summary of remaining activities in the Climate-Friendly and Equitable Communities Rulemaking, including activities of the Rulemaking Advisory Committee (RAC) and the Land Conservation and Development Commission (LCDC).

Date	RAC	LCDC
<b>October 2021</b>	<b>Community Conversations regarding Draft Rules</b> <ul style="list-style-type: none"> <li>Public outreach to solicit input regarding proposed administrative rules</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Public input on draft rules</li> </ul> <b>Monday October 25</b> , 6:30 pm-8:30 pm: Southern Oregon <b>Tuesday October 26</b> , Noon-1:30 pm: Mid-Oregon (Bend, Corvallis, Albany) <b>Wednesday October 27</b> , 6:30 pm-8:30 pm: Willamette Valley Large (Salem/Keizer, Eugene/Springfield) <b>Thursday October 28</b> , 11 am-12:30 pm: Portland Metro	
<b>November 5</b> (4 hours)	<b>RAC 9</b> <ul style="list-style-type: none"> <li>Revised draft rules for Climate-Friendly Areas, Parking, and other parts (<i>see agenda for rule #'s</i>)</li> <li>Draft rules for transportation system performance standards (<i>Division 12: 660-012-0170</i>)</li> <li>Draft rules for street and highway planning (<i>Division 12: 660-012-0800 to 0835</i>)</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Input on draft rules</li> </ul>	
<b>November 18-19</b>		<ul style="list-style-type: none"> <li>Review draft rules, discuss key policy questions</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Direction on key policy questions</li> </ul>

Date	RAC	LCDC
December 17 (4 hours)	<b>RAC 10</b> <ul style="list-style-type: none"> <li>Draft rules review</li> <li>Review Impact Statements</li> </ul> Requested Input: Input on rules and impact statements	
December 2021	<b>Staff Work</b> <ul style="list-style-type: none"> <li>Rules reviewed by legal team for clarity and consistency</li> <li>Regional meetings with technical staff</li> </ul>	
January 2022 TBD	<b>RAC 11</b> <ul style="list-style-type: none"> <li>Final rule refinements</li> <li>Contingent Impact Statement review</li> </ul>	
February 3 and 4, 2022		<ul style="list-style-type: none"> <li>Review draft rules, discuss key policy questions</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Direction on key policy questions</li> </ul>
	<b>Staff Work</b> <ul style="list-style-type: none"> <li>Rules prepared per Secretary of State requirements</li> </ul> February 7 – Draft rules to Department of Justice for legal review February 21 – Draft rules to Rules Coordinator March 1 – Draft rules published by Secretary of State	
March 31, April 1, 2022		<ul style="list-style-type: none"> <li><b>First public hearing</b> to consider the draft administrative rules</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>Identification of any necessary corrections or amendments</li> </ul>
May 19 and 20, 2022		<ul style="list-style-type: none"> <li><b>Final public hearing</b></li> <li>Adoption</li> </ul>

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 4: Key Questions Worksheet**  
**DATE:** October 22, 2021

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To meet our ambitious timeline and schedule, meetings of the advisory committee will need to be a space for robust conversation and discussion about agenda items. To facilitate this type of discussion, we have pulled specific topics, questions, and decision points from the meeting packet into this central discussion worksheet document. The intent of this document is to mirror the flow of the discussion and agenda items. You may use the document to collect your thoughts, comments, questions, and concerns on specific points.

As you review the meeting packet contents prior to our meeting on **November 5, 2021, from 8:00 am – noon**, please use this worksheet to take down notes or to formulate your questions for the project team. We will send committee members and alternates a link to a fillable version of this discussion worksheet to collect additional questions or comments.

### **RAC Meeting Discussion Items: Transportation Performance Standards**

1. The draft rule for transportation performance standards is intended to ensure cities and counties are reviewing a wider range of standards beyond just looking at motor vehicle congestion in certain circumstances. Do you think the rule accomplishes this goal? Do you see implementation challenges with any part of the rule?

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**RAC Meeting Discussion Items: Street and Highway Planning Rules**

- 2. The draft rules for street and highway planning are intended to provide for a safe, connected network of streets and highways for motor vehicle travel. These rules are intended to work together with the rules for the pedestrian, bicycle, and public transportation systems to provide for a balanced transportation network. Over time, more trips in urban areas should be taken by other modes, and there should be fewer driving trips. Do you think the rules accomplish these goals? Do you see implementation challenges with any part of the rules?

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**RAC Meeting Discussion Items: Rules for Climate Friendly Areas**

- 3. Do you have remaining concerns regarding the revised rules for climate friendly areas? If so, what are your specific suggestions to address those concerns?

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**RAC Meeting Discussion Items: Rules for Electric Vehicle Charging and Improving Parking Management**

- 4. Any additional thoughts on improving the parking management and electric vehicle charging rules, including which communities they should apply to?

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**Other Comments**

- 5. Do you have any concerns or suggestions regarding other draft rules or other aspects of the rulemaking and implementation effort?

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**General Questions**

- 6. Please share any recommendations to help improve your understanding or the productivity of future meetings.

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***Thank You!***

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 9



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** RAC 9 Item 8: Implementation Dates by Jurisdiction  
**DATE:** October 22, 2021

This document describes which cities and counties must meet certain applicable requirements, and when they would be expected to do so under the current draft rules. The list is grouped by metropolitan area, then jurisdictions are grouped by size within the metropolitan area. Counties would be adopting regulations for the unincorporated areas inside urban growth boundaries, where applicable.

**CFA Des.** – Designate climate friendly areas by June 30, 2023    **CFA Zone** – Zone designated climate friendly areas by June 30, 2024

**Parking** – Implement parking approach (OAR 660-012-0400) and electric vehicle charging

*Other tasks scheduled, not part of Climate-Friendly and Equitable Communities:*

**HNA** – Housing Capacity Analysis (HNA) Update required by OAR Chapter 660, Division 8

	2022	2023	2024	2025	2026 + after
<b>CFEC Program Notes</b>	Rules adoption May Rules generally effective June	Current 21-23 implementation assistance budget ends June 30, 2023			
<b>Additional city work</b>	June 30 date for HB 2001 implementation	Annual progress report by May	Annual progress report by May	Annual progress report by May	Annual progress report by May
<b>Rules Notes (not requiring local action)</b>	Jurisdictions must use certain parking rules upon effective date	Limits on sole use of congestion standards Jan 1			
<b>Albany Area</b>	Select VMT target approach Dec 31	Major report June			
Albany (10k-100k)		<b>CFA Des.</b> <b>Parking</b>	<b>CFA Zone</b>		2028 <b>HNA</b>

	2022	2023	2024	2025	2026 + after
Benton County		Parking			
Jefferson and Millersburg (2,500-10k)		Parking			
Linn County		Parking			
Tangent (under 2,500)		Parking			
<b>Bend Area</b>	Cities select VMT target approach Dec 31	Major report June			
Bend (10K-100k)		CFA Des. Parking	CFA Zone HNA	If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	
Deschutes County		Parking			
<b>Central Lane</b>	Scenario planning work program by Dec 31 Select VMT Target approach Dec 31	Regional Scenario Plan by Dec 31 Major report June	Scenario planning code amendments by Dec 31		
Coburg (under 2,500)		Parking			
Eugene (150k+)		CFA Des. Parking	CFA Zone	If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	2026 HNA
Lane County		Parking			
Springfield (10k-100k)		CFA Des. Parking	CFA Zone	HNA	
<b>Corvallis Area</b>	Select VMT target approach Dec 31	Major report June			
Adair Village (under 2,500)		Parking			
Corvallis (10k-100k)		CFA Des. Parking	CFA Zone		2027 HNA
Philomath (2,500-10k)		CFA Des. Parking	CFA Zone		

	2022	2023	2024	2025	2026 + after
<b>Middle Rogue</b>	Select VMT target approach Dec 31	Major report June			
Gold Hill and Rogue River (under 2,500)		Parking			
Grants Pass (10k-100k)	HNA	CFA Des. Parking	CFA Zone		
Jackson County		Parking			
Josephine County		Parking			
<b>Rogue Valley</b>	Select VMT target approach Dec 31	Major report June			
Ashland, Central Point and Medford (10k-100k)		CFA Des. Parking Medford HNA	CFA Zone		Central Pt 2027 HNA Ashland 2029 HNA
Eagle Point and Talent (5,001-9,999)		CFA Des. Parking	CFA Zone		
Jacksonville and Phoenix (2,500 – 5,000)		Parking			
Jackson County incl. White City		Parking			
<b>Salem/Keizer</b>	Select VMT Target approach Dec 31	Scenario Plan work program and major report by June 30		Regional scenario plan by June 30	Scenario planning code amendments by June 30, 2026
Keizer (10k-100k)		CFA Des. Parking	CFA Zone HNA		
Marion County		Parking	Need population numbers within Salem-Keizer UGB		
Polk County		Parking			
Salem (150k+)		CFA Des. Parking	CFA Zone HNA	If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	
Turner (under 2,500)		Parking			

	2022	2023	2024	2025	2026 + after
<b>Portland Metro</b>	Select VMT target approach Dec 31		Major report June		
<b>Staff are currently discussing various potential approaches to application in the Portland Metropolitan area with Metro and local governments. The following section indicates jurisdictions where dates or applicability are under discussion within the Portland Metropolitan area.</b>					
Region 2040 Centers and Land Use Regulations			Metro to establish requirements for adoption of Centers	Non-adopters to adopt Center boundaries and zoning	
Durham, Johnson City, Maywood Park, Rivergrove (under 2,500)		<b>Parking</b>			
King City, Wood Village (2,500-10k)		<b>Parking</b>			
Cornelius, Fairview, Gladstone, Happy Valley, Milwaukie, Sherwood, Troutdale, Multnomah County (10k-25k)		<b>Parking</b>			
Beaverton, Forest Grove, Lake Oswego, Oregon City, Tigard, Tualatin, West Linn, Wilsonville (25k-100k)		<b>Parking</b>		If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	
Hillsboro, Gresham (100k-150k)		<b>Parking</b>		If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	
Clackamas County, Portland, Washington County (150k+)		<b>Parking</b>		If pricing parking under 0450(1)(B), demonstrate 10% priced by Mar 31	

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 6: Summary: Transportation Performance Standards**  
**DATE:** October 22, 2021

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This document includes a summary of the draft rules guiding local governments on how to use transportation performance standards when reviewing changes to comprehensive plans, land use regulations, or reviewing development proposals.

In July 2021, staff presented conceptual approaches to the Transportation Planning Rules at the advisory committee meeting and at the meeting of the Land Conservation and Development Commission. These rules have been drafted based on that feedback and internal agency work. These draft rules are expected to change based on further input received from the advisory committee, the commission, and the public.

We are working with Metro and will be consulting with potentially affected local governments to determine how these rules, along with many other draft amendments, may apply in the Portland Metropolitan Area.

We appreciate your thoughts and guidance as we work from this draft to final rule language.

### Background

The [commission's charge](#) includes the following element to be included in the rules:

**Limit use of motor vehicle congestion standards.** Rules will not permit jurisdictions to plan for or construct transportation facilities based solely on motor vehicle congestion performance standards. For transportation system planning, project selection, system operation, and for review of land use changes, jurisdictions may use performance standards based on network connectivity and completeness, safety, pollution reduction, or other objectives.

Presently, cities, counties, and the state rely on transportation system performance standards that use motor vehicle congestion as the key element. Examples of these standards include Level of Service (LOS) and volume to capacity ratios (v/c).

To meet our climate and equity goals, a range of other values need to be considered in the planning, development, and operation of our transportation system. These include but are not limited to: equitable access to everyday needs, bicycle and pedestrian safety, accessibility, connectivity, and increasing transportation options.

## Transportation Performance Standards Rule 0170

*Packet item 12 pages 51-52*

This memo includes a summary overview of the draft rule. For detailed draft rule language please refer to the draft Transportation Planning Rules in item 12 of this packet.

As prescribed by OAR 660-012-0012, this rule does not take effect until January 1, 2023.

Draft rule **660-012-0170** sets out guidelines for how cities and counties are to use transportation performance standards. The rule applies to:

- When cities and counties are reviewing changes to comprehensive plans or land use regulations as provided under existing rule 660-012-0060; and
- When cities and counties review an application for development under local regulations.

This rule does not apply directly to performance standards used in the development of a transportation system plan. Other provisions of the draft rules ensure that updated transportation system plans will consider a range of standards, and this is common practice today.

**Section (2)** of the rule requires cities and counties to adopt transportation performance standards into the local transportation system plan. This is based on an existing requirement in OAR 660-012-0020.

**Section (3)** of the rule requires cities, counties, Metro, and state agencies to adopt two or more performance standards. At least one of the performance standards must support increasing transportation choices and avoiding principal reliance on the automobile. As described above, this is a change from existing practice where usually only one motor vehicle congestion-based standard is used.

The updated rule provides a list of objectives to choose from. The selected performance standards must evaluate at least two of the following list of objectives:

- Reducing greenhouse gas pollution;
- Equity;
- Safety for all modes;
- Network connectivity for all modes;
- Accessibility;
- Efficiency;
- Reliability; and
- Mobility.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 7: Summary: Street and Highway Planning**  
**DATE:** October 22, 2021

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This document includes a summary of the draft rules directing local governments to plan for a street and highway system in coordination with planning for pedestrian, bicycle, and public transportation networks. These requirements are implemented when a city or county develops and adopts a local Transportation System Plan.

In July 2021, staff presented conceptual approaches to the Transportation Planning Rules at the advisory committee meeting and at the meeting of the Land Conservation and Development Commission. In September 2021, staff presented draft rules for pedestrian, bicycle, and public transportation system planning, which work in tandem with planning for streets and highways. These draft rules are expected to change based on further input received from the advisory committee, commission, and the public.

We are working with Metro and will be consulting with potentially affected local governments to determine how these rules, along with many other draft amendments, may apply in the Portland Metropolitan Area.

We appreciate your thoughts and guidance as we work from this draft to final rule language.

### **Draft Rules Overview**

This memo includes a summary overview of the proposed rules. For detailed draft rule language please refer to the draft Transportation Planning Rules in item 12 of this packet.

These draft rules provide for a complete, connected network of streets and highways to meet the continued need for motor vehicle travel. To meet our climate and equity goals, a substantial number of trips in metropolitan areas must shift from driving to walking, using mobility devices, bicycling, and riding transit.

However, many trips will still rely on driving. We must plan for a safe, connected street and highway network to accommodate those trips. This network must exist as a complement to other modes of transportation, and not as a barrier to or replacement for them.

These rules work together in concert with the other modal rules to guide plans for the transportation system. Requirements for each mode of transportation are set out in a separate set of numbered rules:

- Rules from 0500 through 0520 are for pedestrian system planning;
- Rules from 0600 through 0630 are for bicycle system planning;
- Rules from 0700 through 0750 are for public transportation system planning; and
- Rules from 0800 through 0830 are for street and highway system planning.



## Street and Highway System Rules 0800-0830

*Packet item 12 pages 86-94*

**Rule 0800: Street and Highway System Planning.** This rule is the umbrella rule that describes how cities and counties must plan for their streets and highways system in their transportation system plan. Like other modes of transportation, cities and counties must plan for a complete and connected system and identify gaps and deficiencies in the system by comparing an inventory of current facilities with a plan for a fully built system.

**Rule 0805: Street and Highway System Inventory.** This rule describes how cities must inventory their pedestrian system. The rule requires an inventory of the location of reported serious injuries and deaths related to vehicular crashes. The rule also requires an inventory of pricing strategies in use, and of designated freight routes and key freight terminals.

**Rule 0810: Street and Highway System Requirements.** This rule includes the minimum requirements for the street and highway system. Cities may choose to exceed the standards in this rule.

- The rule requires planning for a connected network of streets and highways;
- The rule requires considering the minimum standards necessary to meet the need in each context;
- The rule requires planning for an equitable allocation of right-of-way considering the context, with prioritization for pedestrian, bicycle, and transit systems in climate friendly areas;
- The rule requires planning for safe, slow, connected, and narrow local streets that provide for safe travel for pedestrians and bicycles;
- The rule requires planning for a safe and connected collector and arterial street network. Arterial streets must be designed based on context, and must prioritize pedestrian, bicycle, and public transportation facilities in climate friendly areas;
- The rule requires planning for freeways, including future high-occupancy and transit lanes, and pricing.

**Rule 0820: Street and Highway System Projects.** This rule directs local governments to develop a prioritized list of street and highway system projects as part of the transportation system plan.

**Rule 0830: Authorization of Facilities That Increase Driving and Capacity.** This rule describes a process for reviewing certain proposed projects that would add capacity to the street and highway system. To meet our objectives, many driving trips must shift to other modes, and the total amount of driving per person must be reduced. The need for additional automotive facilities is therefore going to be reduced. This rule sets out a process to investigate other methods of meeting transportation needs without adding capacity for motor vehicles. If a proposed facility is determined to be necessary after going through the prescribed review process, it may be added to a transportation system plan.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Kevin Young, Senior Urban Planner  
**SUBJECT:** **RAC 9 Item 8: Climate Friendly Area and Housing Rule Revisions**  
**DATE:** October 22, 2021

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Revised versions of the rules for Climate Friendly Areas and Housing are included in this meeting packet:

- Rules 660-012-0012: Item 12, pages 37-39
- 660-012-0310 through -0325: Item 12, pages 57-62
- 660-008-0010: Item 13
- 660-008-0050: Item 13

Since staff released the first draft rules in the August RAC 7 packet, staff have surveyed the Rules Advisory Committee (RAC); engaged the community, local governments, and interested parties in conversations; and asked the Land Conservation and Development Commission (LCDC or commission) for preliminary direction regarding this package of rules. Preliminary input that we received on the draft rules generally focused on two key areas: 1) the timeline for designation of climate friendly areas, and 2) the prescriptive nature of the climate friendly area rules. Staff also heard concerns regarding the potential impacts of the provisions linking future urban growth boundary expansions to housing production within climate friendly areas.

At the September 23, 2021, meeting of the Land Conservation and Development Commission (LCDC), the commission was asked for preliminary direction regarding the implementation timeline for climate friendly areas and the prescriptive nature of the climate friendly area rules. The direction staff received was to relax the implementation timeline with a phased approach to implementation and interest in an option for an outcomes-based approach for local government regulations within climate friendly areas. The revised set of rules in this packet is responsive to that direction, providing a phased implementation timeline and a more flexible approach to development regulations within climate friendly areas. Additionally, in response to community input requesting more time for review and revision within the rulemaking process, the commission decided to extend the rulemaking schedule, moving the initial commission hearing from January 2022 to March 2022, and the final hearing from March 2022 to May 2022.

### Climate Friendly Areas: What's Changed

The revised rules for climate friendly areas (CFAs) include changes to reorganize and improve the clarity of the rules. These rules can be found in the Transportation Planning Rules (TPR or Division 12). Rules 0320 and 0325 have been renumbered to 0315 and 0320, respectively. These rules were renumbered to provide more consistent intervals between rules and to accommodate a new rule 0325, which pertains to using performance standards to review comprehensive plan amendments for CFAs. Section (5) of rule 0012 regarding effective dates has been reorganized to address phased implementation, as well as

requirements for growing cities to designate CFAs in the future. This consolidated all CFA effective date requirements into Section (5) of rule 0012. The more substantive changes to the rules are discussed by topic below.

### **Applicable Requirements within the Portland Metro Region**

Instead of requiring local governments within the Portland Metro region to adopt 2040 Town and Regional Centers as CFAs and to “prove up” on land use regulations within the centers, as was proposed in the first draft, the revised rules build on the significant progress made in the region to implement the 2040 Growth Concept that is the land use component of the Climate Smart Strategy. As proposed in rule 0012(5)(c), the remaining requirement is for Metro to amend the Urban Growth Management Functional Plan no later than December 31, 2024, to require the remaining local governments that have yet to adopt Region 2040 centers and land use regulations to implement those provisions. Following that action, the affected local governments would be required to adopt Region 2040 centers and implementing land use regulations by December 31, 2025. Consistent with their existing responsibilities under Division 44 for scenario planning and greenhouse gas reduction, Metro will be submitting an updated compliance report in their 2023 Regional Transportation Plan.

### **Phased Implementation of CFAs**

The revised draft includes a requirement for all cities and counties outside the Portland Metro region to designate climate friendly areas by June 30, 2023, then to adopt land use requirements and a climate friendly element to comprehensive plans one year later, by June 30, 2024. These effective dates are provided in rule 0012(5). The threshold size for local governments to designate CFAs has been raised from 2,500 to above 5,000 and a simplified process for designation has been provided for local governments with a population above 5,000, but less than 10,000 in rule 0315(3).

As described in rule 0315(4), designation for local governments 10,000 and above entails mapping the climate friendly areas, calculating that they will be sufficient to accommodate at least 30% of needed housing units, and analysis of fair and equitable housing outcomes within the CFA areas, to include analysis of the potential for displacement and identification of mitigation strategies to avoid displacement. Information to be provided with the establishment of land use requirements and comprehensive plan amendments is listed in section (5) of this rule.

Sections (1) and (3) of rule 0315 also include a minimum width for CFA areas, with a smaller minimum dimension for CFAs in communities greater than 5,000 but less than 10,000 (500 feet), and a larger minimum dimension for communities of 10,000 or more (1,000 feet).

### **Land Use Requirements in CFAs**

Staff have revised rule 0320 significantly from the original draft, which was numbered 0325. This rule includes a pared down set of development standards in section (5), scaled to community size, that local governments may choose to adopt into their development codes for CFAs. Alternatively, the rule provides an outcomes-based option that sets residential and employment goals, scaled to community size, that local governments can use to demonstrate that their development code for CFAs will produce equal or better results than the development standards provided in the rule (6). Sections (1 – 4) include required provisions for both prescriptive and outcome-oriented CFAs. These provisions include mixed use and permitted use type requirements, an allowance for nearby high density residential or employment areas to qualify to be included within a CFA, prioritization of certain public facilities in CFAs, and applicable parking and infrastructure improvement requirements in CFAs.

## Alternative Transportation Impact Reviews for CFAs

Department staff have been working with Oregon Department of Transportation (ODOT) staff to develop an alternative to the transportation impact reviews required for local governments that amend their development standards, zoning, or comprehensive plan designations. Previously, the review process provided in rule 0060 has resulted in significant costs and delays for local governments seeking to facilitate more intensive mixed-use development. To streamline this process and facilitate alternative transportation analysis, staff developed rule 0325. This new rule contains some notable differences from the prior “0060 review” process. Notably:

- CFA designation, zoning, and comprehensive plan amendments are exempt from the requirements of rule 0060 (Section 1).
- Local government designation does not trigger a transportation review. However, adoption of land use regulations (zoning) and the comprehensive plan element (section 2) would require either: (a) an update to the transportation system plan, including a multimodal transportation gap summary for the CFA(s), or (b) development and adoption of a multimodal transportation gap summary for the CFA(s).
- The requirements for the multimodal transportation gap summary are provided in section (3).
- A highway impacts summary may also be required, with required elements as provided in section (5)
- A highway impacts summary is required if either: (a) a CFA is located within one-quarter mile of a ramp terminal intersection, adopted Interchange Area Management Plan area, or adopted ODOT Facility Plan area; or (b) the plan amendments would be reasonably likely to result in increased traffic on a state facility that exceeds the small increase threshold defined in the Oregon Highway Plan.
- Notice of proposed adoption shall be sent to ODOT and other affected transportation facility or service providers prior to submitting notice as provided in rule 0020.

Staff believe the revised rules for climate friendly areas are responsive to many of the concerns expressed with the first draft. However, given the complexity of these regulations, and the high level of interest, staff propose convening a sub-committee of the rulemaking advisory committee to review these proposed amendments in more detail. While DLCD and ODOT staff do not expect the highway impacts summary to be staff intensive, DLCD staff would like to discuss this with local government representatives to ensure this is broadly understood to be the case.

## Housing Rule (Division 8): What’s Changed

Staff made two changes to the proposed housing rule amendments. These rules can be found in Division 8 (Packet Item #13). Firstly, with the change to requirements within the Portland Metro region, the rules have been amended to require cities of more than 10,000 within the region to include reporting and analysis on housing production within Region 2040 centers, as part of the required Housing Production Strategy reporting. This change can be found in the proposed amendments to OAR 660-008-0050(4)(a). Cities outside of the Metro region would continue to be required to report on housing production within CFAs, as proposed in this rule.

The second change to the Housing Rule is a significant revision to provisions in the first draft that required local governments to demonstrate that they had achieved thirty percent of their needed housing within CFAs in order to expand their urban growth boundaries. Staff heard a number of concerns with this approach, including the potential to raise housing prices, as well as inconsistency with the established process for evaluating housing needs within urban growth boundaries. Staff recognize

that, in order to be more climate friendly, urban communities need to grow differently than they have in the past. Sprawling low density residential development creates modes of living that are dependent upon single occupant vehicle trips to meet daily needs. If the state is to meet its climate and equity goals, we have a shared responsibility to ensure that cities are able to grow more efficiently and are designed to facilitate the use of alternative transportation modes. To address this need, the proposed amendments to rule 660-008-0010 would require the following (Section 3):

- Beginning June 30, 2027, a local government expanding its urban growth boundary (UGB) based on a residential land need shall designate and zone additional climate friendly areas within the UGB sufficient to accommodate one-half of the additional housing units that cannot be accommodated within the current UGB.
- The additional CFA areas may be within the UGB expansion areas, if such areas would qualify as CFAs, or may be located elsewhere within the UGB.
- The land area need for the CFA area would not be determined by the methodology provided in proposed rule 660-012-0315(2) (30% of buildable square footage), but instead would be determined consistent with the existing requirements in Oregon Revised Statute 197.296(5), which are based on recent housing production results within the same or similar zones.

Staff believe this revised package of climate friendly area rules will help us to meet our urgent climate and equity goals, while providing more clarity and facilitating implementation for local governments. We look forward to convening a sub-committee of the rulemaking advisory committee to review these proposed amendments in more detail as needed.

## **Staff Contact**

Additional questions and comments are welcome.  
[kevin.young@dlcd.oregon.gov](mailto:kevin.young@dlcd.oregon.gov) or 503-602-0238

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 9



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Evan Manvel, Land Use and Transportation Planner  
**SUBJECT:** **RAC 9 Item 9: Parking Reform and Electric Vehicle Charging**  
**DATE:** October 22, 2021

As promised, a revised version of the parking reform and electric vehicle charging rules is in this draft (Rules 0400 through 0450 in Item 12 of this packet, pages 68-75).

Since we released the first draft, we have surveyed the RAC, done additional research, and engaged the public, local governments, and interested parties in conversations, including a public two-hour technical meeting going through each of the draft provisions.

### Parking Reform Rules: What's Changed (and What Hasn't)

To reiterate, nearly all RAC members who expressed a clear opinion felt the draft rules were *correctly balanced* or *not strong enough*. Based on this and additional input, staff have retained the overall approach to significantly reforming parking while providing communities options in how to do so.

Noting some confusion and hearing concerns about the first version being “unwieldy,” we worked to make the rules more understandable and easily scanned. We restructured and provided additional rule titles. We consolidated the rules that apply to all communities, putting those that only apply if communities choose to retain parking mandates at the end. We consolidated electric vehicle charging rules.

Beyond restructuring, content changed from the first draft is listed below.

#### Largest changes

1. We extended the timeline for communities to implement changes by three months
2. We rebalanced reform options, aiming to make the fair parking policy approach more attractive by providing reduced multi-family parking mandates as a qualifying action towards the three required
3. We added specific numbers (1.2 spaces/unit for studio and 2 spaces/unit for other units) to residential parking maximum provisions where applicable
4. We inserted placeholders about how these rules may or may not apply in the Metro region, as discussions continue with Metro and Metro-area jurisdictions, given Metro’s unique authority
5. For cities and counties retaining mandates, we added a provision requiring multi-family parking in climate-friendly areas and along priority transit corridors be unbundled parking.

**T-15. Unbundle Residential Property Cost**

**GHG Mitigation Potential**

15.7% Up to 15.7% of GHG emissions from project VMT in the study area

*Recent analysis from CAPCOA highlighted potential benefits of unbundling parking, Aug 2021. Image from CAPCOA report.*

### **Changes to general provisions**

6. We changed the terminology of “walk” to “pedestrian travel”
7. We removed the provision about converting on-street parking
8. We removed the provision about buffering parking lots
9. We removed the shadow plat provision for large parking lots
10. We removed specific direction on converting parking for other uses
11. We removed the language on where parking meter revenue must go
12. We clarified on-street parking meeting parking mandates could be limited to property frontage
13. We clarified off-site parking for people with disabilities must be within 100 feet of the property
14. We added a provision reducing parking mandates for developments with dedicated car-sharing spaces
15. We added a provision reducing parking mandates for developments with electric vehicle charging
16. We clarified parking mandates reductions shall be cumulative without caps

### **Changes to parking mandates in climate-friendly areas and near transit**

17. We removed specific prices and coverage required in climate-friendly area parking management
18. We reduced the amount of parking revenues in climate-friendly areas required to be dedicated to area improvements
19. We adjusted the geographic size around priority transit corridors to differentiate between rail *stops* and non-rail transit *corridors*
20. We added a provision for the most frequent transit corridors in a community
21. We provided options for measurement of distances from transit corridors and stops

### **Changes to reduced regulation option**

22. We added schools and bars as development types without parking mandates under the reduced regulation approach
23. We clarified where parking maximums would be set under the reduced regulation approach
24. We added timed parking as an option for parking management under the reduced regulation approach

### **Changes to management of on-street parking in populous cities**

25. We adjusted the review of priced areas provisions, to limit it only to the three most populous cities and removed specific percentages of parking required to be available

26. We clarified parking permits at or above \$15/month qualify as priced on-street parking, after hearing confusion about the 50 cents/day figure
27. We clarified populous communities can switch between having parking mandates and some on-street priced parking, or having neither, at any time

## Electric Vehicle (EV) Charging: What's Changed

We have made significant progress in our approach to supporting electric vehicle charging. We are in discussions with the Oregon Building Codes Division about their rulemaking to implement HB 2180, how our rulemaking intersects with theirs, and the comparative legal authorities of the agencies.

Changes since the first draft:

1. We moved the overall focus from *charging stations* to *electrical capacity and conduit*. Conduit and electrical capacity are more difficult and expensive to install after construction than charging stations and wiring.
2. We moved the threshold of project cost for allowing retrofit waivers from 30% down to 20%.
3. We clarified Level 2 charging capacity was a technology floor, when mentioned, not a specific requirement
4. We added a provision for Level 1 charging in for areas with insufficient transformer capacity
5. We increased the proposed number of parking spaces required to be EV-capable in residential and mixed-use areas to 50%, though a most of those can be Level 1 for overnight charging

We are continuing to work to understand potential costs of these provisions to further inform decision-making and next steps.

## Items for Guidance

As we removed things from the rules, we have started building a list for guidance. Rules guidance will be available for communities working to implement parking reform. Items we aim to include in that guidance include:

- Addressing ADA parking in code
- Buffering parking lots to improve the pedestrian environment
- Best practices for allowing conversion of existing off-street and on-street parking
- How to implement fair pricing policies, including sample language and the experiences of communities who have unbundled parking from housing and commercial building
- Equitable implementation of EV charging to ensure people with disabilities have equal access and stations and cords do not disrupt mobility
- Data and experiences from communities that have removed or reduced parking mandates
- How cities and counties may choose to measure distances in the parking rules; expected to allow measurement by pedestrian travel or straight line

## Staff Contact

Additional questions and comments are welcome!  
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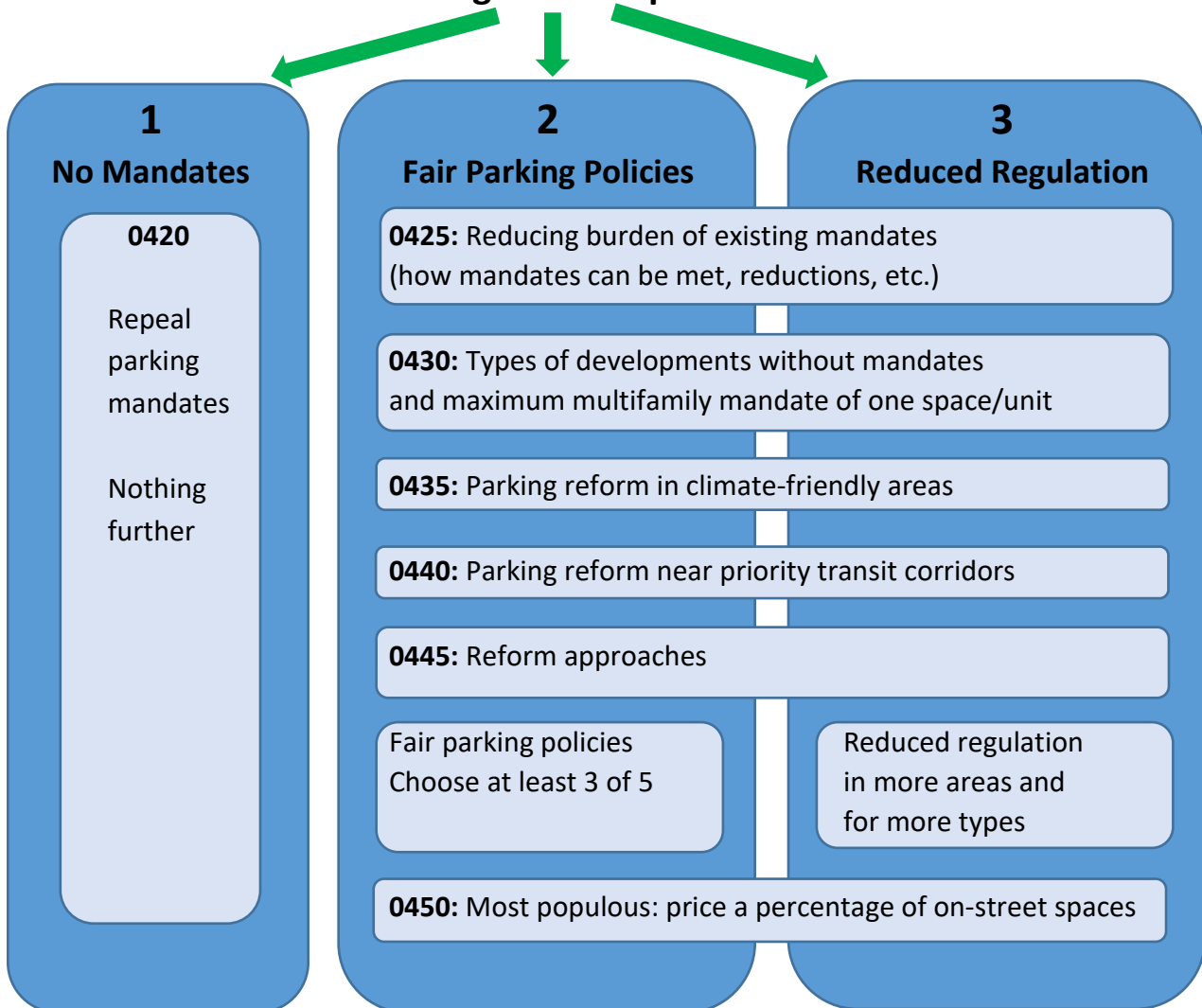


## Revised Parking Rules Structure Overview

- 0400** Rules applicability
- 0405** Parking regulation improvements
  - Preferential for carpools/vanpools
  - Repurposing for bike/transit uses
  - Encourage conversion of underused parking
  - Encourage shared parking
  - Large parking lots: trees, solar, pedestrian-friendly
- 0410** Electric vehicle charging – new development and redevelopment
- 0415** Populous communities: Parking maximums
  - Most populous communities: Study and adjust prices
  - Most populous communities: Parking garages

### 0420-0450:

### Parking reform options



# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
Cody Meyer, Land Use and Transportation Planner  
**SUBJECT:** **RAC 9 Item 10: Summary: Monitoring and Reporting**  
**DATE:** October 22, 2021

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This document includes a summary of the draft rules directing monitoring and reporting for local governments through adopted performance measures and targets to guide them in reducing climate pollution and improving equitable outcomes. These requirements are implemented when a city or county develops and adopts a transportation system plan or submits a major report to the department.

In July 2021 staff presented the work of the RAC Performance Measures Workgroup at the advisory committee meeting and at the meeting of the Land Conservation and Development Commission. We heard general support for the draft performance measures and reporting approach and have updated the draft set of rules based on feedback received. These draft rules are expected to change based on further input received from the advisory committee, Commission, and the public.

The draft rules provide flexibility in adopting performance measures and associated targets for metropolitan areas who have an adopted scenario plan to meet the greenhouse gas reduction targets. These rules build upon the existing regional reporting processes in the Portland Metropolitan Area where monitoring of the Climate Smart Strategy is done through the Regional Transportation Plan.

### Background

The [commission's charge](#) includes the following items to be included in the rules:

- Meet Oregon's climate pollution reduction goals and specifically, the Division 44 climate pollution reduction targets and Statewide Transportation Strategy targets;
- Develop metrics that can be used to compare jurisdictions' equitable outcomes in achieving climate pollution reduction targets; and
- Develop a process through which local jurisdictions can define and create accountability around community-specific metrics related to pollution and environmental impacts for the under-represented or environmental justice communities they serve.

The draft rules presented in this packet are our attempt to meet these directives.

## **Draft Rules Overview**

The proposed monitoring and reporting framework establishes a set of default performance measures for use in each metropolitan area. Cities and counties may customize this list by completing a regional scenario plan or adding additional performance measures to the list. Cities and counties must set performance targets for each reporting year through one of two pathways that connect the targets for local actions to the targets for regional outcomes needed to meet the greenhouse gas reduction targets. Through scenario planning, cities and counties will develop performance measures and targets for local actions that are calibrated to meet the greenhouse gas reduction targets and equity goals. For areas that haven't completed a regional scenario plan, cities must set performance targets for local actions that are calibrated to meeting the Statewide Transportation Strategy targets.

### **Rule 0900 Monitoring and Reporting Requirements:**

*Packet item 12, pages 95-96*

Rule 0900 provides applicability and monitoring and reporting requirements. This rule creates a reporting requirement for cities and counties to meet the climate pollution targets in Division 44. Metro is required to report for the cities and counties in that region. The rule requires a minor annual report that is a narrative of any relevant activities or projects undertaken. A major report must be submitted every 4 or 5 years to coincide with the region's federally required regional transportation plan. The major report will include all the information required in a minor report and an assessment of whether the jurisdiction is on track to meet the performance measure targets for the reporting year. Where performance targets are not met, a proposal for corrective actions is required.

### **Rule 0905 Orders Approving a Report:**

*Packet item 12, pages 97-99*

Rule 0905 provides requirements for approval of a report. The director first makes a determination on completeness and adequacy of corrective actions. There is then a month to fix any issues found. If the director finds that the proposed corrective actions are inadequate, they may then refer the report to the commission. If the report is complete and proposed corrective actions are adequate, the director will issue an order approving the report to the commission. A party may appeal the director's approval to the commission. The commission may use their granted authorities if a jurisdiction is found out of compliance, including enforcement orders, invalidating plan acknowledgement, and providing notice to the state and federal departments of transportation.

### **Rule 0910 Transportation System Performance Measures:**

*Packet item 12, pages 99-100*

Rule 0910 provides the default land use and transportation performance measures for cities and counties that do not have an approved regional scenario plan. If a city or county has an approved regional scenario plan to meet the greenhouse gas reduction targets, they will report on the performance measures and targets included in that plan. Cities and counties are required to use the performance measures and targets to guide development and implementation of local plans, projects, and policies.

### **Rule 0915 Transportation System Performance Targets:**

*Packet item 12, page 101*

Rule 0915 provides requirements for how cities and counties set performance targets. If a city or county has an approved regional scenario plan, they will set performance targets included in that plan. If a city or county does not have an approved regional scenario plan, they will set performance targets in a major update to their transportation systems plan or a major report, whichever comes first.

Performance targets must be set at levels that are reasonably likely to achieve the greenhouse gas reduction targets and the Statewide Transportation Strategy targets.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
Changes to Existing Rules		<p>The existing rules will mostly remain the same, with some changes as noted below:</p> <ul style="list-style-type: none"> <li>0000: Updates to reflect changes across the division.</li> <li>0005: Updates to reflect changes across the division.</li> <li>0015: Changes to remove requirements specific to metropolitan areas.</li> <li>0016: This rule only applies in metropolitan areas and will be deleted.</li> <li>0035: Changes to remove requirements specific to metropolitan areas.</li> <li>0045: Changes to remove requirements specific to metropolitan areas.</li> <li>0060: Updates to reflect changes across the division.</li> </ul> <p>We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.</p>
660-012-0000	Purpose	<p>The purpose provides an overview of the commission’s reasons for adopting the division, including how the division implements the statewide planning goals. A clear purpose statement is useful for everyone who uses the rules; including the public, local governments, and the courts.</p> <p>We propose to adjust the purpose to focus on the challenges of today and the future. The updated purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation safety (with traffic deaths trending higher and four times that of leading countries, and twice that of Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution, and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has inequitably impacted key priority populations, and decision making has centered the voices of the privileged at the expense of those populations.</p> <p>This purpose acknowledges those problems and focuses on remedies. The purpose retains key coordination and planning elements.</p>
660-012-0005	Definitions	<p>Every division of rules has a list of definitions. We will keep the list of definitions in the existing division, with changes and additions, as necessary. These definitions apply to the existing rules which will continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of metropolitan areas.</p>
660-012-0015	Preparation and Coordination of Transportation Systems Plans	<p>We propose to alter this existing rule. The existing rule gives overarching direction to local governments in how to prepare and coordinate development of local and regional Transportation System Plans. We propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to local governments outside of metropolitan areas. New rules will direct how local governments in metropolitan areas prepare and coordinate development of local Transportation System Plans.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0016	Coordination with Federally-Required Transportation Plans in Metropolitan Areas	<p>Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.</p> <p>We expect to use some of the elements in this rule in our updated rules to encourage regional planning efforts. Updated local transportation planning requirements in metropolitan areas will require advanced local actions, including the development of financially-constrained local plans, that will inform federally-required RTPs. In the Portland Metropolitan Area, many of these regional planning requirements will be retained. Additionally, metropolitan areas will be required to undertake regional scenario planning, which is required in the Metropolitan Greenhouse Gas Reduction Rules (OAR Chapter 660, Division 44).</p>
660-012-0035	Evaluation and Selection of Transportation System Alternatives	We propose to alter this existing rule. The existing rule directs how local governments evaluate and select transportation alternatives. We propose to delete some parts of this rule pertaining only to local governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments in metropolitan areas will evaluate and select transportation alternatives.
660-012-0045	Implementation of the Transportation System	We propose to alter this existing rule. The existing rule directs how local governments are to implement the local transportation system plan. We propose to delete one section of this rule pertaining only to metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the requirements within this section.
660-012-0060	Plan and Land Use Regulation Amendments	<p>This rule guides cities and counties when they change the acknowledged comprehensive plan after adoption of a transportation system plan. The rule provides for consideration of transportation system needs in response to the proposed changes.</p> <p>Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable Communities Rulemaking.</p> <p>This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing some minor changes to reflect changes in how performance standards work within metropolitan areas.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
New Rules 0011-0012: Applicability and Effective Dates		These rules are intended to help implement the new rules numbered 0100 and above, which will apply to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions, and when those rules apply.
660-012-0011	Applicable Rules	<p>This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-0100 and above. Local governments in other parts of the state will continue to use the existing rules, although cities outside metropolitan areas may opt into using the updated rules if they wish.</p> <p>We are working with Metro and will be consulting with potentially affected local governments to determine how rules may apply in the Portland Metropolitan Area.</p> <p>The following rules will continue to apply statewide, even in metropolitan areas:</p> <ul style="list-style-type: none"> <li>• OAR 660-012-0000, Purpose</li> <li>• OAR 660-012-0005, Definitions</li> <li>• OAR 660-012-0010, Transportation Planning</li> <li>• OAR 660-012-0060, Plan and Land Use Regulation Amendments</li> <li>• OAR 660-012-0065, Transportation Improvements on Rural Lands</li> <li>• OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land</li> </ul> <p>The latter two rules only apply to rural lands statewide.</p>
660-012-0012	Effective Dates	This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most provisions will take effect shortly after the commission adopts the rule amendments, but the implementation of some provisions may be phased in over time.
New Rules 0100-0210: General Provisions		This part of the Transportation Planning Rules will contain general provisions for how cities and counties in metropolitan areas conduct coordinated land use and transportation planning. These include updated rules for how cities and counties undertake Transportation System Plans within urban areas. There are significant changes and clarifications in how this process works, including how cities and counties ensure equitable participation in decision-making, and how plans are amended and updated over time.
660-012-0100	Urban Transportation System Plans	This rule provides the starting point for how cities in metropolitan areas will be required to adopt, amend, and implement local transportation system plans in urban areas. The rule lists all the required elements of a transportation system plan. The rule also provides for how cities will determine the base and horizon years of a local transportation system plan.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0102	Transportation System Planning in the Portland Metropolitan Area	<p>This rule describes how transportation system planning works in the Portland Metropolitan Area, including local planning by cities and counties, and regional planning by Metro. Many of the regional planning requirements are from existing rules in OAR 660-012-0016.</p> <p>This rule has a temporary rule number and will be renumbered in a future draft.</p>
660-012-0105	Transportation System Plan Updates	This rule describes how cities update their transportation system plans. The rule provides for either a major or minor update to plans. The existing rules were written when most places did not even have a transportation system plan, so there is little guidance about how they are to be kept up to date. The purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between larger updates.
660-012-0110	Transportation System Planning Area	This rule sets out requirements for the geographic scope of transportation system plans. The default assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban unincorporated areas.
660-012-0115	Transportation System Planning Engagement	This rule directs how cities must engage the public, and specifically underserved populations, in the development and approval of transportation system plans.
660-012-0120	Underserved Populations	<p>Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped identify underserved populations to consider in this rulemaking, expanding on a list from the Governor's office. To rectify harms done in the past and in current practice, communities must prioritize these populations in decision-making processes and outcomes.</p> <p>This rule sets out a Definition of underserved populations for use in transportation and land use planning consistent with the Equitable Outcomes Statement developed by the Rules Advisory Committee. The rule also requires cities and counties to identify areas with concentrations of underserved populations; and to identify and engage with recognized tribes with ancestral lands in the area of the city or county.</p>
660-012-0125	Decision-Making with Underserved Populations	This rule directs how local governments center underserved populations in decision-making. The rule requires local governments to implement an involvement program with a range of activities to ensure equitable participation in decision-making and work toward equitable outcomes. The rule requires cities and counties to regularly assess and report on progress.
660-012-0130	Equity Analysis	This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is required for a variety of actions throughout the division. The purpose of an equity analysis is to identify impacts of proposed projects and policies and potentially inequitable consequences or burdens on impacted communities.



<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0140	Transportation System Refinement Plans	This rule provides cities and counties with the opportunity to defer some decisions that would otherwise be made in a transportation system plan to a later refinement planning process. This rule is largely based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.
660-012-0145	Temporary Projects	This rule makes clear that certain temporary or pilot projects need not be included in the transportation system plan to be implemented. These are expected to be short-term trials or temporary fixes in advance of a plan update.
660-012-0150	Transportation System Inventories	This rule includes general requirements for inventories of existing facilities and services in transportation system plans. The specific requirements for each mode of transportation are in separate rules, as noted in this rule.
660-012-0155	Transportation Modeling and Analysis	This rule sets requirements for how cities and counties use transportation modeling and analysis to make land use decisions.
660-012-0160	Vehicle Miles Traveled Reduction Targets	This rule requires cities and counties to use vehicle miles travelled as a proxy for greenhouse gas pollution for cities and counties that do not yet have an approved regional scenario plan. The rule applies when adopting a TSP and requires the city or county to adopt a TSP that is projected to reduce vehicle miles travelled. Vehicle miles traveled per capita is defined as any light duty vehicle trip originating from either a city or metropolitan region.
660-012-0165	Evaluation and Selection of Transportation System Alternatives	This rule provides criteria for cities and counties to use when evaluating and selecting between transportation system alternatives in a transportation system plan.
660-012-0170	Transportation Performance Standards	<p>This rule provides a framework for how decisions are made using transportation performance standards. These include decisions made about transportation system planning, reviewing comprehensive plan and land use regulation amendments, and in the local review of development proposals.</p> <p>Currently many, but not all, decisions have relied heavily on performance standards related to motor vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and mobility.</p>
660-012-0180	Transportation Prioritization Factors	This rule sets the context for prioritizing projects in local transportation system plans; and how cities, counties, Metro, and state agencies make decisions about investments in the transportation system. The prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes, safety, and accessibility.
660-012-0200	Combined and Illustrative Project Lists	This rule describes how cities and counties take the combined list of projects developed in the modal elements of the transportation system plan, develop multimodal projects, and produce a combined project list. The rule requires cities and counties to use the combined project list to develop an illustrative project list. The illustrative project list must include a set of projects that would meet targets for reductions in per capita vehicle miles traveled.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0205	Transportation System Financial Plan	This rule describes how cities develop a Financial Plan in the transportation system plan. The Financial Plan includes a list of funding sources that are expected to fund transportation facilities and services, and the amount of funding available for transportation projects over the planning period.
660-012-0210	Financially-Constrained Project List	<p>This rule gives cities and counties a method to develop a financially-constrained project list. Projects on the financially-constrained project list are the planned projects to be considered for further project development, funding, and construction. The financially-constrained list of projects in the local transportation system plan will inform the federally required regional transportation plan. The financially-constrained list will also be the only projects that may be assumed as “reasonably likely” when considering if an amendment to a comprehensive plan or land use regulation has a “significant effect” on the transportation system.</p> <p>The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita Vehicle Miles Traveled, and support meeting targets set against a range of performance measures.</p>
New Rules 0300-0360: Coordinated Land Use and Transportation Planning		The Transportation Planning Rules are, at their heart, a guide for local governments to make coordinated plans for both land use and their transportation system. This part of the Transportation Planning Rules focuses on land use requirements, including requirements for climate friendly areas.
660-012-0300	Coordinated Land Use and Transportation System Planning	This rule contains general provisions for cities and counties within metropolitan areas in how they accomplish coordinated land use and transportation planning.
660-012-0310	Climate-Friendly Areas	This rule describes the requirements for the designation of climate friendly areas. The rule sets out some basic standards for which areas should and should not be considered for designation as a climate friendly area.
660-012-0315	Designation of Climate-Friendly Areas	This rule describes the process to be followed for cities and counties to designate climate friendly areas, including consideration for, and mitigation of, potential inequitable impacts that might result from CFA designation, such as the displacement of underserved populations.
660-012-0320	Land Use Requirements in Climate-Friendly Areas	This rule describes development codes and other land use requirements cities and counties must adopt for climate friendly areas.
660-012-0325	Transportation Review in Climate Friendly Areas	This rule describes how local governments review changes to comprehensive plans and land use regulations in climate friendly areas. The rule requires an interim multimodal plan when the climate friendly area is implemented.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0330	Land Use Requirements	<p>These land use requirements apply to cities and counties within metropolitan areas and have to do with how land use interacts with the transportation system. Many of these requirements are in the existing rules, particularly OAR 660-012-0045. However, this rule extends and adds to the existing requirements. These requirements apply across the urban area and are in addition to the climate friendly area specific requirements in those areas.</p> <p>The rule requires local governments to provide for pedestrian-friendly and connected neighborhoods; for commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on auto-oriented land uses; some additional requirements for larger cities; and to have protections for existing and future transportation facilities.</p>
660-012-0340	Land Use Assumptions	This rule describes how cities and counties make assumptions about the future development of the urban area, for purposes of transportation planning. These assumptions are based on the required population forecasts, existing comprehensive plans and land use regulations, and other provisions in the Transportation Planning Rules. These assumptions are used to help make coordinated land use and transportation plans.
660-012-0350	Urban Growth Boundary Expansions	This rule includes requirements for local jurisdictions to ensure they are being consistent with coordinated transportation planning requirements when proposing to expand an Urban Growth Boundary. The rules provide for requirements prior to undertaking an Urban Growth Boundary Expansion, and requirements as part of the process of expanding the Urban Growth Boundary.
660-012-0360	Key Destinations	This rule lists key destinations for use in coordinated transportation and land use planning. These are important places for all people to be able to access to meet daily needs and participate in society.
New Rules 0400-0450: Parking		This part of the Transportation Planning Rules relates to how cities and counties manage parking. The rules follow current best practice and move cities and counties away from one-size-fits-all mandates for development to build a large amount of costly off-street parking, towards more targeted management strategy and more deference to builders and property owners to provide parking for the diversity of development types as the market dictates.
660-012-0400	Parking Management	This rule directs jurisdictions to implement the parking rules.
660-012-0405	Parking Regulation Improvements	<p>This rule works to give priority parking – a usual sign of status – to those carpooling or vanpooling. It aims to encourage the conversion of parking lots to higher uses, and to encourage shared parking.</p> <p>It also aims to reduce the negative externalized impacts of parking. It works to make large parking lots more pedestrian-friendly, and to address some of the heat island effects through trees. It aims to mitigate the climate impacts of driving and parking through either increased clean energy or increased tree canopy.</p>

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0410	Electric Vehicle Charging	<p>This rule works to encourage new buildings to be EV-capable, to install electrical capacity and conduit. Buildings would be ready to have wiring and charging stations added as demand calls for. As buildings are 80-100 year structures, and Oregon is aiming to have 90% of new vehicles be EVs by 2035, it is critical to install charging infrastructure as buildings are built.</p> <p>The rule focuses on electrical capacity and conduit, and allows some Level 1 charging capacity in residential buildings, which can be functional for many uses and saves money.</p>
660-012-0415	Parking Maximums and Evaluation in More Populous Communities	<p>This rule calls for parking maximums in areas where car-dominant development would undermine pedestrian-friendliness and other goals.</p> <p>It also calls on Oregon’s most populous three cities to manage on-street parking to ensure availability, to explore options to building new parking garages, and to ensure new parking garages can have life on the ground floor.</p>
660-012-0420	Exemption for Communities without Parking Mandates	This clarifies the remainder of the 0400 parking series of rules apply only to those communities choosing to continue to mandate parking.
660-012-0425	Reducing the Burden of Parking Mandates	This rule allows builders to meet parking mandates by a variety of approaches, including taking action to reduce climate pollution.
660-012-0430	Reduction of Parking Mandates for Development Types	This rule reduces parking mandates for housing, following the trend in planning practice and previous Department rulemaking on traditional missing middle housing types. The rule works to reduce regulatory burdens for developing certain types of needed development, such as child care facilities.
660-012-0435	Parking Reform in Climate Friendly Areas	This rule encourages parking reform in climate-friendly areas, which tend to have lower demand for parking, and are targeted for more pedestrian-friendly development patterns.
660-012-0440	Parking Reform near Transit Corridors	This rule encourages parking reform near transit corridors and stops, where parking demand tends to be lower, and are areas targeted for more pedestrian-friendly development patterns.
660-012-0445	Parking Management Alternative Approaches	For those communities not repealing parking mandates, this rule provides two options for improved parking management.
660-012-0450	Parking Management in More Populous Communities	The rule aims to ensure populous communities better understand and manage their existing parking supply before requiring new parking.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
New Rules 0500-0520: Pedestrian System		This part of the Transportation Planning Rules relates to planning for the pedestrian system. The pedestrian system is intended to serve people walking, as well as people using mobility devices or other vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the bicycle system.
660-012-0500	Pedestrian System Planning	This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access for most trips under one mile.
660-012-0505	Pedestrian System Inventory	This rule describes how cities must inventory their pedestrian system.
660-012-0510	Pedestrian System Requirements	This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to exceed the standards in this rule.
660-012-0520	Pedestrian System Projects	This rule guides cities in determining the list of pedestrian system projects.
New Rules 0600-0630: Bicycle System		This part of the Transportation Planning Rules relates to planning for a safe, accessible and connected bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using other types of vehicles that operate at a bicycle speed and scale. These rules also include updated requirements for bicycle parking.
660-012-0600	Bicycle System Planning	This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected bicycle network that serves a variety of users. The rule requires a bicycle system element that provides for a substantial portion of short urban trips under 3 miles to be by bicycle.
660-012-0605	Bicycle System Inventory	This rule describes how cities must inventory their bicycle system. The rule requires an inventory of bicycle facilities in key areas, including multi-use paths.
660-012-0610	Bicycle System Requirements	This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system that meets a substantial portion of local travel needs under three miles. Updated requirements ensure cities and counties will plan for higher levels of separation beyond a standard bike lane for people riding bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to allow the widest range of people to safely ride bikes within communities. The rules require the development of connected network of safe bicycle facilities.
660-012-0620	Bicycle System Projects	This rule guides cities in determining the list of bicycle system projects.
660-012-0630	Bicycle Parking	This rule includes updated requirements for bicycle parking. Existing statewide requirements require bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and secure parking for some uses where longer-term parking is expected, and short-term parking at retail uses, transit facilities, and other key destinations. The rule requires that long-term parking include provisions for electric charging and to accommodate a range of devices beyond bicycles.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
New Rules 0700-0750: Public Transportation System		This part of the Transportation Planning Rules relates to planning for the public transportation system. The public transportation system is intended to serve people riding transit within urban areas, as well as travel within regions or between cities. This set of rules also includes requirements for a local Transportation Options plan element.
660-012-0700	Public Transportation System Planning	This rule and subsequent rules describe how cities must plan for their public transportation system.
660-012-0705	Public Transportation System Inventory	This rule describes how cities must inventory their public transportation system.
660-012-0710	Public Transportation System Requirements	This rule includes the minimum requirements for safe, connected, and accessible public transportation system facilities.
660-012-0720	Public Transportation System Projects	This rule guides cities in determining the list of public transportation projects.
660-012-0750	Transportation Options Plan	This rule describes how cities develop a transportation options element of their transportation system plan. The rule requires cities and counties to coordinate closely with transportation options providers, public transportation providers, and other cities and counties to identify existing programs, services, and projects; as well as future needs.
New Rules 0800-0830: Streets and Highways System		This part of the Transportation Planning Rules relates to planning for the street and highway system. The rules consider that the street and highway system is mostly fully built out. Future planning must assume a reduction in the amount of driving people do, in favor of increased travel in other modes.
660-012-0800	Urban Street and Highway System Planning	This rule, and subsequent rules, describes how cities must plan for their street and highway transportation system.
660-012-0805	Urban Street and Highway System Inventory	This rule describes how cities must inventory their street and highway system.
660-012-0810	Street and Highway System Requirements	This rule includes the minimum requirements for the street and highway system. The rules require narrow and slow local streets. Cities and counties must plan, design, build, and maintain a connected streets and highway network in a manner that respects the prioritization factors in OAR 660-012-0180.
660-012-0820	Street and Highway System Projects	This rule guides cities in determining the list of street and highway system projects.

<b>Summary of Amendments to Transportation Planning Rules</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0830	Authorization of Facilities That Increase Driving and Capacity	<p>This rule provides for an additional level of review of transportation facilities that could increase climate pollution. The rule is intended to ensure that additional alternatives are reviewed before investments are made in transportation facilities that are not consistent with the state’s climate goals.</p> <p>The authorization of a facility provided in this rule is only to allow a proposed facility to be put into the local transportation system plan, it does not replace any other requirements.</p> <p>The process is intended to provide time for local governments to identify, review, assess, and potentially implement alternatives to the proposed facility. The goal is to avoid implementation of as many of these facilities as possible, limiting them only to those that are truly necessary to meet the transportation needs of the state and community.</p>
New Rules 0900-0915: Monitoring and Reporting		This part of the Transportation Planning Rules relates to how cities and counties will regularly report progress through compilation of submission of regular reports to the department. Annual reports will include a narrative of progress made over the past year, with more substantial reports required every four to five years.
660-012-0900	Monitoring and Reporting	This rule requires cities and counties to submit a report to the department annually. Most years the report will be a minor report, with an update of activities. However, every four or five years a major report must also include additional information on how the city and region are performing across a range of performance measures.
660-012-0905	Orders Approving a Report	This rule provides a process for receipt, review, and approval of submitted reports. The rule gives the director of DLCD the opportunity to review a report for completeness, then either approve the report or refer it to the commission. There is an appeal process for approved reports to the commission. The commission may either approve or remand a report that was referred or appealed to the commission.
660-012-0910	Land Use and Transportation Performance Measures	This rule requires reporting on local action performance measures to demonstrate that the actions necessary to achieve the greenhouse gas reduction targets are being implemented. Transportation system plans are required to include policies and projects that will meet the local target for each performance measure.
660-012-0915	Land Use and Transportation Performance Targets	This rule requires cities and counties to set performance targets for the implementation of actions necessary to achieve the greenhouse gas reduction targets. If a city or county has an approved regional, they will set performance targets included in that plan. If a city or county does not have an approved regional plan, they will set performance targets in a major update to their transportation systems plan or a major report, whichever comes first. Performance targets must be set at levels that are reasonably likely to achieve the greenhouse gas reduction targets and the Statewide Transportation Strategy targets.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 9



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 12: Draft Transportation Planning Rules Amendments**  
**DATE:** October 22, 2021

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### Summary

These proposed amendments to the Transportation Planning Rules (Oregon Administrative Rules Chapter 660, Division 12) are a response to the direction provided in [Executive Order 20-04](#), the multi-agency work through the [Every Mile Counts](#) Multi-Agency Work Program, to implement the [Statewide Transportation Strategy](#). The proposed rules are informed by guidance received from the Land Conservation and Development Commission and the advisory committee, as well as the community conversations that staff held throughout the state in June.

The Transportation Planning Rules guide local governments as they make coordinated land use and transportation plans. The proposed amendments are intended to update Oregon's land use and transportation planning systems at the state, regional, and local levels to meet the state's goals for climate and equity.

To meet our goals, urgent and aggressive action is needed. We must do things differently than we have in the past, or risk unacceptable outcomes. Our existing plans have resulted in a transportation system that serves motor vehicle traffic very well, with a complete network providing convenient and reliable access to anyone who has the ability and means to own and operate a car. However, in comparison to the investments in the automotive system, investments in the pedestrian, cycling, and transit networks have been left behind. As a result, these networks are incomplete.

The results of these decisions mean that:

- Our transportation system inflicts barriers on many people, including people with disabilities, people with lower incomes, people of color, women, and the young and old;
- Our transportation system generates high levels of pollution, including pollution affecting the earth's climate, as well as other air, soil, water, and noise pollution; and
- Our transportation system is costly to governments as well as families.

The proposed amendments are intended to counter these systemic issues by placing an emphasis on building neighborhoods where it is not necessary to own and operate a motor vehicle to fully participate in community life. This includes access to work, shopping, school, medical facilities, parks, and other locations and services that people use every day.



The end goal is to transform Oregon’s communities to be safe, equitable, sociable, and pleasant places where driving is not required, and the amount of driving is reduced. The proposed rule amendments will do this by:

- Requiring cities and counties to create more pedestrian-friendly places where mixed-use development is allowed and encouraged;
- Prioritizing investments in high-quality, connected, and safe pedestrian, bicycle, and transit networks;
- Right-sizing parking requirements; and
- Changing the methods of planning for transportation, including which standards are used to determine success or failure.

### About This Document

- This draft includes proposed changes to the Transportation Planning Rules (Division 12).
- This document is organized with proposed changes to existing rules first, followed by new proposed rules.
- The rules have been divided into several parts, this is just for ease of reading and not part of the rules.
- Where we are making changes to **existing rules**, we use ~~striketrough~~ and underline for deleted and new text. Where the entire rule is new, we just show the text.
- The box at the top of each rule helps to explain it. It is not part of the rules, but just to help readers understand what is in each rule.
- In a few places we have text [in brackets] where there is still some uncertainty. These issues will be resolved before the final rules are drafted.

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1   **Updated Rules**

2   **Changes to Existing Rules**

3   The existing rules will mostly remain the same, with some changes as noted below:

4         0000: Updates to reflect changes across the division.

5         0005: Updates to reflect changes across the division.

6         0015: Changes to remove requirements specific to metropolitan areas.

7         0016: This rule only applies in metropolitan areas and is proposed to be deleted.

8         0035: Changes to remove requirements specific to metropolitan areas.

9         0045: Changes to remove requirements specific to metropolitan areas.

10        0060: Updates to reflect changes across the division.

11   We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.

12   Changes from the text of existing rules are noted with underline under added text, and ~~strikeouts~~

13   ~~through deleted text~~.

1 **0000: Purpose**

2 The purpose provides an overview of the commission’s reasons for adopting the division, including how  
3 the division implements the statewide planning goals. A clear purpose statement is useful for everyone  
4 who uses the rules; including the public, local governments, and the courts.

5 We propose to adjust the purpose to focus on the challenges of today and the future. The updated  
6 purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation  
7 safety (with traffic deaths trending higher and four times that of leading countries, and twice that of  
8 Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete  
9 for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution,  
10 and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has  
11 inequitably impacted key underserved populations, and decision making has centered the voices of the  
12 privileged at the expense of those populations.

13 This purpose acknowledges those problems and focuses on remedies. The purpose retains key  
14 coordination and planning elements.

15 (1) This division implements Statewide Planning Goal 12 (Transportation) to provide and encourage  
16 a safe, convenient, and economic transportation system. This division also implements provisions  
17 of other statewide planning goals related to transportation planning in order to plan and develop  
18 transportation facilities and services in close coordination with urban and rural development. The  
19 purpose of this division is to direct transportation planning in coordination with land use planning  
20 to:

21 (a) Provide for safe transportation for all Oregonians;

22 (b) Promote the development of transportation systems adequate to serve statewide, regional  
23 and local transportation needs and the mobility and access needs of those who cannot  
24 drive and other underserved populations;

25 (c) Provide for affordable, accessible and convenient transit, pedestrian, and bicycle access  
26 and circulation, with improved connectivity to destinations people want to reach, such as  
27 education facilities, work places, services, shopping, places of worship, parks, open  
28 spaces, and community centers;

29 (d) Ensure Oregon meets its statutory and executive goals to reduce climate pollution by  
30 reducing pollution from transportation;

31 (e) Recognize and remedy impacts of past practices such as redlining, displacement,  
32 exclusionary zoning, and roadway and other public infrastructure siting that harmed  
33 certain populations;

34 (f) Engage those populations in decision-making and prioritize investments serving those  
35 communities;

36 (g) Facilitate the safe flow of freight and other goods and services within regions and  
37 throughout the state through a variety of modes including road, air, rail and marine  
38 transportation;

39 (h) Protect existing and planned transportation facilities, corridors and sites for their  
40 identified functions;

41 (i) Provide for the construction and implementation of transportation facilities,  
42 improvements and services necessary to support acknowledged comprehensive plans;

- 1           (j) Identify how transportation facilities are provided on rural lands consistent with the
- 2                 goals;
- 3           (k) Ensure coordination among affected local governments and transportation service
- 4                 providers and consistency between state, regional and local transportation plans; and
- 5           (l) Ensure changes to comprehensive plans are supported by adequate planned transportation
- 6                 facilities for all modes.

7 (1) ~~This division implements Statewide Planning Goal 12 (Transportation) to provide and encourage~~  
8 ~~a safe, convenient and economic transportation system. This division also implements provisions~~  
9 ~~of other statewide planning goals related to transportation planning in order to plan and develop~~  
10 ~~transportation facilities and services in close coordination with urban and rural development. The~~  
11 ~~purpose of this division is to direct transportation planning in coordination with land use planning~~  
12 ~~to:~~

- 13 (a) ~~Promote the development of transportation systems adequate to serve statewide, regional~~
- 14 ~~and local transportation needs and the mobility needs of the transportation disadvantaged;~~
- 15 (b) ~~Encourage and support the availability of a variety of transportation choices for moving~~
- 16 ~~people that balance vehicular use with other transportation modes, including walking,~~
- 17 ~~bicycling and transit in order to avoid principal reliance upon any one mode of~~
- 18 ~~transportation;~~
- 19 (c) ~~Provide for safe and convenient vehicular, transit, pedestrian, and bicycle access and~~
- 20 ~~circulation;~~
- 21 (d) ~~Facilitate the safe, efficient and economic flow of freight and other goods and services~~
- 22 ~~within regions and throughout the state through a variety of modes including road, air,~~
- 23 ~~rail and marine transportation;~~
- 24 (e) ~~Protect existing and planned transportation facilities, corridors and sites for their~~
- 25 ~~identified functions;~~
- 26 (f) ~~Provide for the construction and implementation of transportation facilities,~~
- 27 ~~improvements and services necessary to support acknowledged comprehensive plans;~~
- 28 (g) ~~Identify how transportation facilities are provided on rural lands consistent with the~~
- 29 ~~goals;~~
- 30 (h) ~~Ensure coordination among affected local governments and transportation service~~
- 31 ~~providers and consistency between state, regional and local transportation plans; and~~
- 32 (i) ~~Ensure that changes to comprehensive plans are supported by adequate planned~~
- 33 ~~transportation facilities.~~

34 (2) In meeting the purposes described in section (1), coordinated land use and transportation plans  
35 should ensure the transportation system supports a pattern of travel and land use in urban areas  
36 that will avoid common air pollution, climate pollution, inequity, wasteful spending, traffic and  
37 livability problems ~~faced by other large urban areas of the country~~, through measures designed to  
38 increase transportation options ~~choices~~ and make more efficient use of the existing transportation  
39 system.

40 (3) The extent of planning required by this division and the outcome of individual transportation  
41 plans will vary depending on community size, needs and circumstances. Generally, larger and  
42 faster growing communities and regions will need to prepare more comprehensive and detailed  
43 plans, while smaller communities and rural areas will have more general plans. For all  
44 communities, the mix of planned transportation facilities and services should be sufficient to  
45 ensure economic, sustainable and environmentally sound mobility and accessibility for all  
46 Oregonians. Coordinating land use and transportation planning will also complement efforts to  
47 meet other state and local objectives, including containing urban development, reducing the cost  
48 of public services, protecting farm and forest land, reducing air, water and noise pollution,

1 conserving energy and reducing climate pollution emissions of greenhouse gases that contribute  
2 to global climate change.

3 (a) In all urban areas, coordinated land use and transportation plans are intended to provide  
4 safe transportation convenient vehicular circulation and to enhance, promote and  
5 facilitate safe and convenient pedestrian and bicycle travel by planning a well-connected  
6 network of streets, sidewalks, paths, and trails, and supporting improvements for ~~all~~  
7 travel non-driving travel modes.

8 (b) In urban areas ~~that contain~~ with a population greater than 25,000 persons, coordinated  
9 land use and transportation plans are intended to improve livability and accessibility by  
10 promoting the provision of transit service and more efficient performance of existing  
11 transportation facilities through transportation system management and demand  
12 management measures.

13 (c) Within metropolitan areas, coordinated land use and transportation plans are intended to  
14 improve livability and accessibility by promoting changes in the transportation system  
15 and land use patterns. A key outcome of this effort is a reduction in dependence reliance  
16 on single occupant automobile use, particularly during peak periods. To accomplish this  
17 outcome, this division promotes increased planning for alternative non-driving modes  
18 and street connectivity and encourages land use patterns throughout urban areas that  
19 make it more convenient for people to walk, bicycle, use transit, use automobile travel  
20 more efficiently, and drive less to meet their daily needs. The result of applying these  
21 portions of the division will vary within metropolitan areas. Some parts of urban areas,  
22 such as downtowns, pedestrian districts, transit-oriented developments, climate friendly  
23 areas, areas along priority transit corridors, and other mixed-use, pedestrian-friendly  
24 centers, will be highly convenient for a variety of modes, including walking, bicycling  
25 and transit, while others will be more auto-oriented while still providing for safe and  
26 convenient and include more modest measures to accommodate access and circulation by  
27 other modes. In all instances, infrastructure shall be designed and constructed to ensure  
28 safety and convenience for Oregonians of all ages and abilities.

29 (4) This division sets requirements for coordination among affected levels of government and  
30 transportation service providers for preparation, adoption, refinement, implementation and  
31 amendment of transportation system plans. Transportation system plans adopted pursuant to this  
32 division fulfill the requirements for public facilities required under ORS 197.712(2)(e), Goal 11  
33 and chapter 660, division 11, as they relate to transportation facilities. The rules in this division  
34 are not intended to make local government determinations “land use decisions” under ORS  
35 197.015(10). The rules recognize, however, that under existing statutory and case law, many  
36 determinations relating to the adoption and implementation of transportation plans will be land  
37 use decisions.

1 **0005: Definitions**

2 Every division of rules has a list of definitions. We will keep the list of definitions in the existing division,  
3 with changes and additions, as necessary. These definitions apply to the existing rules which will  
4 continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of  
5 metropolitan areas.

6 Changes in section numbering are not marked in this rule.

- 7 (1) "Access Management" means measures regulating access to streets, roads and highways from  
8 public roads and private driveways. Measures may include but are not limited to restrictions on  
9 the siting of interchanges, restrictions on the type and amount of access to roadways, and use of  
10 physical controls, such as signals and channelization including raised medians, to reduce impacts  
11 of approach road traffic on the main facility.
- 12 (2) "Accessway" means a walkway that provides pedestrian and or bicycle passage either between  
13 streets or from a street to a building or other destination such as a school, park, or transit stop.  
14 Accessways generally include a walkway and additional land on either side of the walkway, often  
15 in the form of an easement or right-of-way, to provide clearance and separation between the  
16 walkway and adjacent uses. Accessways through parking lots are generally physically separated  
17 from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include  
18 landscaping, trees and lighting. Where accessways cross driveways, they are generally raised,  
19 paved or marked in a manner which provides convenient access for pedestrians.
- 20 (3) "Affected Local Government" means a city, county or metropolitan service district that is directly  
21 impacted by a proposed transportation facility or improvement.
- 22 (4) "Approach Road" means a legally constructed, public or private connection that provides  
23 vehicular access either to or from or to and from a highway and an adjoining property.
- 24 (5) "At or near a major transit stop: "At" means a parcel or ownership which is adjacent to or  
25 includes a major transit stop generally including portions of such parcels or ownerships that are  
26 within 200 feet of a transit stop. "Near" generally means a parcel or ownership that is within 300  
27 feet of a major transit stop. The term "generally" is intended to allow local governments through  
28 their plans and ordinances to adopt more specific definitions of these terms considering local  
29 needs and circumstances consistent with the overall objective and requirement to provide  
30 convenient pedestrian access to transit.
- 31 (6) "Climate Friendly Area" means an urban mixed-use area containing, or planned to contain, a  
32 mixture of higher-density housing, jobs, businesses, and services. These areas are served by, or  
33 planned for service by, high-quality pedestrian, bicycle, and transit infrastructure and services to  
34 provide frequent and convenient connections to key destinations within the city and region. To  
35 maximize community benefits these areas typically do not contain or require large parking lots,  
36 and are provided with abundant tree canopy and vegetation to provide shade, cooling, and other  
37 amenities to visitors, residents, and employees. Climate friendly areas will reduce the reliance on  
38 single-occupant motor vehicle trips for residents, workers, and visitors by providing more  
39 proximate destinations within climate friendly areas, improved connectivity to key destinations  
40 elsewhere in the community, and enhanced alternative transportation options.
- 41 (7) "Committed Transportation Facilities" means those proposed transportation facilities and  
42 improvements which are consistent with the acknowledged comprehensive plan and have  
43 approved funding for construction in a public facilities plan or the Six-Year Highway or  
44 Transportation Improvement Program.



- 1 (8) "Demand Management" means actions which are designed to change travel behavior in order to  
 2 improve performance of transportation facilities and to reduce need for additional road capacity.  
 3 Methods may include, but are not limited to, the use of alternative modes, ride-sharing and  
 4 vanpool programs, trip-reduction ordinances, shifting to off-peak periods, and reduced or paid  
 5 parking.
- 6 (9) "Freeway" means a limited-access highway with access points exclusively from interchanges  
 7 with other streets and highways. Freeways may provide very limited access for rural land uses in  
 8 rural areas where no other access is available.
- 9 (10) "Influence area of an interchange" means the area 1,320 feet from an interchange ramp terminal  
 10 measured on the crossroad away from the mainline.
- 11 (11) "Level 2 Electric Vehicle Charging Station" means a device or facility for delivering electricity to  
 12 motor vehicles that operates on a 40 to 50 ampere breaker on a single phase 208/240 volt AC  
 13 circuit.
- 14 (12) "Local streets" means streets that are functionally classified as local streets to serve primarily  
 15 local access to property and circulation within neighborhoods or specific areas. Local streets do  
 16 not include streets functionally classified as collector or arterials.
- 17 (13) "Local Street Standards" include but are not limited to standards for right-of-way, pavement  
 18 width, travel lanes, parking lanes, curb turning radius, and accessways.
- 19 (14) "Major" means, in general, those facilities or developments which, considering the size of the  
 20 urban or rural area and the range of size, capacity or service level of similar facilities or  
 21 developments in the area, are either larger than average, serve more than neighborhood needs or  
 22 have significant land use or traffic impacts on more than the immediate neighborhood:
- 23 (a) "Major" as it modifies transit corridors, stops, transfer stations and new transportation  
 24 facilities means those facilities which are most important to the functioning of the system  
 25 or which provide a high level, volume or frequency of service;
- 26 (b) "Major" as it modifies industrial, institutional and retail development means such  
 27 developments which are larger than average, serve more than neighborhood needs or  
 28 which have traffic impacts on more than the immediate neighborhood;
- 29 (c) Application of the term "major" will vary from area to area depending upon the scale of  
 30 transportation improvements, transit facilities and development which occur in the area.  
 31 A facility considered to be major in a smaller or less densely developed area may,  
 32 because of the relative significance and impact of the facility or development, not be  
 33 considered a major facility in a larger or more densely developed area with larger or more  
 34 intense development or facilities.
- 35 (15) "Major transit stop" means:
- 36 (a) Existing and planned light rail stations and transit transfer stations, except for temporary  
 37 facilities; Other planned stops designated as major transit stops in a transportation system  
 38 plan and existing stops which:
- 39 (A) Have or are planned for an above average frequency of scheduled, fixed-route  
 40 service when compared to region wide service. In urban areas of 1,000,000 or  
 41 more population major transit stops are generally located along routes that have  
 42 or are planned for 20 minute service during the peak hour; and
- 43 (B) Are located in a transit oriented development or within 1/4 mile of an area  
 44 planned and zoned for:

- 1 (i) Medium or high density residential development; or
- 2 (ii) Intensive commercial or institutional uses within 1/4 mile of subsection
- 3 (i); or
- 4 (iii) Uses likely to generate a relatively high level of transit ridership.
- 5 (16) "Metropolitan area" means the local governments that are responsible for adopting local or
- 6 regional transportation system plans within a metropolitan planning organization (MPO)
- 7 boundary. This includes cities, counties, and, in the Portland Metropolitan area, Metro.
- 8 (17) "Metropolitan Planning Organization (MPO)" means an organization located within the State of
- 9 Oregon and designated by the Governor to coordinate transportation planning in an urbanized
- 10 area of the state including such designations made subsequent to the adoption of this rule. The
- 11 Longview-Kelso-Rainier and Walla Walla Valley MPOs are not considered MPOs for the
- 12 purposes of this division.
- 13 (18) "Minor transportation improvements" include, but are not limited to, signalization, addition of
- 14 turn lanes or merge/deceleration lanes on arterial or collector streets, provision of local streets,
- 15 transportation system management measures, modification of existing interchange facilities
- 16 within public right of way and design modifications located within an approved corridor. Minor
- 17 transportation improvements may or may not be listed as planned projects in a TSP where the
- 18 improvement is otherwise consistent with the TSP. Minor transportation improvements do not
- 19 include new interchanges; new approach roads within the influence area of an interchange; new
- 20 intersections on limited access roadways, highways or expressways; new collector or arterial
- 21 streets, road realignments or addition of travel lanes.
- 22 (19) "ODOT" means the Oregon Department of Transportation.
- 23 (20) "Parking mandates" means requirements to include a minimum number off-street parking spaces
- 24 as a condition of development or redevelopment.
- 25 (21) "Parking maximums" means limits on the number of off-street parking spaces that can be
- 26 included in a development.
- 27 (22) "Parking spaces" means on and off street spaces designated for automobile parking ~~in areas~~
- 28 ~~planned for industrial, commercial, institutional or public uses. The following are not considered~~
- 29 ~~parking spaces for the purposes of OAR 660-012-0045(5)(c): park and ride lots, handicapped~~
- 30 ~~parking, and parking spaces for carpools and vanpools., other than parking spaces reserved for~~
- 31 ~~carpools, vanpools, or people with disabilities.~~
- 32 (23) "Pedestrian connection" means a continuous, unobstructed, reasonably direct route between two
- 33 points that is intended and suitable for pedestrian use. Pedestrian connections include but are not
- 34 limited to sidewalks, walkways, accessways, stairways and pedestrian bridges. On developed
- 35 parcels, pedestrian connections are generally hard surfaced. In parks and natural areas, pedestrian
- 36 connections may be soft-surfaced pathways. On undeveloped parcels and parcels intended for
- 37 redevelopment, pedestrian connections may also include rights of way or easements for future
- 38 pedestrian improvements.
- 39 (24) "Pedestrian district" means a comprehensive plan designation or implementing land use
- 40 regulations, such as an overlay zone, that establish requirements to provide a safe and convenient
- 41 pedestrian environment in an area planned for a mix of uses likely to support a relatively high
- 42 level of pedestrian activity. Such areas include but are not limited to:
- 43 (a) Lands planned for a mix of commercial or institutional uses near lands planned for
- 44 medium to high density housing; or
- 45 (b) Areas with a concentration of employment and retail activity; and

- 1 (c) Which have or could develop a network of streets and accessways which provide  
2 convenient pedestrian circulation.
- 3 (25) "Pedestrian plaza" means a small semi-enclosed area usually adjoining a sidewalk or a transit stop  
4 which provides a place for pedestrians to sit, stand or rest. They are usually paved with concrete,  
5 pavers, bricks or similar material and include seating, pedestrian scale lighting and similar  
6 pedestrian improvements. Low walls or planters and landscaping are usually provided to create a  
7 semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and vehicle  
8 maneuvering areas. Plazas are generally located at a transit stop, building entrance or an  
9 intersection and connect directly to adjacent sidewalks, walkways, transit stops and buildings. A  
10 plaza including 150-250 square feet would be considered "small."
- 11 (26) "Pedestrian scale" means site and building design elements that are dimensionally less than those  
12 intended to accommodate automobile traffic, flow and buffering. Examples include ornamental  
13 lighting of limited height; bricks, pavers or other modules of paving with small dimensions; a  
14 variety of planting and landscaping materials; arcades or awnings that reduce the height of walls;  
15 and signage and signpost details that can only be perceived from a short distance.
- 16 (27) "Planning Period" means the twenty-year period beginning with the date of adoption of a TSP to  
17 meet the requirements of this rule.
- 18 (28) "Preliminary Design" means an engineering design which specifies in detail the location and  
19 alignment of a planned transportation facility or improvement.
- 20 (29) "Priority Transit Corridor" means a corridor which has a high existing or planned level of transit  
21 service relative to other transit service in the community, including be service frequency and span  
22 of service. The corridor may be described as a series of stations when served by high capacity  
23 transit services with widely spaced stations.
- 24 (30) "Reasonably direct" means either a route that does not deviate unnecessarily from a straight line  
25 or a route that does not involve a significant amount of out-of-direction travel for likely users.
- 26 (31) "Refinement Plan" means an amendment to the transportation system plan, which resolves, at a  
27 systems level, determinations on function, mode or general location which were deferred during  
28 transportation system planning because detailed information needed to make those determinations  
29 could not reasonably be obtained during that process.
- 30 (32) "Regional Transportation Plan" or "RTP" means the long-range transportation plan prepared and  
31 adopted by a metropolitan planning organization for a metropolitan area as provided for in federal  
32 law.
- 33 (33) "Roads" means streets, roads and highways.
- 34 (34) "Rural community" means areas defined as resort communities and rural communities in  
35 accordance with OAR 660-022-0010(6) and (7). For the purposes of this division, the area need  
36 only meet the definitions contained in the Unincorporated Communities Rule although the area  
37 may not have been designated as an unincorporated community in accordance with OAR 660-  
38 022-0020.
- 39 (35) "Shared parking" means parking spaces used to meet the parking mandates for two or more uses,  
40 structures, or parcels of land, to the extent that the owners or operators show the overall demand  
41 for parking spaces can be met by the shared parking.
- 42 (36) "Transit-Oriented Development (TOD)" means a mix of residential, retail and office uses and a  
43 supporting network of roads, bicycle and pedestrian ways focused on a major transit stop  
44 designed to support a high level of transit use. The key features of transit oriented development  
45 include:

- 1 (a) A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian  
2 and bicycle travel from the surrounding area;
- 3 (b) High density of residential development proximate to the transit stop sufficient to support  
4 transit operation and neighborhood commercial uses within the TOD;
- 5 (c) A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian  
6 access within the TOD and high levels of transit use.
- 7 (37) "Transportation Facilities" means any physical facility that moves or assist in the movement of  
8 people or goods including facilities identified in OAR 660-012-0020 but excluding electricity,  
9 sewage and water systems.
- 10 (38) "Transportation System Management Measures" means techniques for increasing the efficiency,  
11 safety, capacity or level of service of a transportation facility without increasing its size.  
12 Examples include, but are not limited to, traffic signal improvements, traffic control devices  
13 including installing medians and parking removal, channelization, access management, ramp  
14 metering, and restriping of high occupancy vehicle (HOV) lanes.
- 15 (39) "Transportation Needs" means estimates of the movement of people and goods consistent with  
16 acknowledged comprehensive plan and the requirements of this rule. Needs are typically based on  
17 projections of future travel demand resulting from a continuation of current trends as modified by  
18 policy objectives, including those expressed in Goal 12 and this rule, especially those for  
19 avoiding principal reliance on any one mode of transportation.
- 20 (40) "Transportation Needs, Local" means needs for movement of people and goods within  
21 communities and portions of counties and the need to provide access to local destinations.
- 22 (41) "Transportation Needs, Regional" means needs for movement of people and goods between and  
23 through communities and accessibility to regional destinations within a metropolitan area, county  
24 or associated group of counties.
- 25 (42) "Transportation Needs, State" means needs for movement of people and goods between and  
26 through regions of the state and between the state and other states.
- 27 (43) "Transportation Project Development" means implementing the transportation system plan (TSP)  
28 by determining the precise location, alignment, and preliminary design of improvements included  
29 in the TSP based on site-specific engineering and environmental studies.
- 30 (44) "Transportation Service" means a service for moving people and goods, such as intercity bus  
31 service and passenger rail service.
- 32 (45) "Transportation System Plan (TSP)" means a plan for one or more transportation facilities that are  
33 planned, developed, operated and maintained in a coordinated manner to supply continuity of  
34 movement between modes, and within and between geographic and jurisdictional areas.
- 35 (46) "Urban Area" means lands within an urban growth boundary, two or more contiguous urban  
36 growth boundaries, and urban unincorporated communities as defined by OAR 660-022-0010(9).  
37 For the purposes of this division, the area need only meet the definition contained in the  
38 Unincorporated Communities Rule although the area may not have been designated as an  
39 unincorporated community in accordance with 660-022-0020.
- 40 (47) "Unbundled parking" means a requirement that parking spaces for each unit in a development be  
41 leased or sold separately from the unit itself. That requirement must include requirements for the  
42 parking space(s) to be rented or sold at market rates for comparable local off-street parking, and  
43 for the renter of the unit to be able to opt out of renting or buying the parking space(s);

- 1 (48) "Urban Fringe" means:
- 2 (a) Areas outside the urban growth boundary that are within 5 miles of the urban growth
- 3 boundary of an MPO area; and
- 4 (b) Areas outside the urban growth boundary within 2 miles of the urban growth boundary of
- 5 an urban area containing a population greater than 25,000.
- 6 (49) Vehicle Miles of Travel (VMT): means automobile vehicle miles of travel. Automobiles, for
- 7 purposes of this definition, include automobiles, light trucks, and other similar vehicles used for
- 8 movement of people. The definition does not include buses, heavy trucks and trips that involve
- 9 commercial movement of goods. VMT includes trips with an origin and a destination within the
- 10 MPO boundary and excludes pass through trips (i.e., trips with a beginning and end point outside
- 11 of the MPO) and external trips (i.e., trips with a beginning or end point outside of the MPO
- 12 boundary). VMT is estimated prospectively through the use of metropolitan area transportation
- 13 models.
- 14 (50) "Walkway" means a hard surfaced area intended and suitable for use by pedestrians, including
- 15 sidewalks and surfaced portions of accessways.

16 **0015: Preparation and Coordination of Transportation System Plans**

17 We propose to alter this existing rule. The existing rule gives overarching direction to local governments

18 in how to prepare and coordinate development of local and regional transportation system plans. We

19 propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to

20 local governments outside of metropolitan areas. New rules will direct how local governments in

21 metropolitan areas prepare and coordinate development of local transportation system plans.

- 22 (1) ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program
- 23 for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-
- 24 0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of
- 25 transportation facilities and services adequate to meet identified state transportation needs:
- 26 (a) The state TSP shall include the state transportation policy plan, modal systems plans, and
- 27 transportation facility plans as set forth in OAR chapter 731, division 15;
- 28 (b) State transportation project plans shall be compatible with acknowledged comprehensive
- 29 plans as provided for in OAR chapter 731, division 15. Disagreements between ODOT
- 30 and affected local governments shall be resolved in the manner established in that
- 31 division.
- 32 (2) ~~MPOs and counties~~ Counties shall prepare and amend regional TSPs in compliance with this
- 33 division. ~~MPOs shall prepare regional TSPs for facilities of regional significance within their~~
- 34 ~~jurisdiction.~~ Counties shall prepare regional TSPs for all other areas and facilities:
- 35 (a) Regional TSPs shall establish a system of transportation facilities and services adequate
- 36 to meet identified regional transportation needs and shall be consistent with adopted
- 37 elements of the state TSP;
- 38 (b) Where elements of the state TSP have not been adopted, the ~~MPO or county~~ shall
- 39 coordinate the preparation of the regional TSP with ODOT to assure that state
- 40 transportation needs are accommodated;

- 1           ~~(e) Regional TSPs prepared by MPOs other than metropolitan service districts shall be~~  
2           ~~adopted by the counties and cities within the jurisdiction of the MPO. Metropolitan~~  
3           ~~service districts shall adopt a regional TSP for areas within their jurisdiction;~~
- 4           ~~(d)~~    (c) Regional TSPs prepared by counties shall be adopted by the county.
- 5    (3)    Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning  
6           jurisdiction in compliance with this division:
- 7           (a)    Local TSPs shall establish a system of transportation facilities and services adequate to  
8           meet identified local transportation needs and shall be consistent with regional TSPs and  
9           adopted elements of the state TSP;
- 10          (b)    Where the regional TSP or elements of the state TSP have not been adopted, the city or  
11          county shall coordinate the preparation of the local TSP with the regional transportation  
12          planning body and ODOT to assure that regional and state transportation needs are  
13          accommodated.
- 14    (4)    Cities and counties shall adopt regional and local TSPs required by this division as part of their  
15          comprehensive plans. Transportation financing programs required by OAR 660-012-0040 may be  
16          adopted as a supporting document to the comprehensive plan.
- 17    (5)    The preparation of TSPs shall be coordinated with affected state and federal agencies, local  
18          governments, special districts, and private providers of transportation services.
- 19    (6)    Mass transit, transportation, airport and port districts shall participate in the development of TSPs  
20          for those transportation facilities and services they provide. These districts shall prepare and  
21          adopt plans for transportation facilities and services they provide. Such plans shall be consistent  
22          with and adequate to carry out relevant portions of applicable regional and local TSPs.  
23          Cooperative agreements executed under ORS 197.185(2) shall include the requirement that mass  
24          transit, transportation, airport and port districts adopt a plan consistent with the requirements of  
25          this section.
- 26    (7)    Where conflicts are identified between proposed regional TSPs and acknowledged  
27          comprehensive plans, representatives of affected local governments shall meet to discuss means  
28          to resolve the conflicts. These may include:
- 29          (a)    Changing the draft TSP to eliminate the conflicts; or  
30          (b)    Amending acknowledged comprehensive plan provision to eliminate the conflicts;
- 31          ~~(e) For MPOs which are not metropolitan service districts, if conflicts persist between~~  
32          ~~regional TSPs and acknowledged comprehensive plans after efforts to achieve~~  
33          ~~compatibility, an affected local government may petition the Commission to resolve the~~  
34          ~~dispute.~~

1 **0016: Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas**

2 Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation  
3 planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning  
4 Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.

5 We expect to use some of the elements in this rule in our updated rules to encourage regional planning  
6 efforts. Updated local transportation planning requirements in metropolitan areas will require advanced  
7 local actions, including the development of financially-constrained local plans, that will inform federally-  
8 required RTPs. In the Portland Metropolitan Area, many of these regional planning requirements will be  
9 retained. Additionally, metropolitan areas will be required to undertake regional scenario planning,  
10 which is required in the Metropolitan Greenhouse Gas Reduction Rules (OAR Chapter 660, Division 44).

11 ~~(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation  
12 system plans required by this division in coordination with regional transportation plans (RTPs)  
13 prepared by MPOs required by federal law. Insofar as possible, regional transportation system  
14 plans for metropolitan areas shall be accomplished through a single coordinated process that  
15 complies with the applicable requirements of federal law and this division. Nothing in this rule is  
16 intended to make adoption or amendment of a regional transportation plan by a metropolitan  
17 planning organization a land use decision under Oregon law.~~

18 ~~(2) When an MPO adopts or amends a regional transportation plan that relates to compliance with  
19 this division, the affected local governments shall review the adopted plan or amendment and  
20 either:~~

21 ~~(a) Make a finding that the proposed regional transportation plan amendment or update is  
22 consistent with the applicable provisions of adopted regional and local transportation  
23 system plan and comprehensive plan and compliant with applicable provisions of this  
24 division; or~~

25 ~~(b) Adopt amendments to the relevant regional or local transportation system plan that make  
26 the regional transportation plan and the applicable transportation system plans consistent  
27 with one another and compliant with applicable provisions of this division. Necessary  
28 plan amendments or updates shall be prepared and adopted in coordination with the  
29 federally required plan update or amendment. Such amendments shall be initiated no  
30 later than 30 days from the adoption of the RTP amendment or update and shall be  
31 adopted no later than one year from the adoption of the RTP amendment or update or  
32 according to a work plan approved by the commission. A plan amendment is "initiated"  
33 for purposes of this subsection where the affected local government files a post-  
34 acknowledgement plan amendment notice with the department as provided in OAR  
35 chapter 660, division 18.~~

36 ~~(c) In the Portland Metropolitan area, compliance with this section shall be accomplished by  
37 Metro through adoption of required findings or an amendment to the regional  
38 transportation system plan.~~

39 ~~(3) Adoption or amendment of a regional transportation plan relates to compliance with this division  
40 for purposes of section (2) if it does one or more of the following:~~

41 ~~(a) Changes plan policies;~~

42 ~~(b) Adds or deletes a project from the list of planned transportation facilities, services or  
43 improvements or from the financially constrained project list required by federal law;~~

- 1           (c) — ~~Modifies the general location of a planned transportation facility or improvement;~~
- 2           (d) — ~~Changes the functional classification of a transportation facility; or~~
- 3           (e) — ~~Changes the planning period or adopts or modifies the population or employment forecast~~  
4                 ~~or allocation upon which the plan is based.~~
- 5   (4) — ~~The following amendments to a regional transportation plan do not relate to compliance with this~~  
6                 ~~division for purposes of section (2):~~
- 7           (a) — ~~Adoption of an air quality conformity determination;~~
- 8           (b) — ~~Changes to a federal revenue projection;~~
- 9           (c) — ~~Changes to estimated cost of a planned transportation project; or~~
- 10          (d) — ~~Deletion of a project from the list of planned projects where the project has been~~  
11                 ~~constructed or completed.~~
- 12   (5) — ~~Adoption or amendment of a regional transportation plan that extends the planning period beyond~~  
13                 ~~that specified in the applicable acknowledged comprehensive plan or regional transportation~~  
14                 ~~system plan is consistent with the requirements of this rule where the following conditions are~~  
15                 ~~met:~~
- 16          (a) — ~~The future year population forecast is consistent with those issued or adopted under ORS~~  
17                 ~~195.033 or 195.036;~~
- 18          (b) — ~~Land needed to accommodate future urban density population and employment and other~~  
19                 ~~urban uses is identified in a manner consistent with Goal 14 and relevant rules;~~
- 20          (c) — ~~Urban density population and employment are allocated to designated centers and other~~  
21                 ~~identified areas to provide for implementation of the metropolitan area's integrated land~~  
22                 ~~use and transportation plan or strategy; and~~
- 23          (d) — ~~Urban density population and employment or other urban uses are allocated to areas~~  
24                 ~~outside of an acknowledged urban growth boundary only where:~~
- 25                 (A) — ~~The allocation is done in conjunction with consideration by local governments of~~  
26                         ~~possible urban growth boundary amendments consistent with Goal 14 and~~  
27                         ~~relevant rules, and~~
- 28                 (B) — ~~The RTP clearly identifies the proposed UGB amendments and any related~~  
29                         ~~projects as illustrative and subject to further review and approval by the affected~~  
30                         ~~local governments.~~



1 **0035: Evaluation and Selection of Transportation System Alternatives**

2 We propose to alter this existing rule. The existing rule directs how local governments evaluate and  
3 select transportation alternatives. We propose to delete some parts of this rule pertaining only to local  
4 governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments  
5 in metropolitan areas will evaluate and select transportation alternatives.

6 (1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can  
7 reasonably be expected to meet the identified transportation needs in a safe manner and at a  
8 reasonable cost with available technology. The following shall be evaluated as components of  
9 system alternatives:

- 10 (a) Improvements to existing facilities or services;
- 11 (b) New facilities and services, including different modes or combinations of modes that  
12 could reasonably meet identified transportation needs;
- 13 (c) Transportation system management measures;
- 14 (d) Demand management measures; and
- 15 (e) A no-build system alternative required by the National Environmental Policy Act of 1969  
16 or other laws.

17 ~~(2) Local governments in MPO areas of larger than 1,000,000 population shall, and other~~  
18 ~~governments may also, evaluate alternative land use designations, densities, and design standards~~  
19 ~~to meet local and regional transportation needs. Local governments preparing such a strategy~~  
20 ~~shall consider:~~

- 21 ~~(a) Increasing residential densities and establishing minimum residential densities within one~~  
22 ~~quarter mile of transit lines, major regional employment areas, and major regional retail~~  
23 ~~shopping areas;~~
- 24 ~~(b) Increasing allowed densities in new commercial office and retail developments in~~  
25 ~~designated community centers;~~
- 26 ~~(c) Designating lands for neighborhood shopping centers within convenient walking and~~  
27 ~~cycling distance of residential areas; and~~
- 28 ~~(d) Designating land uses to provide a better balance between jobs and housing considering:~~
  - 29 ~~(A) The total number of jobs and total of number of housing units expected in the~~  
30 ~~area or subarea;~~
  - 31 ~~(B) The availability of affordable housing in the area or subarea; and~~
  - 32 ~~(C) Provision of housing opportunities in close proximity to employment areas.~~

33 ~~(3)~~(2) The following standards shall be used to evaluate and select alternatives:

- 34 (a) The transportation system shall support urban and rural development by providing types  
35 and levels of transportation facilities and services appropriate to serve the land uses  
36 identified in the acknowledged comprehensive plan;
- 37 (b) The transportation system shall be consistent with state and federal standards for  
38 protection of air, land and water quality including the State Implementation Plan under  
39 the Federal Clean Air Act and the State Water Quality Management Plan;

- 1 (c) The transportation system shall minimize adverse economic, social, environmental and  
2 energy consequences;
- 3 (d) The transportation system shall minimize conflicts and facilitate connections between  
4 modes of transportation; and
- 5 (e) The transportation system shall avoid principal reliance on any one mode of  
6 transportation by increasing transportation choices to reduce principal reliance on the  
7 automobile. In MPO areas this shall be accomplished by selecting transportation  
8 alternatives which meet the requirements in section (4) of this rule.

9 ~~(4) In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for  
10 increasing transportation choices and reducing reliance on the automobile. Adopted standards are  
11 intended as means of measuring progress of metropolitan areas towards developing and  
12 implementing transportation systems and land use plans that increase transportation choices and  
13 reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish  
14 reduced reliance by changing land use patterns and transportation systems so that walking,  
15 cycling, and use of transit are highly convenient and so that, on balance, people need to and are  
16 likely to drive less than they do today.~~

17 ~~(5) MPO areas shall adopt standards to demonstrate progress towards increasing transportation  
18 choices and reducing automobile reliance as provided for in this rule:~~

19 ~~(a) The commission shall approve standards by order upon demonstration by the  
20 metropolitan area that:~~

21 ~~(A) Achieving the standard will result in a reduction in reliance on automobiles;~~

22 ~~(B) Achieving the standard will accomplish a significant increase in the availability  
23 or convenience of alternative modes of transportation;~~

24 ~~(C) Achieving the standard is likely to result in a significant increase in the share of  
25 trips made by alternative modes, including walking, bicycling, ridesharing and  
26 transit;~~

27 ~~(D) VMT per capita is unlikely to increase by more than five percent; and~~

28 ~~(E) The standard is measurable and reasonably related to achieving the goal of  
29 increasing transportation choices and reducing reliance on the automobile as  
30 described in OAR 660-012-0000.~~

31 ~~(b) In reviewing proposed standards for compliance with subsection (a), the commission  
32 shall give credit to regional and local plans, programs, and actions implemented since  
33 1990 that have already contributed to achieving the objectives specified in paragraphs  
34 (A) (E) above;~~

35 ~~(c) If a plan using a standard, approved pursuant to this rule, is expected to result in an  
36 increase in VMT per capita, then the cities and counties in the metropolitan area shall  
37 prepare and adopt an integrated land use and transportation plan including the elements  
38 listed in paragraphs (A) (E) below. Such a plan shall be prepared in coordination with  
39 the MPO and shall be adopted within three years of the approval of the standard.~~

40 ~~(A) Changes to land use plan designations, densities, and design standards listed in  
41 subsections (2)(a) (d);~~



1 TSP shall be amended to include new or additional efforts adequate to meet the requirements of  
2 this rule.

3 ~~(8)~~ The commission shall, at regular intervals, evaluate the results of efforts to achieve the reduction  
4 in VMT and the effectiveness of approved plans and standards in achieving the objective of  
5 increasing transportation choices and reducing reliance on the automobile.

6 ~~(9)~~(3) Where existing and committed transportation facilities and services have adequate capacity to  
7 support the land uses in the acknowledged comprehensive plan, the local government shall not be  
8 required to evaluate alternatives as provided in this rule.

9 ~~(10)~~(4) Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and  
10 located in an urban fringe may be included in a TSP only if the ~~improvement~~ project identified in  
11 the transportation system plan as described in section ~~(12)~~(6) of this rule, will not significantly  
12 reduce peak hour travel time for the route as determined pursuant to section ~~(11)~~(5) of this rule, or  
13 the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose  
14 of the improvement project:

15 (a) Improvements to transportation facilities and services within the urban growth boundary;

16 (b) Transportation system management measures that do not significantly increase capacity;  
17 or

18 (c) Transportation demand management measures. The jurisdiction needs only to consider  
19 alternatives that are safe and effective, consistent with applicable standards and that can  
20 be implemented at a reasonable cost using available technology.

21 ~~(11)~~(5) An ~~improvement~~ project significantly reduces peak hour travel time when, based on recent data,  
22 the time to travel the route is reduced more than 15 percent during weekday peak hour conditions  
23 over the length of the route located within the urban fringe. For purposes of measuring travel  
24 time, a route shall be identified by the predominant traffic flows in the project area.

25 ~~(12)~~(6) A "transportation improvement project" described in section ~~(10)~~(4) of this rule:

26 (a) Is intended to solve all of the reasonably foreseeable transportation problems within a  
27 general geographic location, within the planning period; and

28 (b) Has utility as an independent transportation project.

1 **0045: Implementation of the Transportation System Plan**

2 We propose to alter this existing rule. The existing rule directs how local governments are to implement  
3 the local transportation system plan. We propose to delete one section of this rule pertaining only to  
4 metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the  
5 requirements within this section.

- 6 (1) Each local government shall amend its land use regulations to implement the TSP.
- 7 (a) The following transportation facilities, services and improvements need not be subject to  
8 land use regulations except as necessary to implement the TSP and, under ordinary  
9 circumstances do not have a significant impact on land use:
- 10 (A) Operation, maintenance, and repair of existing transportation facilities identified  
11 in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and  
12 major regional pipelines and terminals;
- 13 (B) Dedication of right-of-way, authorization of construction and the construction of  
14 facilities and improvements, where the improvements are consistent with clear  
15 and objective dimensional standards;
- 16 (C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k),  
17 consistent with the provisions of OAR 660-012-0065; and
- 18 (D) Changes in the frequency of transit, rail and airport services.
- 19 (b) To the extent, if any, that a transportation facility, service or improvement concerns the  
20 application of a comprehensive plan provision or land use regulation, it may be allowed  
21 without further land use review if it is permitted outright or if it is subject to standards  
22 that do not require interpretation or the exercise of factual, policy or legal judgment;
- 23 (c) In the event that a transportation facility, service or improvement is determined to have a  
24 significant impact on land use or to concern the application of a comprehensive plan or  
25 land use regulation and to be subject to standards that require interpretation or the  
26 exercise of factual, policy or legal judgment, the local government shall provide a review  
27 and approval process that is consistent with OAR 660-012-0050. To facilitate  
28 implementation of the TSP, each local government shall amend its land use regulations to  
29 provide for consolidated review of land use decisions required to permit a transportation  
30 project.
- 31 (2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with  
32 applicable federal and state requirements, to protect transportation facilities, corridors and sites  
33 for their identified functions. Such regulations shall include:
- 34 (a) Access control measures, for example, driveway and public road spacing, median control  
35 and signal spacing standards, which are consistent with the functional classification of  
36 roads and consistent with limiting development on rural lands to rural uses and densities;
- 37 (b) Standards to protect future operation of roads, transitways and major transit corridors;
- 38 (c) Measures to protect public use airports by controlling land uses within airport noise  
39 corridors and imaginary surfaces, and by limiting physical hazards to air navigation;
- 40 (d) A process for coordinated review of future land use decisions affecting transportation  
41 facilities, corridors or sites;

- 1 (e) A process to apply conditions to development proposals in order to minimize impacts and  
2 protect transportation facilities, corridors or sites;
- 3 (f) Regulations to provide notice to public agencies providing transportation facilities and  
4 services, MPOs, and ODOT of:
- 5 (A) Land use applications that require public hearings;
- 6 (B) Subdivision and partition applications;
- 7 (C) Other applications which affect private access to roads; and
- 8 (D) Other applications within airport noise corridors and imaginary surfaces which  
9 affect airport operations; and
- 10 (g) Regulations assuring that amendments to land use designations, densities, and design  
11 standards are consistent with the functions, capacities and performance standards of  
12 facilities identified in the TSP.
- 13 (3) Local governments shall adopt land use or subdivision regulations for urban areas and rural  
14 communities as set forth below. The purposes of this section are to provide for safe and  
15 convenient pedestrian, bicycle and vehicular circulation consistent with access management  
16 standards and the function of affected streets, to ensure that new development provides on-site  
17 streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in  
18 areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids  
19 wherever possible levels of automobile traffic which might interfere with or discourage  
20 pedestrian or bicycle travel.
- 21 (a) Bicycle parking facilities as part of new multi-family residential developments of four  
22 units or more, new retail, office and institutional developments, and all transit transfer  
23 stations and park-and-ride lots;
- 24 (b) On-site facilities shall be provided which accommodate safe and convenient pedestrian  
25 and bicycle access from within new subdivisions, multi-family developments, planned  
26 developments, shopping centers, and commercial districts to adjacent residential areas  
27 and transit stops, and to neighborhood activity centers within one-half mile of the  
28 development. Single-family residential developments shall generally include streets and  
29 accessways. Pedestrian circulation through parking lots should generally be provided in  
30 the form of accessways.
- 31 (A) "Neighborhood activity centers" includes, but is not limited to, existing or  
32 planned schools, parks, shopping areas, transit stops or employment centers;
- 33 (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall  
34 be required along arterials, collectors and most local streets in urban areas, except  
35 that sidewalks are not required along controlled access roadways, such as  
36 freeways;
- 37 (C) Cul-de-sacs and other dead-end streets may be used as part of a development  
38 plan, consistent with the purposes set forth in this section;
- 39 (D) Local governments shall establish their own standards or criteria for providing  
40 streets and accessways consistent with the purposes of this section. Such  
41 measures may include but are not limited to: standards for spacing of streets or  
42 accessways; and standards for excessive out-of-direction travel;

- 1 (E) Streets and accessways need not be required where one or more of the following  
2 conditions exist:
- 3 (i) Physical or topographic conditions make a street or accessway  
4 connection impracticable. Such conditions include but are not limited to  
5 freeways, railroads, steep slopes, wetlands or other bodies of water  
6 where a connection could not reasonably be provided;
- 7 (ii) Buildings or other existing development on adjacent lands physically  
8 preclude a connection now or in the future considering the potential for  
9 redevelopment; or
- 10 (iii) Where streets or accessways would violate provisions of leases,  
11 easements, covenants, restrictions or other agreements existing as of May  
12 1, 1995, which preclude a required street or accessway connection.
- 13 (c) Where off-site road improvements are otherwise required as a condition of development  
14 approval, they shall include facilities accommodating convenient pedestrian and bicycle  
15 travel, including bicycle ways along arterials and major collectors;
- 16 (d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian  
17 routes, facilities and improvements which:
- 18 (A) Are reasonably free from hazards, particularly types or levels of automobile  
19 traffic which would interfere with or discourage pedestrian or cycle travel for  
20 short trips;
- 21 (B) Provide a reasonably direct route of travel between destinations such as between  
22 a transit stop and a store; and
- 23 (C) Meet travel needs of cyclists and pedestrians considering destination and length  
24 of trip; and considering that the ~~optimum~~ most common trip length of pedestrians  
25 is generally ~~1/4 to~~ under 1/2 mile.
- 26 (e) Internal pedestrian circulation within new office parks and commercial developments  
27 shall be provided through clustering of buildings, construction of accessways, walkways  
28 and similar techniques.
- 29 (4) To support transit in urban areas containing a population greater than 25,000, where the area is  
30 already served by a public transit system or where a determination has been made that a public  
31 transit system is feasible, local governments shall adopt land use and subdivision regulations as  
32 provided in (a)–(g) below:
- 33 (a) Transit routes and transit facilities shall be designed to support transit use through  
34 provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking  
35 restrictions and similar facilities, as appropriate;
- 36 (b) New retail, office and institutional buildings at or near major transit stops shall provide  
37 for convenient pedestrian access to transit through the measures listed in paragraphs (A)  
38 and (B) below.
- 39 (A) Walkways shall be provided connecting building entrances and streets adjoining  
40 the site;

- 1 (B) Pedestrian connections to adjoining properties shall be provided except where  
2 such a connection is impracticable as provided for in OAR 660-012-  
3 0045(3)(b)(E). Pedestrian connections shall connect the on-site circulation  
4 system to existing or proposed streets, walkways, and driveways that abut the  
5 property. Where adjacent properties are undeveloped or have potential for  
6 redevelopment, streets, accessways and walkways on site shall be laid out or  
7 stubbed to allow for extension to the adjoining property;
- 8 (C) In addition to paragraphs (A) and (B) above, on sites at major transit stops  
9 provide the following:
- 10 (i) Either locate buildings within 20 feet of the transit stop, a transit street or  
11 an intersecting street or provide a pedestrian plaza at the transit stop or a  
12 street intersection;
- 13 (ii) A reasonably direct pedestrian connection between the transit stop and  
14 building entrances on the site;
- 15 (iii) A transit passenger landing pad accessible to ~~disabled persons~~ people  
16 with disabilities;
- 17 (iv) An easement or dedication for a passenger shelter if requested by the  
18 transit provider; and
- 19 (v) Lighting at the transit stop.
- 20 (c) Local governments may implement (4)(b)(A) and (B) above through the designation of  
21 pedestrian districts and adoption of appropriate implementing measures regulating  
22 development within pedestrian districts. Pedestrian districts must comply with the  
23 requirement of (4)(b)(C) above;
- 24 (d) Designated employee parking areas in new developments shall provide preferential  
25 parking for carpools and vanpools;
- 26 (e) Existing development shall be allowed to redevelop a portion of existing parking areas  
27 for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride  
28 stations, transit-oriented developments, and similar facilities, where appropriate;
- 29 (f) Road systems for new development shall be provided that can be adequately served by  
30 transit, including provision of pedestrian access to existing and identified future transit  
31 routes. This shall include, where appropriate, separate accessways to minimize travel  
32 distances;
- 33 (g) Along existing or planned transit routes, designation of types and densities of land uses  
34 adequate to support transit.
- 35 ~~(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce~~  
36 ~~reliance on the automobile which:~~
- 37 ~~(a) Allow transit oriented developments (TODs) on lands along transit routes;~~
- 38 ~~(b) Implements a demand management program to meet the measurable standards set in the~~  
39 ~~TSP in response to OAR 660-012-0035(4);~~



- 1           ~~(c)~~ — Implements a parking plan which:
- 2                   ~~(A)~~ — Achieves a 10 percent reduction in the number of parking spaces per capita in the
- 3                                   MPO area over the planning period. This may be accomplished through a
- 4                                   combination of restrictions on development of new parking spaces and
- 5                                   requirements that existing parking spaces be redeveloped to other uses;
- 6                   ~~(B)~~ — Aids in achieving the measurable standards set in the TSP in response to OAR
- 7                                   660-012-0035(4);
- 8                   ~~(C)~~ — Includes land use and subdivision regulations setting minimum and maximum
- 9                                   parking requirements in appropriate locations, such as downtowns, designated
- 10                                  regional or community centers, and transit-oriented developments; and
- 11                   ~~(D)~~ — Is consistent with demand management programs, transit-oriented development
- 12                                  requirements and planned transit service.
- 13           ~~(d)~~ — As an alternative to ~~(c)~~ above, local governments in an MPO may instead revise
- 14                                  ordinance requirements for parking as follows:
- 15                                  ~~(A)~~ — Reduce minimum off-street parking requirements for all non-residential uses
- 16    from 1990 levels;
- 17                                  ~~(B)~~ — Allow provision of on-street parking, long-term lease parking, and shared
- 18    parking to meet minimum off-street parking requirements;
- 19                                  ~~(C)~~ — Establish off-street parking maximums in appropriate locations, such as
- 20    downtowns, designated regional or community centers, and transit-oriented
- 21    developments;
- 22                                  ~~(D)~~ — Exempt structured parking and on-street parking from parking maximums;
- 23                                  ~~(E)~~ — Require that parking lots over 3 acres in size provide street-like features along
- 24    major driveways (including curbs, sidewalks, and street trees or planting strips);
- 25    and
- 26                                  ~~(F)~~ — Provide for designation of residential parking districts.
- 27           ~~(e)~~ — Require all major industrial, institutional, retail and office developments to provide either
- 28                                  a transit stop on site or connection to a transit stop along a transit trunk route when the
- 29                                  transit operator requires such an improvement.

30 ~~(6)~~(5) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d),

31 local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet

32 local travel needs in developed areas. Appropriate improvements should provide for more direct,

33 convenient and safer bicycle or pedestrian travel within and between residential areas and

34 neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include,

35 for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways

36 between buildings, and providing direct access between adjacent uses.

37 ~~(7)~~(6) Local governments shall establish standards for local streets and accessways that minimize

38 pavement width and total right-of-way consistent with the operational needs of the facility. The

39 intent of this requirement is that local governments consider and reduce excessive standards for

40 local streets and accessways in order to reduce the cost of construction, provide for more efficient

41 use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic

42 volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Not

1 withstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement  
2 need not be adopted as land use regulations.

3 **0060: Plan and Land Use Regulation Amendments**

4 This rule guides cities and counties when they change the acknowledged comprehensive plan after  
5 adoption of a transportation system plan. The rule provides for consideration of transportation system  
6 needs in response to the proposed changes.

7 **Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable**  
8 **Communities Rulemaking.**

9 This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing  
10 some minor changes to reflect changes in how performance standards work within metropolitan areas.

- 11 (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use  
12 regulation (including a zoning map) would significantly affect an existing or planned  
13 transportation facility, then the local government must put in place measures as provided in  
14 section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule.  
15 A plan or land use regulation amendment significantly affects a transportation facility if it would:
- 16 (a) Change the functional classification of an existing or planned transportation facility  
17 (exclusive of correction of map errors in an adopted plan);
  - 18 (b) Change standards implementing a functional classification system; or
  - 19 (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a  
20 local government is evaluating a performance based on projected levels of motor vehicle  
21 traffic, then the results must be based on projected conditions measured at the end of the  
22 planning period identified in the adopted TSP. As part of evaluating projected conditions,  
23 the amount of traffic projected to be generated within the area of the amendment may be  
24 reduced if the amendment includes an enforceable, ongoing requirement that would  
25 demonstrably limit traffic generation, including, but not limited to, transportation demand  
26 management. This reduction may diminish or completely eliminate the significant effect  
27 of the amendment.
- 28 (A) Types or levels of travel or access that are inconsistent with the functional  
29 classification of an existing or planned transportation facility;
  - 30 (B) Degrade the performance of an existing or planned transportation facility such  
31 that it would not meet the performance standards identified in the TSP or  
32 comprehensive plan; or
  - 33 (C) Degrade the performance of an existing or planned transportation facility that is  
34 otherwise projected to not meet the performance standards identified in the TSP  
35 or comprehensive plan.
- 36 (2) If a local government determines that there would be a significant effect, then the local  
37 government must ensure that allowed land uses are consistent with the ~~identified function,~~  
38 ~~capacity, and~~ performance standards of the facility measured or projected at the end of the  
39 planning period identified in the adopted TSP through one or a combination of the remedies listed  
40 in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of  
41 this section or qualifies for partial mitigation in section (11) of this rule. A local government

1 using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment  
2 recognizes that additional motor vehicle traffic congestion may result and that other facility  
3 providers would not be expected to provide additional capacity for motor vehicles in response to  
4 this congestion.

5 (a) Adopting measures that demonstrate allowed land uses are consistent with the ~~planned~~  
6 ~~function, capacity, and~~ performance standards of the transportation facility.

7 (b) Amending the TSP or comprehensive plan to provide transportation facilities,  
8 improvements or services adequate to support the proposed land uses consistent with the  
9 requirements of this division; s. Such amendments shall include a funding plan or  
10 mechanism consistent with section (4) or include an amendment to the transportation  
11 finance plan so that the facility, improvement, or service will be provided by the end of  
12 the planning period.

13 (c) Amending the TSP to modify the ~~planned function, capacity or~~ performance standards of  
14 the transportation facility.

15 (d) Providing other measures as a condition of development or through a development  
16 agreement or similar funding method, including, but not limited to, transportation system  
17 management measures or minor transportation improvements. Local governments shall,  
18 as part of the amendment, specify when measures or improvements provided pursuant to  
19 this subsection will be provided.

20 (e) Providing improvements that would benefit modes other than the significantly affected  
21 mode, improvements to facilities other than the significantly affected facility, or  
22 improvements at other locations, if:

23 (A) The provider of the significantly affected facility provides a written statement  
24 that the system-wide benefits are sufficient to balance the significant effect, even  
25 though the improvements would not result in consistency for all performance  
26 standards;

27 (B) The providers of facilities being improved at other locations provide written  
28 statements of approval; and

29 (C) The local jurisdictions where facilities are being improved provide written  
30 statements of approval.

31 (3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment  
32 that would significantly affect an existing transportation facility without assuring that the allowed  
33 land uses are consistent with the ~~function, capacity and~~ performance standards of the facility  
34 where:

35 (a) In the absence of the amendment, planned transportation facilities, improvements and  
36 services as set forth in section (4) of this rule would not be adequate to achieve  
37 consistency with the ~~identified function, capacity or~~ performance standard for that facility  
38 by the end of the planning period identified in the adopted TSP;

39 (b) Development resulting from the amendment will, at a minimum, mitigate the impacts of  
40 the amendment in a manner that avoids further degradation to the performance of the  
41 facility by the time of the development through one or a combination of transportation  
42 improvements or measures;

- 1 (c) The amendment does not involve property located in an interchange area as defined in  
2 paragraph (4)(d)(C); and
- 3 (d) For affected state highways, ODOT provides a written statement that the proposed  
4 funding and timing for the identified mitigation improvements or measures are, at a  
5 minimum, sufficient to avoid further degradation to the performance of the affected state  
6 highway. However, if a local government provides the appropriate ODOT regional office  
7 with written notice of a proposed amendment in a manner that provides ODOT  
8 reasonable opportunity to submit a written statement into the record of the local  
9 government proceeding, and ODOT does not provide a written statement, then the local  
10 government may proceed with applying subsections (a) through (c) of this section.
- 11 (4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected  
12 transportation facility and service providers and other affected local governments.
- 13 (a) In determining whether an amendment has a significant effect on an existing or planned  
14 transportation facility under subsection (1)(c) of this rule, local governments shall rely on  
15 existing transportation facilities and services and on the planned transportation facilities,  
16 improvements and services set forth in subsections (b) and (c) below.
- 17 (b) Outside of interstate interchange areas, the following are considered planned facilities,  
18 improvements and services:
- 19 (A) Transportation facilities, improvements or services that are funded for  
20 construction or implementation in the Statewide Transportation Improvement  
21 Program or a locally or regionally adopted transportation improvement program  
22 or capital improvement plan or program of a transportation service provider.
- 23 (B) Transportation facilities, improvements or services that are authorized in a local  
24 transportation system plan and for which a funding plan or mechanism is in place  
25 or approved. These include, but are not limited to, transportation facilities,  
26 improvements or services for which: transportation systems development charge  
27 revenues are being collected; a local improvement district or reimbursement  
28 district has been established or will be established prior to development; a  
29 development agreement has been adopted; or conditions of approval to fund the  
30 improvement have been adopted.
- 31 (C) Transportation facilities, improvements or services in a metropolitan planning  
32 organization (MPO) area that are part of the area's federally-approved, financially  
33 constrained regional transportation system plan.
- 34 (D) Improvements to state highways that are included as planned improvements in a  
35 regional or local transportation system plan or comprehensive plan when ODOT  
36 provides a written statement that the improvements are reasonably likely to be  
37 provided by the end of the planning period.
- 38 (E) Improvements to regional and local roads, streets or other transportation facilities  
39 or services that are included as planned improvements in a regional or local  
40 transportation system plan or comprehensive plan when the local government(s)  
41 or transportation service provider(s) responsible for the facility, improvement or  
42 service provides a written statement that the facility, improvement or service is  
43 reasonably likely to be provided by the end of the planning period.

- 1 (c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are  
2 considered planned facilities, improvements and services, except where:
- 3 (A) ODOT provides a written statement that the proposed funding and timing of  
4 mitigation measures are sufficient to avoid a significant adverse impact on the  
5 Interstate Highway system, then local governments may also rely on the  
6 improvements identified in paragraphs (b)(D) and (E) of this section; or
- 7 (B) There is an adopted interchange area management plan, then local governments  
8 may also rely on the improvements identified in that plan and which are also  
9 identified in paragraphs (b)(D) and (E) of this section.
- 10 (d) As used in this section and section (3):
- 11 (A) Planned interchange means new interchanges and relocation of existing  
12 interchanges that are authorized in an adopted transportation system plan or  
13 comprehensive plan;
- 14 (B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and
- 15 (C) Interstate interchange area means:
- 16 (i) Property within one-quarter mile of the ramp terminal intersection of an  
17 existing or planned interchange on an Interstate Highway; or
- 18 (ii) The interchange area as defined in the Interchange Area Management  
19 Plan adopted as an amendment to the Oregon Highway Plan.
- 20 (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D),  
21 (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility  
22 provider, as appropriate, shall be conclusive in determining whether a transportation  
23 facility, improvement or service is a planned transportation facility, improvement or  
24 service. In the absence of a written statement, a local government can only rely upon  
25 planned transportation facilities, improvements and services identified in paragraphs  
26 (b)(A)-(C) to determine whether there is a significant effect that requires application of  
27 the remedies in section (2).
- 28 (5) The presence of a transportation facility or improvement shall not be a basis for an exception to  
29 allow residential, commercial, institutional or industrial development on rural lands under this  
30 division or OAR 660-004-0022 and 660-004-0028.
- 31 (6) ~~If a local government is~~ determining whether proposed land uses would affect or be consistent  
32 with planned transportation facilities as provided in sections (1) and (2); using a performance  
33 standard based on projected levels of motor vehicle traffic, then the local governments shall give  
34 full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-  
35 friendly centers, and neighborhoods as provided in subsections (a)–(d) below;

- 1 (a) Absent adopted local standards or detailed information about the vehicle trip reduction  
2 benefits of mixed-use, pedestrian-friendly development, local governments shall assume  
3 that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will  
4 generate 10% fewer daily and peak hour trips than are specified in available published  
5 estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip  
6 Generation Manual that do not specifically account for the effects of mixed-use,  
7 pedestrian-friendly development. The 10% reduction allowed for by this section shall be  
8 available only if uses which rely solely on auto trips, such as gas stations, car washes,  
9 storage facilities, and motels are prohibited;
- 10 (b) Local governments shall use detailed or local information about the trip reduction  
11 benefits of mixed-use, pedestrian-friendly development where such information is  
12 available and presented to the local government. Local governments may, based on such  
13 information, allow reductions greater than the 10% reduction required in subsection (a)  
14 above;
- 15 (c) Where a local government assumes or estimates lower vehicle trip generation as provided  
16 in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or  
17 approval standards that subsequent development approvals support the development of a  
18 mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and  
19 pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3)  
20 and (4). The provision of on-site bike and pedestrian connectivity and access to transit  
21 may be accomplished through application of acknowledged ordinance provisions which  
22 comply with 660-012-0045(3) and (4) or through conditions of approval or findings  
23 adopted with the plan amendment that assure compliance with these rule requirements at  
24 the time of development approval; and
- 25 (d) The purpose of this section is to provide an incentive for the designation and  
26 implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering  
27 the regulatory barriers to plan amendments which accomplish this type of development.  
28 The actual trip reduction benefits of mixed-use, pedestrian-friendly development will  
29 vary from case to case and may be somewhat higher or lower than presumed pursuant to  
30 subsection (a) above. The Commission concludes that this assumption is warranted given  
31 general information about the expected effects of mixed-use, pedestrian-friendly  
32 development and its intent to encourage changes to plans and development patterns.  
33 Nothing in this section is intended to affect the application of provisions in local plans or  
34 ordinances which provide for the calculation or assessment of systems development  
35 charges or in preparing conformity determinations required under the federal Clean Air  
36 Act.
- 37 (7) Amendments to acknowledged comprehensive plans and land use regulations which meet all of  
38 the criteria listed in subsections (a)–(c) below shall include an amendment to the comprehensive  
39 plan, transportation system plan the adoption of a local street plan, access management plan,  
40 future street plan or other binding local transportation plan to provide for on-site alignment of  
41 streets or accessways with existing and planned arterial, collector, and local streets surrounding  
42 the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-  
43 0045(3):
- 44 (a) The plan or land use regulation amendment results in designation of two or more acres of  
45 land for commercial use;

- 1 (b) The local government has not adopted a TSP or local street plan which complies with  
2 OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with  
3 Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban  
4 Growth Management Functional Plan; and
- 5 (c) The proposed amendment would significantly affect a transportation facility as provided  
6 in section (1).
- 7 (8) A "mixed-use, pedestrian-friendly center or neighborhood" for the purposes of this rule, means:
- 8 (a) Any one of the following:
- 9 (A) An existing central business district or downtown;
- 10 (B) An area designated as a central city, regional center, town center or main street in  
11 the Portland Metro 2040 Regional Growth Concept;
- 12 (C) An area designated in an acknowledged comprehensive plan as a transit oriented  
13 development or a pedestrian district; or
- 14 (D) An area designated as a special transportation area as provided for in the Oregon  
15 Highway Plan.
- 16 (b) An area other than those listed in subsection (a) above which includes or is planned to  
17 include the following characteristics:
- 18 (A) A concentration of a variety of land uses in a well-defined area, including the  
19 following:
- 20 (i) Medium to high density residential development (12 or more units per  
21 acre);
- 22 (ii) Offices or office buildings;
- 23 (iii) Retail stores and services;
- 24 (iv) Restaurants; and
- 25 (v) Public open space or private open space which is available for public  
26 use, such as a park or plaza.
- 27 (B) Generally include civic or cultural uses;
- 28 (C) A core commercial area where multi-story buildings are permitted;
- 29 (D) Buildings and building entrances oriented to streets;
- 30 (E) Street connections and crossings that make the center safe and conveniently  
31 accessible from adjacent areas;
- 32 (F) A network of streets and, where appropriate, accessways and major driveways  
33 that make it attractive and highly convenient for people to walk between uses  
34 within the center or neighborhood, including streets and major driveways within  
35 the center with wide sidewalks and other features, including pedestrian-oriented  
36 street crossings, street trees, pedestrian-scale lighting and on-street parking;
- 37 (G) One or more transit stops (in urban areas with fixed route transit service); and

- 1 (H) Limit or do not allow low-intensity or land extensive uses, such as most  
2 industrial uses, automobile sales and services, and drive-through services.
- 3 (9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a  
4 zoning map does not significantly affect an existing or planned transportation facility if all of the  
5 following requirements are met.
- 6 (a) The proposed zoning is consistent with the existing comprehensive plan map designation  
7 and the amendment does not change the comprehensive plan map;
- 8 (b) The local government has an acknowledged TSP and the proposed zoning is consistent  
9 with the TSP; and
- 10 (c) The area subject to the zoning map amendment was not exempted from this rule at the  
11 time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d),  
12 or the area was exempted from this rule but the local government has a subsequently  
13 acknowledged TSP amendment that accounted for urbanization of the area.
- 14 (10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional  
15 plan, a comprehensive plan or a land use regulation without applying performance standards  
16 related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel  
17 time if the amendment meets the requirements of subsection (a) of this section. This section does  
18 not exempt a proposed amendment from other transportation performance standards or policies  
19 that may apply including, but not limited to, safety for all modes, network connectivity for all  
20 modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency  
21 required by the development.
- 22 (a) A proposed amendment qualifies for this section if it:
- 23 (A) Is a map or text amendment affecting only land entirely within a multimodal  
24 mixed-use area (MMA); and
- 25 (B) Is consistent with the definition of an MMA and consistent with the function of  
26 the MMA as described in the findings designating the MMA.
- 27 (b) For the purpose of this rule, “multimodal mixed-use area” or “MMA” means an area:
- 28 (A) With a boundary adopted by a local government as provided in subsection (d) or  
29 (e) of this section and that has been acknowledged;
- 30 (B) Entirely within an urban growth boundary;
- 31 (C) With adopted plans and development regulations that allow the uses listed in  
32 paragraphs (8)(b)(A) through (C) of this rule and that require new development  
33 to be consistent with the characteristics listed in paragraphs (8)(b)(D) through  
34 (H) of this rule;
- 35 (D) With land use regulations that do not require the provision of off-street parking,  
36 or regulations that require lower levels of off-street parking than required in other  
37 areas and allow flexibility to meet the parking requirements (e.g. count on-street  
38 parking, allow long-term leases, allow shared parking); and
- 39 (E) Located in one or more of the categories below:
- 40 (i) At least one-quarter mile from any ramp terminal intersection of existing  
41 or planned interchanges;



- 1 (ii) Within the area of an adopted Interchange Area Management Plan  
2 (IAMP) and consistent with the IAMP; or
- 3 (iii) Within one-quarter mile of a ramp terminal intersection of an existing or  
4 planned interchange if the mainline facility provider has provided written  
5 concurrence with the MMA designation as provided in subsection (c) of  
6 this section.
- 7 (c) When a mainline facility provider reviews an MMA designation as provided in  
8 subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in  
9 paragraph (A) of this subsection.
- 10 (A) The potential for operational or safety effects to the interchange area and the  
11 mainline highway, specifically considering:
- 12 (i) Whether the interchange area has a crash rate that is higher than the  
13 statewide crash rate for similar facilities;
- 14 (ii) Whether the interchange area is in the top ten percent of locations  
15 identified by the safety priority index system (SPIS) developed by  
16 ODOT; and
- 17 (iii) Whether existing or potential future traffic queues on the interchange exit  
18 ramps extend onto the mainline highway or the portion of the ramp  
19 needed to safely accommodate deceleration.
- 20 (B) If there are operational or safety effects as described in paragraph (A) of this  
21 subsection, the effects may be addressed by an agreement between the local  
22 government and the facility provider regarding traffic management plans  
23 favoring traffic movements away from the interchange, particularly those  
24 facilitating clearing traffic queues on the interchange exit ramps.
- 25 (d) A local government may designate an MMA by adopting an amendment to the  
26 comprehensive plan or land use regulations to delineate the boundary following an  
27 existing zone, multiple existing zones, an urban renewal area, other existing boundary, or  
28 establishing a new boundary. The designation must be accompanied by findings showing  
29 how the area meets the definition of an MMA. Designation of an MMA is not subject to  
30 the requirements in sections (1) and (2) of this rule.
- 31 (e) A local government may designate an MMA on an area where comprehensive plan map  
32 designations or land use regulations do not meet the definition, if all of the other elements  
33 meet the definition, by concurrently adopting comprehensive plan or land use regulation  
34 amendments necessary to meet the definition. Such amendments are not subject to  
35 performance standards related to motor vehicle traffic congestion, delay or travel time.
- 36 (11) A local government may approve an amendment with partial mitigation as provided in section (2)  
37 of this rule if the amendment complies with subsection (a) of this section, the amendment meets  
38 the balancing test in subsection (b) of this section, and the local government coordinates as  
39 provided in subsection (c) of this section.
- 40 (a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph  
41 (D) of this subsection.
- 42 (A) Create direct benefits in terms of industrial or traded-sector jobs created or  
43 retained by limiting uses to industrial or traded-sector industries.

- 1 (B) Not allow retail uses, except limited retail incidental to industrial or traded sector  
2 development, not to exceed five percent of the net developable area.
- 3 (C) For the purpose of this section:
- 4 (i) “Industrial” means employment activities generating income from the  
5 production, handling or distribution of goods including, but not limited  
6 to, manufacturing, assembly, fabrication, processing, storage, logistics,  
7 warehousing, importation, distribution and transshipment and research  
8 and development.
- 9 (ii) “Traded-sector” means industries in which member firms sell their goods  
10 or services into markets for which national or international competition  
11 exists.
- 12 ~~(D) Notwithstanding paragraphs (A) and (B) of this subsection, an amendment~~  
13 ~~complies with subsection (a) if all of the following conditions are met:~~
- 14 ~~(i) The amendment is within a city with a population less than 10,000 and~~  
15 ~~outside of a Metropolitan Planning Organization.~~
- 16 ~~(ii) The amendment would provide land for “Other Employment Use” or~~  
17 ~~“Prime Industrial Land” as those terms are defined in OAR 660-009-~~  
18 ~~0005.~~
- 19 ~~(iii) The amendment is located outside of the Willamette Valley as defined in~~  
20 ~~ORS 215.010.~~
- 21 ~~(E) The provisions of paragraph (D) of this subsection are repealed on January 1,~~  
22 ~~2017.~~
- 23 (b) A local government may accept partial mitigation only if the local government  
24 determines that the benefits outweigh the negative effects on local transportation facilities  
25 and the local government receives from the provider of any transportation facility that  
26 would be significantly affected written concurrence that the benefits outweigh the  
27 negative effects on their transportation facilities. If the amendment significantly affects a  
28 state highway, then ODOT must coordinate with the Oregon Business Development  
29 Department regarding the economic and job creation benefits of the proposed amendment  
30 as defined in subsection (a) of this section. The requirement to obtain concurrence from a  
31 provider is satisfied if the local government provides notice as required by subsection (c)  
32 of this section and the provider does not respond in writing (either concurring or non-  
33 concurring) within forty-five days.
- 34 (c) A local government that proposes to use this section must coordinate with Oregon  
35 Business Development Department, Department of Land Conservation and Development,  
36 area commission on transportation, metropolitan planning organization, and  
37 transportation providers and local governments directly impacted by the proposal to  
38 allow opportunities for comments on whether the proposed amendment meets the  
39 definition of economic development, how it would affect transportation facilities and the  
40 adequacy of proposed mitigation. Informal consultation is encouraged throughout the  
41 process starting with pre-application meetings. Coordination has the meaning given in  
42 ORS 197.015 and Goal 2 and must include notice at least 45 days before the first  
43 evidentiary hearing. Notice must include the following:

- 1 (A) Proposed amendment.
- 2 (B) Proposed mitigating actions from section (2) of this rule.
- 3 (C) Analysis and projections of the extent to which the proposed amendment in
- 4 combination with proposed mitigating actions would fall short of being
- 5 consistent with the ~~function, capacity, and~~ performance standards of
- 6 transportation facilities.
- 7 (D) Findings showing how the proposed amendment meets the requirements of
- 8 subsection (a) of this section.
- 9 (E) Findings showing that the benefits of the proposed amendment outweigh the
- 10 negative effects on transportation facilities.

11 **New Rules 0011-0012: Applicability and Effective Dates**

12 These rules are intended to help implement the new rules numbered 0100 and above, which will apply

13 to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of

14 urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions,

15 and when those rules apply.

16 **0011: Applicable Rules**

17 This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-

18 0100 and above. Local governments in other parts of the state will continue to use the existing rules,

19 although cities outside metropolitan areas may opt into using the updated rules if they wish.

20 We are working with Metro and will be consulting with potentially affected local governments to

21 determine how rules may apply in the Portland Metropolitan Area.

22 The following rules will continue to apply statewide, even in metropolitan areas:

- 23 OAR 660-012-0000, Purpose
- 24 OAR 660-012-0005, Definitions
- 25 OAR 660-012-0010, Transportation Planning
- 26 OAR 660-012-0060, Plan and Land Use Regulation Amendments
- 27 OAR 660-012-0065, Transportation Improvements on Rural Lands
- 28 OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land

29 The latter two rules only apply to rural lands statewide.

- 30 (1) OAR 660-012-0000, OAR 660-012-0005, OAR 660-012-0010, OAR 660-12-0011, OAR 660-
- 31 012-0012, OAR 660-012-0060, OAR 660-012-0065, and OAR 660-012-0070 apply statewide,
- 32 where this division is applicable.
- 33 (2) OAR 660-012-0100 through OAR 660-012-0910 apply to the following local governments:
- 34 (a) Cities within metropolitan areas;

- 1 (b) Portions of counties within Urban Growth Boundaries of cities in metropolitan areas; and
- 2 (c) Metro.
- 3 (3) OAR 660-012-0010 through OAR 660-012-0055 apply to all local governments other than those
- 4 listed in section (2) of this rule, where this division is applicable.
- 5 (4) Cities that otherwise would be required to use rules as provided in section (3) of this rule, may
- 6 choose to instead adopt a transportation system plan meeting the rules that apply to jurisdictions
- 7 as provided in section (2) of this rule. Upon acknowledgement of such a transportation system
- 8 plan, the city shall continue to be subject to these rules in all respects.
- 9 (5) All cities are either subject to the rules in section (2) or section (3) of this rule, but not both.
- 10 (6) Counties may have different applicable rules in different parts of the county.

11 **0012: Effective Dates**

12 This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most  
13 provisions will take effect shortly after the commission adopts the rule amendments, but the  
14 implementation of some provisions will be phased in over time.

- 15 (1) The rules in this division adopted on [May XX, 2022], and amendments to rules in this division
- 16 adopted on that date, are effective [June XX, 2022], except as provided in this rule.
- 17 (2) A city or county adopting, amending, or updating a transportation system plan that is required to
- 18 meet the requirements as provided in OAR 660-012-0100 may instead use existing requirements
- 19 as provided in OAR 660-012-0015 if the city or county has submitted notice of the proposed
- 20 change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later
- 21 than December 31, 2022.
- 22 (3) Cities and counties must make their selection of approach to plan for reducing vehicle miles
- 23 traveled per capita as provided in OAR 660-012-0160(4) no later than December 31, 2022. Cities
- 24 and counties must notify the director of their selection prior to this date.
- 25 (4) The requirements of OAR 660-012-0170 limiting the sole use of motor vehicle congestion
- 26 standards take effect on January 1, 2023.
- 27 (5) Cities and Counties shall designate climate friendly areas as provided in OAR 660-012-0310 as
- 28 follows:
  - 29 (a) A city or county outside a metropolitan service district with a population of more than
  - 30 5,000 but less than 10,000 within the urban growth boundary that is subject to the
  - 31 requirements of OAR 660-012-0310(1) shall designate climate friendly areas as provided
  - 32 in OAR 660-012-0315(3) by June 30, 2023. The city or county shall adopt land use
  - 33 requirements for climate friendly areas and a climate friendly comprehensive plan
  - 34 element by June 30, 2024, as provided in OAR 660-012-0315(4). The city or county may
  - 35 choose to adopt development standards for climate friendly areas and a climate friendly
  - 36 comprehensive plan element concurrent with designation of climate friendly areas by
  - 37 June 30, 2023.

- 1 (b) A city or county outside a metropolitan service district with a population of 10,000 or  
2 more within the urban growth boundary that is subject to the requirements of OAR 660-  
3 012-0310(1) shall designate climate friendly areas as provided in OAR 660-012-0315(3)  
4 by June 30, 2023. The city or county shall adopt land use requirements for climate  
5 friendly areas and a climate friendly comprehensive plan element by June 30, 2024, as  
6 provided in OAR 660-012-0315(4). The city or county may choose to adopt development  
7 standards for climate friendly areas and a climate friendly comprehensive plan element  
8 concurrent with designation of climate friendly areas by June 30, 2023.
- 9 (c) Within the urban growth boundary of a metropolitan service district, the metropolitan  
10 service district shall amend the urban growth management functional plan (UGMFP) in  
11 conjunction with its next growth management analysis under ORS 197.296 and no later  
12 than December 31, 2024, to require local government adoption of Region 2040 centers  
13 and land use regulations as described in Title 6 of the UGMFP. Within the metropolitan  
14 service district, a county with planning jurisdiction in unincorporated areas provided with  
15 urban water, sanitary sewer, stormwater, and transportation services; or a city shall  
16 comply with the adopted requirements by December 31, 2025.
- 17 (d) After June 30, 2023, a city or county outside a metropolitan service district with a  
18 population within an urban growth boundary exceeding 5,000 shall designate climate  
19 friendly areas as provided in OAR 660-012-0315 within two years of reaching a  
20 population exceeding 5,000.
- 21 (e) After June 30, 2023, a city or county outside a metropolitan service district with a  
22 population exceeding 10,000 within an urban growth boundary shall designate climate  
23 friendly areas as provided in OAR 660-012-0315. Cities and counties outside a  
24 metropolitan service district shall maintain sufficient lands within climate friendly areas  
25 as their population grows, as provided in OAR 660-012-0315. For cities also subject to  
26 OAR 660-008-0045, compliance with this requirement shall be demonstrated in each  
27 Housing Capacity Analysis following the initial designation of climate friendly areas.  
28 Land use requirements for climate friendly areas shall be established concurrent or prior  
29 to the adoption of the Housing Capacity Analysis as provided in OAR 660-012-0320.  
30 Counties subject to this rule shall coordinate with cities to address climate friendly area  
31 requirements within an urban growth boundary.
- 32 (6) Cities and counties must adopt comprehensive plan amendments and land use regulations meeting  
33 requirements as provided in OAR 660-012-0400 no later than March 31, 2023.
- 34 (7) Cities and counties choosing to report on the share of on-street parking spaces that are priced as  
35 provided in OAR 660-012-0450(1)(B) must:
- 36 (a) Demonstrate at least 5% of on-street parking spaces are priced by March 31, 2023; and  
37 (b) Demonstrate at least 10% of on-street parking spaces are priced by March 31, 2025.
- 38 (8) Cities and counties must implement the requirements for electric vehicle charging as provided in  
39 OAR 660-012-0410 by January 1, 2023.
- 40 (9) Requirements as provided in OAR 660-012-0900 are modified as follows:
- 41 (a) The first reporting year for the reporting requirements as provided in OAR 660-012-0900  
42 is 2022, with reports due no later than May 31, 2023.

- 1 (b) Cities and counties otherwise required to complete a major report for the 2022 reporting  
2 year as provided in OAR 660-012-0900 may delay submission of the major report until  
3 the 2023 reporting year. A city or county electing to do so must submit a minor report for  
4 the 2022 reporting year and cite this provision in that report.

5 **New Rules 0100-0299: General Provisions**

6 This part of the Transportation Planning Rules will contain general provisions for how cities and counties  
7 in metropolitan areas conduct coordinated land use and transportation planning. These include updated  
8 rules for how cities and counties undertake transportation system plans within urban areas. There are  
9 significant changes and clarifications in how this process works, including how cities and counties ensure  
10 equitable participation in decision-making, and how plans are amended and updated over time.

11 **0100: Urban Transportation System Plans**

12 This rule provides the starting point for how cities in metropolitan areas will be required to adopt,  
13 amend, and implement local transportation system plans in urban areas. The rule lists all the required  
14 elements of a transportation system plan. The rule also provides for how cities will determine the base  
15 and horizon years of a local transportation system plan.

- 16 (1) Cities shall develop and adopt an urban transportation system plan. An urban transportation  
17 system plan includes the following elements:
- 18 (a) The core transportation system plan elements as provided in section (2) of this rule;
  - 19 (b) Transportation System Inventories as provided in OAR 660-012-0150;
  - 20 (c) A pedestrian system element as provided in OAR 660-012-0500;
  - 21 (d) A bicycle system element as provided in OAR 660-012-0600;
  - 22 (e) A public transportation system element as provided in OAR 660-012-0700;
  - 23 (f) A street and highway system element as provided in OAR 660-012-0800;
  - 24 (g) A financial plan as provided in OAR 660-012-0205; and
  - 25 (h) A financially-constrained project list as provided in OAR 660-012-0210.
- 26 (2) Transportation system plans must also include the following core elements:
- 27 (a) Major core elements to be updated with major updates to a transportation system plan as  
28 provided in OAR 660-012-0105:
    - 29 (A) The base and planning horizon years for the plan as provided in section (3) of  
30 this rule;
    - 31 (B) The land use assumptions used in development of the transportation system plan,  
32 as developed under OAR 660-012-0340;

- 1 (b) Minor core elements to be updated with major or minor updates to a transportation  
2 system plan as provided in OAR 660-012-0105:
- 3 (A) A list of all components of the plan, and the date of adoption or amendment of  
4 each;
- 5 (B) The policies in the city's comprehensive plan that apply to coordinated land use  
6 and transportation system planning;
- 7 (C) The goals and policies of the transportation system plan;
- 8 (D) Those areas designated by the city with concentrations of underserved  
9 populations as provided in OAR 660-012-0120;
- 10 (E) A record of the engagement, involvement, and decision-making processes used in  
11 development of the plan, as provided in OAR 660-012-0125, and an equity  
12 analysis as provided in OAR 660-012-0130.
- 13 (F) The dates of each report made to the director as provided in OAR 660-012-0900.  
14 These must include all reports made for the planning area, including city and  
15 county reports, if applicable.
- 16 (3) The base and horizon years of transportation system plans shall be determined as follows:
- 17 (a) The base year for an urban transportation system plan is the present or past year which is  
18 used for the development of plan elements. The base year must be the year of adoption of  
19 a major update to the Transportation System Update, or no earlier than five years prior.
- 20 (b) The horizon year for an urban transportation system plan is the future year for which the  
21 plan contains potential projects. The horizon year is a minimum of twenty years from the  
22 year of adoption of a major update to the transportation system plan.
- 23 (4) Cities must coordinate the development of transportation system plans with counties,  
24 transportation facility owners, and transportation service providers.
- 25 (5) Cities must develop transportation system plans and amendments to those plans consistent with  
26 the provisions of OAR 660-012-0105 through OAR 660-012-0140.
- 27 (6) Adoption or amendment of a transportation system plan shall constitute the land use decision  
28 regarding the need for transportation facilities, services, and major improvements; and their  
29 function, mode, and general location.
- 30 (7) Findings of compliance with applicable statewide planning goals and acknowledged  
31 comprehensive plan policies and land use regulations shall be developed in conjunction with the  
32 adoption or amendment of the transportation system plan.
- 33 (8) Cities in the Portland Metropolitan area must meet the requirements as provided in OAR 660-  
34 012-01MM.

1 **0102: Transportation System Planning in the Portland Metropolitan Area**

2 This rule describes how transportation system planning works in the Portland Metropolitan Area,  
3 including local planning by cities and counties, and regional planning by Metro. Many of the regional  
4 planning requirements are from existing rules in OAR 660-012-0016.

5 This rule has a temporary rule number and will be renumbered in a future draft.

- 6 (1) This rule applies to cities and counties in the Portland Metropolitan Area, and Metro. In the  
7 Portland Metropolitan Area, cities and counties shall develop and adopt local transportation  
8 system plans, and Metro shall develop and adopt a regional transportation system plan as  
9 provided in this rule.
- 10 (2) Cities and counties shall amend comprehensive plans, land use regulations, and transportation  
11 system plans to be consistent with Metro’s regional transportation system plan. Consistent means  
12 city and county comprehensive plans and implementing ordinances, conform with the policies  
13 and projects in the regional transportation system plan.
- 14 (3) Metro shall prepare, adopt, amend, and update a regional transportation system plan in  
15 coordination the with regional transportation plan required by federal law. Insofar as possible, the  
16 regional transportation system plan shall be accomplished through a single coordinated process  
17 that complies with the applicable requirements of federal law and this division.
- 18 (a) When Metro adopts or amends the regional transportation plan to comply with this  
19 division as provided in this section, Metro shall review the adopted plan or amendment  
20 and either:
- 21 (A) Adopt findings that the proposed regional transportation plan amendment or  
22 update is consistent with the applicable provisions of adopted regional  
23 transportation system plan and compliant with applicable provisions of this  
24 division; or
- 25 (B) Adopt amendments to the regional transportation system plan that make the  
26 regional transportation plan consistent and compliant with applicable provisions  
27 of this division. Necessary plan amendments or updates shall be prepared and  
28 adopted in coordination with the federally-required plan update or amendment.  
29 Such amendments shall be initiated no later than 30 days from the adoption of the  
30 regional transportation plan amendment or update and shall be adopted no later  
31 than one year from the adoption of the regional transportation plan amendment or  
32 update or according to a work plan approved by the commission. A plan  
33 amendment is initiated for purposes of this subsection where the affected local  
34 government files a post-acknowledgement plan amendment notice with the  
35 department as provided in OAR 660-018-0020.
- 36 (b) Adoption or amendment of the regional transportation plan relates to compliance with  
37 this division for purposes of section (3) if it does one or more of the following:
- 38 (A) Changes plan policies;
- 39 (B) Adds or deletes a project from the list of planned transportation facilities,  
40 services or improvements or from the financially-constrained project list required  
41 by federal law;
- 42 (C) Modifies the general location of a planned transportation facility or  
43 improvement;



- 1 (D) Changes the functional classification of a transportation facility; or
- 2 (E) Changes the planning period or adopts or modifies the population or employment
- 3 forecast or allocation upon which the plan is based.
- 4 (c) The following amendments to the regional transportation plan do not relate to compliance
- 5 with this division for purposes of section (3):
- 6 (A) Adoption of an air quality conformity determination;
- 7 (B) Changes to a federal revenue projection;
- 8 (C) Changes to estimated cost of a planned transportation project; or
- 9 (D) Deletion of a project from the list of planned projects where the project has been
- 10 constructed or completed.
- 11 (4) Notwithstanding any requirement in this division, Metro may adopt provisions into a regional
- 12 functional plan that require cities and counties:
- 13 (a) To meet an additional requirement for transportation system planning where Metro finds
- 14 that the additional requirement is necessary to meet regional planning objectives and
- 15 supports the purposes of this division; and
- 16 (b) To meet an alternative requirement for transportation system planning in lieu of a
- 17 requirement as provided in this division, where Metro finds that the alternative
- 18 requirement meets the objectives of the original requirement, is necessary to meet
- 19 regional planning objectives, and supports the purposes of this division.
- 20 (5) Notwithstanding requirements for transportation system planning areas as provided in OAR 660-
- 21 012-0110:
- 22 (a) Metro shall work cooperatively with cities and counties to determine responsibility for
- 23 planning areas in the urbanizable area. All lands within the Metro Urban Growth
- 24 Boundary must be within the planning area of either a city or county. Where a county has
- 25 responsibility for a planning area, the county must meet the requirements as provided for
- 26 counties in OAR 660-012-0110;
- 27 (b) Counties planning for unincorporated areas with the urban growth boundary shall meet
- 28 all applicable requirements based on the population of the planning area; and
- 29 (c) Counties and cities need not have the same planning horizon year.
- 30 (6) Notwithstanding requirements for transportation system inventories as provided in OAR 660-012-
- 31 0150, Metro shall prescribe inventory requirements in transportation system plans for cities and
- 32 counties in a regional functional plan.

33 **0105: Transportation System Plan Updates**

34 This rule describes how cities update their transportation system plans. The rule provides for either a  
 35 major or minor update to plans. The existing rules were written when most places did not even have a  
 36 transportation system plan, so there is little guidance about how they are to be kept up to date. The  
 37 purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between  
 38 larger updates.

- 39 (1) Cities may adopt a major update to an urban transportation system plan as provided in section (2),
- 40 or a minor update as provided in section (3).

- 1 (2) A major update to an urban transportation system plan is any update that:
  - 2 (a) Includes a change to the horizon year of the plan;
  - 3 (b) Any update where the adoption date is fewer than [five] years prior to January 1 of the  
4 planning horizon year of the acknowledged plan; or
  - 5 (c) Is intended to include a Vehicle Miles Traveled-Increasing facility in the plan that has  
6 been reviewed as provided in OAR 660-012-0830.
- 7 (3) A city making a major update to a transportation system plan must:
  - 8 (a) Include an update to the core transportation system plan elements as provided in OAR  
9 660-012-0100, and include all other applicable elements as provided in OAR 660-012-  
10 0100.
  - 11 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the  
12 major update to the transportation system plan.
  - 13 (c) Complete the review of any Vehicle Miles Traveled-Increasing facilities in the plan as  
14 provided in OAR 660-012-0830 prior to adoption in the transportation system plan.
- 15 (4) A minor update to an urban transportation system plan is any update which is not a major update  
16 as provided in section (2) of this rule. A city making a minor update to a transportation system  
17 plan must:
  - 18 (a) Include, at minimum, an update to core transportation system plan elements as provided  
19 in OAR 660-012-0100.
  - 20 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the  
21 minor update to the transportation system plan.
- 22 (5) Notwithstanding any other provision in this rule, cities having an acknowledged transportation  
23 system plan adopted as provided in OAR 660-012-0015 shall adopt a major update to the  
24 transportation system plan. Cities may use any part of existing acknowledged plans to meet the  
25 applicable requirements.
- 26 (6) Notwithstanding any other provision in this rule, cities that do not have an acknowledged  
27 transportation system plan shall adopt a new plan in the manner of adopting a major update to a  
28 transportation system plan. Cities may use any part of existing acknowledged plans to meet the  
29 applicable requirements.

30 **0110: Transportation System Planning Area**

31 This rule sets out requirements for the geographic scope of transportation system plans. The default  
32 assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including  
33 unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban  
34 unincorporated areas.

- 35 (1) The planning area for urban transportation system plans is the area encompassed by the  
36 acknowledged Urban Growth Boundary, including both incorporated and unincorporated areas.  
37 The unincorporated area within Urban Growth Boundaries is the urbanizable area.
- 38 (2) Cities are responsible for the development and adoption of urban transportation system plans for  
39 the entire planning area. Cities shall work cooperatively with counties to effectively plan for the  
40 urbanizable area.

- 1 (3) Counties are responsible for cooperatively working with cities on the development and adoption  
2 of urban transportation system plans including the urbanizable area.
- 3 (4) Cities and counties must jointly determine how urban transportation system planning will occur  
4 in the urbanizable area, including plan adoption, through intergovernmental agreement.
- 5 (5) In lieu of sections (2) and (3) of this rule, a county may choose to develop and adopt a separate  
6 urban transportation system plan for areas in the urbanizable area. The county and associated city  
7 must meet the requirements as provided in sections (4) and (7) of this rule.
- 8 (6) Counties planning for unincorporated urban areas as provided in this rule, and associated cities,  
9 must meet these requirements:
- 10 (a) Counties must meet the applicable requirements of this division as if they were a city,  
11 even when requirements only refer to cities.
- 12 (b) Both the city and county must meet all applicable requirements based on the population  
13 of the entire urban area.
- 14 (c) Both the city and the county must adopt transportation system plans with the same  
15 horizon year.
- 16 (7) Counties must plan areas outside Urban Growth Boundaries as rural, regardless of location within  
17 a metropolitan area. Counties planning for unincorporated communities within a metropolitan  
18 area must meet requirements as provided in OAR Chapter 660, Division 22.

19 **0115: Transportation System Planning Engagement**

20 This rule directs how cities must engage the public, and specifically underserved populations, in the  
21 development and approval of transportation system plans.

- 22 (1) Cities and counties must develop urban transportation system plans using methods of engaging  
23 the public and making decisions consistent with the statewide planning goals and provisions of  
24 the local comprehensive plan.
- 25 (2) Public engagement and decision making must place an increased emphasis on centering the  
26 voices of underserved populations as provided in OAR 660-012-0120.
- 27 (3) Cities or counties engaged in a major update of the transportation system plan as provided in  
28 OAR 660-012-0105, or an update of the future land use assumptions as provided in OAR 660-  
29 012-0340, must make a special effort to ensure underserved populations, as provided in OAR  
30 660-012-0120, are informed about the choices that need to be made in the planning process, given  
31 a meaningful opportunity to inform the planning process, and to the extent possible, have an  
32 equitable share of the decision-making power over key decisions.

1 **0120: Underserved Populations**

2 Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and  
3 decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped  
4 identify underserved populations to consider in this rulemaking, expanding on a list from the Governor’s  
5 office. To rectify harms done in the past and in current practice, communities must prioritize these  
6 populations in decision-making processes and outcomes.

7 This rule sets out a Definition of underserved populations for use in transportation and land use  
8 planning consistent with the Equitable Outcomes Statement developed by the Rules Advisory  
9 Committee. The rule also requires cities and counties to identify areas with concentrations of  
10 underserved populations; and to identify and engage with recognized tribes with ancestral lands in the  
11 area of the city or county.

- 12 (1) In order to implement provisions of this division, cities and counties must prioritize community-  
13 led engagement and decision-making, with specific attention to the underserved populations listed  
14 in section (2) of this rule.
- 15 (2) When updating or amending a transportation systems plan, cities and counties must identify  
16 populations of people living in the community who need prioritized attention with regard to  
17 transportation and land use planning due to historic and current marginalization. Underserved  
18 populations include, but are not limited to:
- 19 (a) Black and African American people;
  - 20 (b) Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii  
21 Native);
  - 22 (c) People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North  
23 African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity  
24 populations);
  - 25 (d) Immigrants, including undocumented immigrants;
  - 26 (e) People with limited English proficiency;
  - 27 (f) People with disabilities;
  - 28 (g) People experiencing homelessness;
  - 29 (h) Low-income and low-wealth community members;
  - 30 (i) Low- and moderate-income renters and homeowners;
  - 31 (j) Single parents;
  - 32 (k) Lesbian, gay, bisexual, transgender, queer, intersex, asexual, or two-spirit community  
33 members; and
  - 34 (l) Youth and seniors.
- 35 (3) Cities and counties must identify geographic areas with above average concentrations of  
36 underserved populations.

1 **0125: Decision-Making with Underserved Populations**

2 This rule directs how local governments center underserved populations in decision-making. The rule  
3 requires local governments to implement an involvement program with a range of activities to ensure  
4 equitable participation in decision-making and work toward equitable outcomes. The rule requires cities  
5 and counties to regularly assess and report on progress.

- 6 (1) Cities and counties must, as a part of an involvement program required as provided in OAR 660-  
7 015-0000(1), center the voices of underserved populations in processes at all levels of decision-  
8 making under this division. Actions that may accomplish this include, but are not limited to:
- 9 (a) Regularly reporting on progress made under this rule as provided by section (3);
  - 10 (b) Conducting equity analyses as provided in OAR 660-012-0130;
  - 11 (c) Engaging in additional outreach activities with underserved populations and in areas with  
12 concentrations of underserved populations. Such outreach activities should include  
13 activities in multiple languages and formats, be accessible to people with disabilities, and  
14 be accessible to people without internet access, with limited transportation and child care  
15 options, and with schedule constraints around employment or other critical  
16 responsibilities;
  - 17 (d) Considering the effect on underserved populations when developing plans, including land  
18 use plans and plans for public investment; and
  - 19 (e) Developing decision-making factors that recognize historic and current inequities, and  
20 work to reduce them.
- 21 (2) Cities and counties must identify those recognized sovereign tribes whose ancestral lands include  
22 the area now within the city or county. The city or county must engage with affected tribes to  
23 notify them of coordinated land use and transportation planning activities and projects under this  
24 division. Cities and counties must engage in consultation with affected tribal governments if  
25 requested by tribal governments.
- 26 (3) Cities and counties must regularly assess and report on progress made under this rule by:
- 27 (a) Reporting to the department annually as provided in OAR 660-012-0900;
  - 28 (b) Making regular reports to the planning commission and governing body of the city or  
29 county; and
  - 30 (c) Making regular public reports to the community.

31 **0130: Equity Analysis**

32 This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is  
33 required for a variety of actions throughout the division. The purpose of an equity analysis is to identify  
34 impacts of proposed projects and policies and potentially inequitable consequences or burdens on  
35 impacted communities.

- 36 (1) Cities and counties must ensure that land use and transportation plans required in this division  
37 improve outcomes for underserved populations by using an equity analysis. An equity analysis is  
38 intended to determine benefits and burdens on underserved populations, as provided in OAR 660-  
39 012-0120.

- 1 (2) A city or county engaging in an equity analysis must:
- 2 (a) Engage with people in the community who are members of underserved populations as
- 3 provided in OAR 660-012-0120 to develop key community outcomes;
- 4 (b) Assess, document, acknowledge, and address where past policies and effects of climate
- 5 change have harmed and are likely to perpetuate harm to underserved populations;
- 6 (c) Recognize where and how intersectional discrimination compounds disadvantages;
- 7 (d) Gather lived experience, qualitative, and quantitative information from the community on
- 8 how the proposed change benefits or burdens underserved populations;
- 9 (e) Analyze the proposed changes for impacts and alignment with desired key community
- 10 outcomes;
- 11 (f) Develop strategies to create greater equity or minimize unintended consequences;
- 12 (g) Develop and track key indicators over time and continue to communicate with and
- 13 involve the people in the community who are members of underserved populations; and
- 14 (h) Report back and share the information learned from the analysis and unresolved issues
- 15 with people in the community who are members of underserved populations.

16 **0140: Transportation System Refinement Plans**

17 This rule provides cities and counties with the opportunity to defer some decisions that would otherwise  
 18 be made in a transportation system plan to a later refinement planning process. This rule is largely  
 19 based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.

- 20 (1) A city or county may, when adopting a major update to the transportation system plan as
- 21 provided in OAR 660-012-0100, defer decisions regarding function, general location, and mode
- 22 of a refinement plan if findings are adopted that:
  - 23 (a) Identify the transportation need for which decisions regarding function, general location,
  - 24 or mode are being deferred;
  - 25 (b) Demonstrate why information required to make final determinations regarding function,
  - 26 general location, or mode cannot reasonably be made available within the time allowed
  - 27 for preparation of the transportation system plan;
  - 28 (c) Explain how deferral does not invalidate the assumptions upon which the transportation
  - 29 system plan is based or preclude implementation of the remainder of the transportation
  - 30 system plan;
  - 31 (d) Describe the nature of the findings which will be needed to resolve issues deferred to a
  - 32 refinement plan; and
  - 33 (e) Set a deadline for adoption of a refinement plan no more than five years after the
  - 34 adoption of the major update to the transportation system plan.
- 35 (2) A city or county may not defer decisions to a refinement plan for transportation facilities within a
- 36 climate friendly area.
- 37 (3) Where a Corridor Environmental Impact Statement (EIS) is prepared pursuant to the requirements
- 38 of the National Environmental Policy Act of 1969, the development of the refinement plan shall
- 39 be coordinated with the preparation of the Corridor EIS. The refinement plan shall be adopted
- 40 prior to the issuance of the Final EIS.

1 **0145: Temporary Projects**

2 This rule makes clear that certain temporary or pilot projects need not be included in the transportation  
3 system plan to be implemented. These are expected to be short-term trials or temporary fixes in  
4 advance of a plan update.

- 5 (1) Notwithstanding any other part of this division, an operator of a transportation facility may  
6 undertake a temporary project to change streets, roads, or highways consistent with this rule,  
7 without specific inclusion in a project list in a transportation system plan.
- 8 (2) Temporary projects may include:
- 9 (a) Temporary projects to convert areas dedicated to existing on-street parking or general-  
10 purpose travel lanes to pedestrian facilities, areas, or plazas; bicycle facilities; or transit  
11 lanes.
- 12 (b) Temporary projects to implement a pilot program to price facilities for motor vehicles on  
13 a street or highway. This rule does not restrain any parking pricing or parking  
14 management activities.
- 15 (c) Temporary transportation projects to provide basic transportation network connectivity  
16 and function after a major emergency impacting the transportation system to a significant  
17 degree.
- 18 (3) Temporary projects as provided in this rule may be in place for up to two years, or three years  
19 within a climate friendly area. Projects extending past this duration must be adopted into the  
20 transportation system plan.

21 **0150: Transportation System Inventories**

22 This rule includes general requirements for inventories of existing facilities and services in  
23 transportation system plans. The specific requirements for each mode of transportation are in separate  
24 rules, as noted in this rule.

- 25 (1) This rule applies to transportation inventories as provided in OAR 660-012-0505, OAR 660-012-  
26 0605, OAR 660-012-0705, and OAR 660-012-0805.
- 27 (2) Cities and counties shall coordinate with other transportation facility and service providers,  
28 including, but not limited to state agencies, other cities and counties, and public transportation  
29 system operators to develop the transportation system inventory.
- 30 (3) Inventories must include all publicly accessible transportation facilities and services within the  
31 planning area, regardless of ownership or maintenance responsibility. Inventories must note  
32 ownership or maintenance responsibility for all facilities.
- 33 (4) Inventories must include a planning-level assessment of existing transportation facilities and  
34 services. Inventories must clearly identify the function of a facility or service, primary users of  
35 the facility or service, and the planned land use context of differing segments of the facility.
- 36 (A) Function includes the classification of the facility or services, its primary uses, and  
37 whether it primarily serves local, regional, pass-through, or freight traffic.
- 38 (B) Primary users of the facility includes whether users are primarily on foot, bicycle, transit,  
39 freight, or personal vehicle.

1 (C) Land use context includes determining what types of planned land uses surround the  
2 facility.

3 **0155: Transportation Modeling and Analysis**

4 This rule sets requirements for how cities and counties use transportation modeling and analysis to  
5 make land use decisions.

- 6 (1) If a city or county is relying on transportation models or mathematical analysis of the  
7 transportation system to make a land use decision, then the city or county shall do so consistent  
8 with this rule.
- 9 (2) The model or analysis must account for changes in vehicle miles traveled that would result from  
10 any transportation projects proposed as a part of the land use decision, including latent and  
11 induced travel of additional roadway capacity.
- 12 (3) The assumptions and inputs used with the modeling or analysis must be consistent with  
13 acknowledged plans.
- 14 (4) The land use decision will not affect vehicle miles traveled per capita or will decrease vehicle  
15 miles traveled per capita.

16 **0160: Vehicle Miles Traveled Reduction Targets**

17 This rule requires cities and counties to use vehicle miles travelled as a proxy for greenhouse gas  
18 pollution for cities and counties that do not yet have an approved regional scenario plan. The rule  
19 applies when adopting a TSP and requires the city or county to adopt a TSP that is projected to reduce  
20 vehicle miles travelled. Vehicle miles traveled per capita is defined as any light duty vehicle trip  
21 originating from either a city or metropolitan region.

- 22 (1) When a city, county, or Metro is making a major update to a transportation system plan as  
23 provided in OAR 660-012-0105, they shall project vehicle miles traveled per capita at the horizon  
24 year.
- 25 (2) The city, county, or Metro must prepare separate projection using two different lists of future  
26 projects:
  - 27 (a) A projection that estimates changes in vehicle miles traveled per capita from the base  
28 year that would result from projects on the financially-constrained project list as provided  
29 in OAR 660-012-0210, including latent and induced travel of additional roadway  
30 capacity; and
  - 31 (b) A projection that estimates changes in vehicle miles traveled per capita from the base  
32 year that would result from projects on the illustrative project list as provided in OAR  
33 660-012-0200, including latent and induced travel of additional roadway capacity.
- 34 (3) The projections must be based on:
  - 35 (a) Land use and transportation policies in an acknowledged comprehensive plan and in the  
36 proposed transportation system plan;
  - 37 (b) Local actions consistent with the adopted performance targets as provided under OAR  
38 660-12-0915, and regional outcomes under OAR 660-044-0120;
  - 39 (c) Forecast land use patterns that meet OAR 660-012-0340; and



- 1 (d) State and federal actions included in a land use and transportation scenario plan approved  
 2 as provided in OAR 660-044-0120, or included in the Statewide Transportation Strategy  
 3 as adopted by the Oregon Transportation Commission, including the following state-led  
 4 actions that affect auto operating costs:
- 5 (A) State-led pricing policies, and energy prices; and
  - 6 (B) Vehicle and fuel technology, including vehicle mix, vehicle fuel efficiency, fuel  
 7 mix, and fuel carbon intensity.
- 8 (4) Cities, counties, and Metro may only adopt a transportation system plan if the projected vehicle  
 9 miles traveled per capita at the horizon year using the financially-constrained project list is lower  
 10 than estimated vehicle miles travelled per capita in the base year.
- 11 (5) If a city or county has an adopted regional scenario plan approved under OAR 660-044-0050 or  
 12 OAR 660-044-120, then the transportation system plan must include projected vehicle miles  
 13 traveled per capita at the horizon year that is lower than the estimated vehicle miles traveled per  
 14 capita at the base year by an amount that is consistent with the regional scenario plan.
- 15 (6) If a city and county does not have an adopted regional scenario plan approved under OAR 660-  
 16 044-0050 or OAR 660-044-120, then the cities or county may only adopt a transportation system  
 17 plan that meets one of the following options:
- 18 (a) The transportation system plan includes projected vehicle miles traveled per capita at the  
 19 horizon year that is lower than the estimated vehicle miles traveled per capita in 2005 by  
 20 the percentage that is the target for reducing greenhouse gas emissions provided in OAR  
 21 660-044-0020 or 660-044-0025; or
  - 22 (b) The transportation system plan is adopted as part of a regionally coordinated  
 23 transportation planning process that includes:
    - 24 (A) A regional transportation plan that includes a projection for regional vehicle  
 25 miles traveled per capita at the horizon year that is lower than the estimated  
 26 vehicle miles traveled per capita in 2005 by the percentage that is the target for  
 27 reducing greenhouse gas emissions provided in OAR 660-044-0020 or 660-044-  
 28 0025; and
    - 29 (B) All the cities and counties in the metropolitan area are adopting local  
 30 transportation system plans consistent with the regional transportation plan.

31 ***0165: Evaluation and Selection of Transportation System Alternatives***

32 This rule provides criteria for cities and counties to use when evaluating and selecting between  
 33 transportation system alternatives in a transportation system plan.

- 34 (1) The transportation system plan shall be based upon evaluation of potential impacts of system  
 35 alternatives that can reasonably be expected to meet the identified transportation needs in a safe  
 36 manner and at a reasonable cost with available technology. The following shall be evaluated as  
 37 components of system alternatives:
- 38 (a) Improvements to existing facilities or services;
  - 39 (b) New facilities and services, including different modes or combinations of modes that  
 40 could reasonably meet identified transportation needs;
  - 41 (c) Transportation system management strategies;

- 1 (d) Demand management strategies; and
- 2 (e) A no-build system alternative required by the National Environmental Policy Act of 1969
- 3 or other laws.
- 4 (2) The following standards shall be used to evaluate and select alternatives:
- 5 (a) The transportation system shall support development by providing types and levels of
- 6 transportation facilities and services appropriate to serve the land uses identified in the
- 7 acknowledged comprehensive plan;
- 8 (b) The transportation system shall be consistent with state and federal standards for
- 9 protection of air, land and water quality including the State Implementation Plan under
- 10 the Federal Clean Air Act and the State Water Quality Management Plan;
- 11 (c) The transportation system shall minimize adverse economic, social, environmental and
- 12 energy consequences;
- 13 (d) The transportation system shall minimize conflicts and facilitate connections between
- 14 modes of transportation; and
- 15 (e) The transportation system shall avoid principal reliance on any one mode of
- 16 transportation by increasing transportation choices to avoid principal reliance on the
- 17 automobile.
- 18 (3) Cities and counties must design transportation system plans to achieve transportation
- 19 performance targets as provided in OAR 660-012-0915 for increasing transportation choices,
- 20 avoid principal reliance on the automobile, and reducing transportation-related climate pollution.

21 **0170: Transportation Performance Standards**

22 This rule provides a framework for how decisions are made using transportation performance standards.

23 These include decisions made about transportation system planning, reviewing comprehensive plan and

24 land use regulation amendments, and in the local review of development proposals.

25 Currently many, but not all, decisions have relied heavily on performance standards related to motor

26 vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into

27 account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and

28 mobility.

- 29 (1) This rule applies to performance standards that cities and counties use to review comprehensive
- 30 plan and land use regulation amendments as provided in OAR 660-012-0060, and to review an
- 31 application for development as provided in acknowledged local comprehensive plans and land
- 32 use regulations. This rule applies to performance standards that Metro uses to review functional
- 33 plan amendments as provided in OAR 660-012-0060.
- 34 (2) Cities and counties shall adopt performance standards as an element of a local transportation
- 35 system plan. The performance standards must be consistent with the acknowledged local
- 36 comprehensive plan. The performance standards must support meeting the targets for
- 37 performance measures provided in OAR 660-012-0910. The transportation system plan must
- 38 include the elements listed below.
- 39 (a) What characteristics of the transportation system will be measured, estimated or
- 40 projected, and the methods to calculate performance.

- 1 (b) Thresholds to determine whether the measured, estimated, or projected performance
- 2 meets the performance standard. Thresholds may vary by facility type, location, or other
- 3 factors.
- 4 (c) Findings for how the performance standard supports meeting the targets for performance
- 5 measures provided in OAR 660-012-0910.
- 6 (3) Cities, counties, Metro, and state agencies shall adopt two or more performance standards. At
- 7 least one of the performance standards must support increasing transportation choices and
- 8 avoiding principal reliance on the automobile. The transportation system plan must clearly state
- 9 how to apply the multiple performance standards to a proposal that meets some, but not all, of the
- 10 performance standards. The performance standards must evaluate at least two of the following
- 11 objectives for the transportation system, for any or all modes of transportation:
- 12 (a) Reducing greenhouse gas pollution;
- 13 (b) Equity;
- 14 (c) Safety for all modes;
- 15 (d) Network connectivity for all modes;
- 16 (e) Accessibility;
- 17 (f) Efficiency;
- 18 (g) Reliability; and
- 19 (h) Mobility.

20 **0180: Transportation Prioritization Framework**

21 This rule sets the context for prioritizing projects in local transportation system plans; and how cities,  
 22 counties, Metro, and state agencies make decisions about investments in the transportation system. The  
 23 prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes,  
 24 safety, and accessibility.

- 25 (1) Cities, counties, Metro, and state agencies shall use the framework in this rule to make decisions
- 26 about prioritization of transportation facilities and services when making decisions as provided in
- 27 this division. Cities, counties, Metro, and state agencies must consider the following:
- 28 (a) Prioritization factors as provided in section (2);
- 29 (b) Classification of facilities or segments as provided in section (3);
- 30 (c) The planned land use context as provided in section (4); and
- 31 (d) Expected primary users as provided in section (5).
- 32 (2) Cities, counties, Metro, and state agencies shall use the following factors to prioritize
- 33 transportation facilities and services. Transportation facilities and services supporting each of
- 34 these factors must be prioritized.
- 35 (a) Meeting greenhouse gas reduction targets, including:
- 36 (A) Reducing per-capita vehicle miles traveled;
- 37 (B) Supporting compact, pedestrian-friendly patterns of development in urban areas,
- 38 particularly in Climate-Friendly Areas;

- 1 (C) Reducing single-occupant vehicle travel as a share of overall travel; and  
2 (D) Meeting performance targets as provided in OAR 660-012-0910.
- 3 (b) Improving equitable outcomes for underserved populations as provided in OAR 660-012-  
4 0120;
- 5 (c) Improving safety, particularly reducing or eliminating fatalities and serious injuries;  
6 (d) Improving access for people with disabilities;  
7 (e) Improving access to destinations, particularly key destinations as provided in OAR 660-  
8 012-0360;
- 9 (f) Completing the multimodal transportation network, including filling gaps and making  
10 connections; and
- 11 (g) Supporting the economies of the community, region, and state.
- 12 (3) Cities, counties, Metro, and state agencies shall consider the functional classification of planned  
13 or existing transportation facilities or segments when making decisions about appropriate  
14 transportation facilities and services. Cities, counties, Metro, and state agencies may establish  
15 different functional classifications for each mode on any facility or segment that they own and  
16 operate.
- 17 (4) Cities, counties, Metro, and state agencies shall consider the planned land use context around an  
18 existing or planned transportation facility or segment when making decisions about appropriate  
19 transportation facilities and services. In particular:
- 20 (a) Within Climate-Friendly Areas, cities, counties, Metro, and state agencies shall prioritize  
21 pedestrian, bicycle, and public transportation facilities and services. Cities, counties,  
22 Metro, and state agencies must ensure facilities are planned for these modes to experience  
23 reliable, low-stress travel within Climate-Friendly Areas with minimal interference from  
24 motor vehicle traffic.
- 25 (b) In areas with concentrations of underserved populations, cities, counties, Metro, and state  
26 agencies shall prioritize projects addressing historic and current marginalization.  
27 Proposed projects in these areas must work to rectify previous harms inflicted and  
28 prevent future harms from occurring. These areas may have been subject to harms from  
29 disinvestment or malinvestment, including transportation system investments. Harms  
30 include but are not limited to displacement and increased exposure to pollutants.
- 31 (5) Cities, counties, Metro, and state agencies shall consider the expected primary users of an  
32 existing or planned transportation facility or segment when making decisions about appropriate  
33 transportation facilities and services. In particular:
- 34 (a) In areas near schools or other locations with expected concentrations of children, or areas  
35 with expected concentrations of elderly people or people with disabilities, cities, counties,  
36 Metro, and state agencies must prioritize safe, protected, and continuous pedestrian and  
37 bicycle networks connecting to key destinations, including transit stops.
- 38 (b) In industrial areas, and along routes accessing key freight terminals, cities, counties,  
39 Metro, and state agencies must consider the needs of freight users. Pedestrian, bicycle,  
40 and public transportation system connections must be provided in industrial areas at a  
41 level that provides safe access for workers.

1 **0200: Combined and Illustrative Project Lists**

2 This rule describes how cities and counties take the combined list of projects developed in the modal  
3 elements of the transportation system plan, develop multimodal projects, and produce a combined  
4 project list. The rule requires cities and counties to use the combined project list to develop an  
5 illustrative project list. The Illustrative project list must include a set of projects that would meet targets  
6 for reductions in per capita vehicle miles traveled.

- 7 (1) Cities and counties shall create a multimodal project list by combining:
- 8 (a) The pedestrian project list developed as provided in OAR 660-012-0520;
  - 9 (b) The bicycle project list developed as provided in OAR 660-012-0620;
  - 10 (c) The public transportation project list developed as provided in OAR 660-012-0720; and
  - 11 (d) The streets and highways project list developed as provided in OAR 660-012-0820.
- 12 (2) Cities and counties shall review the multimodal project list to determine if there are opportunities  
13 to combine proposed projects from multiple single-mode lists into a single multimodal project.  
14 These multimodal projects must be added to the multimodal project list to create the combined  
15 project list.
- 16 (3) Cities and counties shall review the combined project list and remove projects as necessary to  
17 meet the requirements of this section to develop the illustrative project list.
- 18 (a) There is no limit to the number of projects which may be included on the illustrative  
19 project list.
  - 20 (b) The city or county must ensure the illustrative project list meets the vehicle miles traveled  
21 per capita targets as provided in OAR 660-012-0160.
- 22 (4) Cities and counties shall develop a method of prioritizing projects on the illustrative project list.  
23 Each project on the illustrative project list must be individually ranked. Cities and counties must  
24 meet the following requirements when developing a method of prioritizing projects on the  
25 illustrative project list:
- 26 (a) The project will help reduce vehicle miles traveled;
  - 27 (b) The project burdens underserved populations less than and benefit as much as the city or  
28 county population as a whole;
  - 29 (c) The project will help achieve the performance targets as provided in OAR 660-012-0910;  
30 and
- 31 (a) Cities and counties shall describe the method used to prioritize the illustrative project list  
32 in the transportation system plan.
- 33 (5) Cities and counties shall develop planning-level cost estimates for the top ranked projects on the  
34 prioritized illustrative project list as provided in section (4) of this rule. The city or county must  
35 make estimates for as many projects as the city or county reasonably believes could be funded in  
36 the planning period. The city or county need not make cost estimates for every project on the  
37 illustrative project list.

1 **0205: Transportation System Financial Plan**

2 This rule describes how cities develop a Financial Plan in the transportation system plan. The Financial  
3 Plan includes a list of funding sources that are expected to fund transportation facilities and services,  
4 and the amount of funding available for transportation projects over the planning period.

- 5 (1) Cities and counties must include a Financial Plan in the transportation system plan. The Financial  
6 Plan must include the list of funding sources and amount of funding available, as provided in this  
7 rule.
- 8 (2) Cities and counties must include a list of transportation system funding sources in the  
9 transportation system plan. The list of funding sources must include all funding sources that the  
10 city expects to use over the planning period to operate, maintain, or construct the transportation  
11 system. These sources include, but are not limited to:
- 12 (a) Local, regional, state, and federal funding sources; and  
13 (b) Sources expected to be directed to transportation facilities or services within the planning  
14 area controlled by any transportation facility or service operator.
- 15 (3) The list of funding sources must include, for each source of funding identified:
- 16 (a) The expected amounts of funding for each year over the remainder of the planning  
17 period;  
18 (b) The purpose of the source of funding and any key limitations on the use of the funding;  
19 and  
20 (c) Reasons for expecting the finding source to be available during the planning period.  
21 These reasons may include, but are not limited to:
- 22 (A) The source comes from transportation facility pricing revenues, including  
23 parking revenues;  
24 (B) The source comes from tax or bond revenues;  
25 (C) The source comes from fees or other local revenues;  
26 (D) The source comes from grants given using a formula or other regular  
27 disbursement;  
28 (E) The source comes from regional funds provided through a Metropolitan Planning  
29 Organization; and  
30 (F) The source previously provided funds to the city or county and can reasonably  
31 expected to provide more in the future.
- 32 (4) The city or county must use the list of funding sources to determine the amount of funding  
33 expected to be available for use to develop transportation projects over the planning period.  
34 Funding amounts which are expected to be used to maintain and operate the transportation  
35 system, or used for other purposes than to fund transportation projects, must be excluded. The  
36 transportation system plan must clearly describe the amounts that are included and excluded. The  
37 amount of funding expected will be used to develop the financially-constrained project list as  
38 provided in OAR 660-012-0210.

1 **0210: Financially-Constrained Project List**

2 This rule gives cities and counties a method to develop a financially-constrained project list. Projects on  
3 the financially-constrained project list are the planned projects to be considered for further project  
4 development, funding, and construction. The financially-constrained list of projects in the local  
5 transportation system plan will inform the federally required regional transportation plan. The  
6 financially-constrained list will also be the only projects that may be assumed as “reasonably likely”  
7 when considering if an amendment to a comprehensive plan or land use regulation has a “significant  
8 effect” on the transportation system.

9 The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita  
10 Vehicle Miles Traveled, and support meeting targets set against a range of performance measures.

- 11 (1) Cities and counties shall include a financially-constrained project list in a transportation system  
12 plan. Cities and counties shall use the prioritized illustrative project list developed as provided in  
13 OAR 660-012-0200 and the amount of funding available developed as provided in OAR 660-  
14 012-0205 to produce the financially-constrained project list.
- 15 (2) Cities and counties shall take the top available projects on the prioritized illustrative project list,  
16 using the planning-level cost estimates developed as provided in OAR 660-012-0200, up to 125%  
17 of the funding available. Using this list, cities and counties shall:
- 18 (a) Review the list of projects to determine if the city or county may reasonably demonstrate  
19 that the list of projects would result in a reduction of per capita vehicle miles traveled, as  
20 provided in OAR 660-012-0160;
- 21 (b) Review the list of projects to ensure that it would result in burdens on underserved  
22 populations less than and benefit as much as the city or county population as a whole to  
23 determine if the outcomes of the project list are equitable; and
- 24 (c) Review the list of projects against the targets set for each performance measure as  
25 provided in OAR 660-012-0910 or OAR 660-044-0110 to determine if the list results in  
26 progress toward meeting the targets.
- 27 (3) If the list of projects cannot meet each test in section (2), the city or county must remove one or  
28 more projects from the list and add the next highest ranked project or projects from the prioritized  
29 project list and review the updated list as provided in section (2). The city or county shall repeat  
30 this process until a list is produced that meets each test. This shall be the financially-constrained  
31 project list.
- 32 (4) Cities or counties making a major or minor amendment to the transportation system plan as  
33 provided in OAR 660-012-0105 which includes an update to any project list, must update the  
34 financially-constrained project list as provided in this rule.
- 35 (5) Cities and counties shall prioritize the implementation of projects from the financially-  
36 constrained project list for their ability to reduce climate pollution and improve equitable  
37 outcomes using the criteria provided in section (2) of this rule.

1 **New Rules 0300-0399: Coordinated Land Use and Transportation Planning**

2 The Transportation Planning Rules are, at their heart, a guide for local governments to make  
3 coordinated plans for both land use and their transportation system. This part of the Transportation  
4 Planning Rules focuses on land use requirements, including requirements for climate friendly areas.

5 **0300: Coordinated Land Use and Transportation System Planning**

6 This rule contains general provisions for cities and counties within metropolitan areas in how they  
7 accomplish coordinated land use and transportation planning.

- 8 (1) Cities and counties must ensure land use and transportation plans are coordinated.
- 9 (2) Cities and counties must, if applicable, adopt and implement climate friendly areas as provided in  
10 OAR 660-012-0310.
- 11 (3) Cities and counties must adhere to the applicable land use requirements as provided in OAR 660-  
12 012-0330.
- 13 (4) Cities and counties must, in the development of transportation plans, use the land use assumptions  
14 described as provided in OAR 660-0340.
- 15 (5) Cities and counties must develop a list of key destinations, as provided in OAR 660-012-0360.
- 16 (6) Cities and counties must meet the parking management requirements as provided in OAR 660-  
17 012-0400.

18 **0310: Climate Friendly Areas**

19 This rule describes the requirements for the designation of climate friendly areas. The rule sets out  
20 some basic standards for which areas should and should not be considered for designation as a climate  
21 friendly area.

- 22 (1) “Climate friendly area” is defined in OAR 660-012-0005(6). Cities and counties shall designate  
23 climate friendly areas in places that contain, or are planned to contain, a mixture of allowed uses  
24 as provided in OAR 660-012-0325. Climate friendly areas may be designated in centers,  
25 including planned or existing downtowns, neighborhood centers, or other districts. Climate  
26 friendly areas shall be designated in areas that are served, or planned for service, by high quality  
27 pedestrian, bicycle, and transit services. Cities and counties may not designate climate friendly  
28 areas where development is not allowed under authority of Statewide Planning Goal 7. Climate  
29 friendly areas may be designated in areas subject to Statewide Planning Goal 7 if the local  
30 government has adopted requirements for development that will mitigate potential hazards to life  
31 and property.
- 32 (2) Cities and counties outside a metropolitan service district shall designate climate friendly areas as  
33 provided in OAR 660-012-0012. Counties with planning jurisdiction in areas provided with urban  
34 water, sanitary sewer, stormwater, and transportation services within an identified urban growth  
35 boundary shall coordinate with the respective city or cities to address climate friendly area  
36 requirements for those areas as provided in OAR 660-012-0012. County areas outside urban  
37 growth boundaries or where planning jurisdiction has been granted to cities for areas within urban  
38 growth boundaries are not subject to this rule.



- 1 (3) A metropolitan service district and cities and counties within the urban growth boundary of a
- 2 metropolitan service district shall address applicable requirements as provided in OAR 660-012-
- 3 0012(6)(c).
- 4 (4) If a city, metropolitan service district, or county has not designated sufficient climate friendly
- 5 areas as provided in this rule, the commission may:
- 6 (a) Initiate periodic review for the subject local government to address the requirement; or
- 7 (b) Issue an enforcement order to the local government, consistent with ORS 197.646

8 **0315: Designation of Climate Friendly Areas**

9 This rule describes the process to be followed for cities and counties to designate climate friendly areas,  
 10 including consideration for, and mitigation of, potential inequitable impacts that might result from CFA  
 11 designation, such as the displacement of underserved populations.

- 12 (1) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of
- 13 10,000 or more shall designate climate friendly areas sufficient to accommodate at least thirty
- 14 percent of the total identified number of housing units necessary to meet all current and future
- 15 housing needs over the planning period by utilizing the calculations in Section (2). A local
- 16 government may designate one or several climate friendly areas in order to accommodate at least
- 17 thirty percent of housing units. No portion of a climate friendly area required by this Section may
- 18 be narrower than 1,000 feet in width.
- 19 (2) Cities and counties subject to Section (1) shall calculate the housing that can be accommodated in
- 20 climate friendly areas by estimating the buildable square footage within climate friendly areas,
- 21 based on net zoned area, allowed building heights, setbacks, and any other relevant development
- 22 standards that would limit buildable square footage established within climate friendly areas.
- 23 Where the local government has not established a maximum building height, assumed building
- 24 height shall be 85 feet. Local governments may assume that residential dwellings will occupy
- 25 thirty percent of the full buildable square footage within climate friendly areas. Local
- 26 governments may assume an average dwelling unit size of nine hundred square feet in order to
- 27 convert the estimated residential building area into an estimate of the number of dwelling units
- 28 that may be accommodated in climate friendly areas. Local governments that include height
- 29 bonuses for affordable housing to serve households with an income of 60% or less of the area
- 30 median household income may include 25 percent of the additional building envelope allowance
- 31 in their calculations of buildable square footage.
- 32 (3) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of more
- 33 than 5,000 but less than 10,000 shall designate at least twenty-five acres of land as climate
- 34 friendly area, as provided in Sections (4) and (5). No portion of a climate friendly area required
- 35 by this Section may be narrower than 500 feet in width.
- 36 (4) Designation of climate friendly areas - Cities and counties shall designate climate friendly areas
- 37 as provided in this rule and in OAR 660-012-0012(6). Designation shall include the following
- 38 actions:
- 39 (a) Cities and counties subject to Section (1) shall provide maps showing the preliminary
- 40 location of all climate friendly areas, including calculations to demonstrate that climate
- 41 friendly areas are sufficient to accommodate thirty percent of total housing units, based
- 42 on existing or anticipated land use requirements in these areas as applied to Section (2) of
- 43 this rule. Cities and counties subject to Section (3) shall provide maps showing the
- 44 preliminary location of the climate friendly area.

- 1 (b) A narrative summary of the public engagement process used to consider and designate  
2 climate friendly areas, consistent with the requirements of OAR 660-012-0115 through  
3 660-012-0130.
- 4 (c) Plans for achieving fair and equitable housing outcomes within Climate friendly areas, as  
5 identified in OAR 660-008-0050(4)(a) - (f). Analysis of OAR 660-008-0050(4)(f) shall  
6 include analysis of spatial and other data to determine if potential climate friendly areas  
7 would be likely to displace residents who are members of state and federal protected  
8 classes. The local government shall also identify actions that will be employed to mitigate  
9 or avoid potential displacement.
- 10 (5) Land use requirements and comprehensive plan amendments for climate friendly areas – Cities  
11 and counties shall adopt land use requirements as provided in OAR 660-012-0320, and climate  
12 friendly elements to their comprehensive plans as provided in OAR 660-012-0012(6). Adoption  
13 of land use requirements and the climate friendly element of the comprehensive plan shall include  
14 the following:
- 15 (a) Cities and counties subject to Section (1) shall provide maps showing the location of all  
16 climate friendly areas, including calculations to demonstrate that climate friendly areas  
17 are sufficient to accommodate thirty percent of total housing units, as provided in Section  
18 (2) of this rule, and based on adopted land use requirements in these areas as provided in  
19 OAR 660-012-0320. Cities and counties subject to Section (3) shall provide maps  
20 showing the location of the climate friendly area. Any adjustments made between the  
21 preliminary and final designated climate friendly areas shall include findings  
22 demonstrating compliance with the provisions of Section (4).
- 23 (b) Documentation of the number of existing dwelling units and income-restricted dwelling  
24 units within all climate friendly areas.
- 25 (c) Documentation that all adopted and applicable land use requirements for climate friendly  
26 areas are consistent with the provisions of OAR 660-012-0320.
- 27 (d) Adoption of a climate friendly element into the comprehensive plan containing findings  
28 and analysis summarizing the local government decision process and demonstration of  
29 compliance with the provisions of OAR 660-012-0310 through -0325.
- 30 (6) For cities and counties identified in Section (1), the information provided in compliance with  
31 OAR 660-012-0315(5)(b) shall provide a basis for subsequent Housing Production Strategy  
32 Reports to assess progress towards fair and equitable housing production goals in climate friendly  
33 areas, per OAR 660-008-0050(4)(a).

34 **0320: Land Use Requirements in Climate Friendly Areas**

35 This rule describes development codes and other land use requirements cities and counties must adopt  
36 for climate friendly areas.

37 Cities and counties shall incorporate the requirements in Sections (1), (2), (3), and (4) of this rule into  
38 development regulations that apply in all climate friendly areas. Cities and counties shall either  
39 incorporate the provisions in Section (5) into development regulations for climate friendly areas, or shall  
40 demonstrate with adopted findings and analysis that alternative development regulations for climate  
41 friendly areas will result in equal or higher levels of development in climate friendly areas, per target  
42 residential and employment levels provided in Section (6).

- 1 (1) Except as noted in Section (2), development regulations for a climate friendly area shall allow  
 2 mixed-use development within individual buildings or on development sites, including the  
 3 following outright permitted uses:
- 4 (a) Multifamily residential;
  - 5 (b) Office;
  - 6 (c) Non-auto dependent retail, services, and other commercial uses;
  - 7 (d) Child care, schools, and public uses, including government services.
- 8 (2) Residential or employment-oriented zoned areas within ½ mile of a mixed use area zoned as  
 9 provided in Section (1) may be included within a climate friendly area, if in compliance with (a)  
 10 or (b).
- 11 (a) Residential areas with minimum residential densities or existing residential development  
 12 equal to or greater than the densities provided in Section (6); or
  - 13 (b) Existing employment uses equal to or greater than the number of jobs per acre provided  
 14 in Section (6).
- 15 (3) Local governments shall prioritize locating government facilities that serve the public within  
 16 climate friendly areas and shall prioritize locating parks, open space, plazas, and similar public  
 17 amenities in or near climate friendly areas that do not contain sufficient parks, open space, plazas,  
 18 or similar public amenities.
- 19 (4) Local governments shall address the following requirements in climate friendly areas:
- 20 (a) The land use requirements as provided in OAR 660-012-0330;
  - 21 (b) The applicable parking requirements as provided in OAR 660-012-0410;
  - 22 (c) The applicable pedestrian system planning requirements as provided in OAR 660-012-  
 23 0510;
  - 24 (d) The applicable bicycle system planning requirements as provided in OAR 660-012-0610;
  - 25 (e) The applicable bicycle parking requirements as provided in OAR 660-012-0630;
  - 26 (f) The applicable public transportation system planning requirements as in OAR 660-012-  
 27 0710; and
  - 28 (g) The applicable street and highway system planning requirements in OAR 660-012-0810.
- 29 (5) Local governments may adopt the following provisions into development regulations for climate  
 30 friendly areas, or may follow the requirements in Section (6).
- 31 (a) Local governments with a population of 5,000 to 24,999 shall adopt the following  
 32 development regulations for climate-friendly areas:
    - 33 (A) A minimum residential density requirement of 15 dwelling units per net acre;
    - 34 (B) Maximum building height no less than 50 feet.
  - 35 (b) Local governments with a population of 25,000 to 49,999 shall adopt the following  
 36 development regulations for climate-friendly areas:
    - 37 (A) A minimum residential density requirement of 20 dwelling units per net acre;
    - 38 (B) Maximum building height no less than 60 feet.

- 1 (c) Local governments with a population of 50,000 to 99,999 shall adopt the following  
2 development regulations for climate-friendly areas:
- 3 (A) A minimum residential density requirement of 25 dwelling units per net acre;
- 4 (B) Maximum building height no less than 85 feet in at least one climate friendly  
5 area. Maximum building height no less than 60 feet in all other climate friendly  
6 areas.
- 7 (d) Local governments with a population of 100,000 or more shall adopt the following  
8 development regulations for climate-friendly areas:
- 9 (A) A minimum residential density requirement of 30 dwelling units per net acre;
- 10 (B) Maximum building height no less than 85 feet in at least one climate friendly  
11 area. Maximum building height no less than 60 feet in all other climate friendly  
12 areas.
- 13 (6) As an alternative to adopting the development regulations in Section (5), local governments may  
14 demonstrate with adopted findings and analysis that their adopted development regulations for  
15 climate friendly areas will result in equal or higher levels of development in climate friendly  
16 areas, per the following target residential and employment levels:
- 17 (a) Local governments with a population of 5,000 to 24,999 shall adopt development  
18 regulations in climate friendly areas to facilitate at least 20 homes and jobs per net acre.
- 19 (b) Local governments with a population of 25,000 to 49,999 shall adopt development  
20 regulations in climate friendly areas to facilitate at least 30 homes and jobs per net acre.
- 21 (c) Local governments with a population of 50,000 to 99,999 shall adopt development  
22 regulations in climate friendly areas to facilitate at least 40 homes and jobs per net acre.
- 23 (d) Local governments with a population of 100,000 or more shall adopt development  
24 regulations in climate friendly areas to facilitate at least 50 homes and jobs per net acre.

25 **0325: Transportation Review in Climate Friendly Areas**

26 This rule describes how local governments review changes to comprehensive plans and land use  
27 regulations in climate friendly areas. The rule requires an interim multimodal plan when the climate  
28 friendly area is implemented.

- 29 (1) Cities or counties must use this rule to review amendments to comprehensive plans or land use  
30 regulations within a climate friendly area designated as provided in OAR 660-012-0315. Cities  
31 and counties are exempt from requirements as provided in OAR 660-012-0060 when reviewing  
32 amendments to comprehensive plans or land use regulations within a designated climate friendly  
33 area.
- 34 (2) Cities and counties making amendments to comprehensive plans or land use regulations to meet  
35 requirements as provided in OAR 660-012-0320 must either:
- 36 (a) Amend the transportation system plan as provided in 660-012-0100 and include a  
37 multimodal transportation gap summary as provided in section (3) of this rule,  
38 considering the proposed land uses in the climate friendly area; or
- 39 (b) Develop and adopt a multimodal transportation gap summary in coordination with  
40 impacted transportation facility providers and transportation service providers as  
41 provided in section (3) to meet requirements in OAR 660-012-0320.

- 1 (3) A multimodal transportation gap summary must be coordinated between the local jurisdiction,  
2 transportation facility providers, and transportation services providers to consider multimodal  
3 transportation needs in each climate friendly area as provided in OAR 660-012-0320. The  
4 multimodal transportation gap summary must include:
- 5 (a) A summary of the existing multimodal transportation network within the climate friendly  
6 area;
  - 7 (b) A summary of the gaps in the pedestrian and bicycle networks in the climate friendly area  
8 based on the summary of the existing multimodal transportation network;
  - 9 (c) If applicable as provided in section (4), a highway impacts summary as provided in  
10 section (5); and
  - 11 (d) A list of proposed projects to fill multimodal network gaps identified in subsection (b).
- 12 (4) A city or county shall include a highway impacts summary in the multimodal transportation gap  
13 summary if the designated climate friendly area as provided in OAR 660-012-0315 contains a  
14 ramp terminal intersection, state highway, interstate highway, or adopted ODOT Facility Plan.
- 15 (5) A highway impacts summary must identify how the transportation system may be affected by  
16 implementation of the climate friendly area. The highway impacts summary must include:
- 17 (a) A summary of the existing and proposed development capacity of the climate friendly  
18 area based on the proposed changes to the comprehensive plan and land use regulations;
  - 19 (b) A summary of the additional motor vehicle traffic generation that may be expected in the  
20 planning period, considering reductions for expected complementary mixed-use  
21 development, additional multimodal options, and assuming meeting goals for reductions  
22 in vehicle miles traveled per capita; and
  - 23 (c) A summary of traffic-related deaths and serious injuries within the climate friendly area  
24 in the past 10 years.
- 25 (6) Cities and counties making amendments to the adopted land use regulations identified under  
26 section (2) of this rule, shall adopt findings including a highway impacts summary as provided in  
27 section (5) of this rule if:
- 28 (a) If a city or county is reviewing a plan amendment within one-quarter mile of a ramp  
29 terminal intersection, adopted Interchange Area Management Plan area, or adopted  
30 ODOT Facility Plan area, or
  - 31 (b) The city or county is reviewing a plan amendment that would be reasonably likely to  
32 result in increasing traffic on the state facility that exceeds the small increase in traffic  
33 defined in the Oregon Highway Plan adopted by the Oregon Transportation Commission.
- 34 (7) Cities and counties shall provide notice of proposed adoption of a multimodal transportation gap  
35 summary or a revised highway impacts summary to ODOT and other affected transportation  
36 facility or service providers prior to submitting notice as provided in OAR 660-018-0020.

1 **0330: Land Use Requirements**

2 These land use requirements apply to cities and counties within metropolitan areas and have to do with  
3 how land use interacts with the transportation system. Many of these requirements are in the existing  
4 rules, particularly OAR 660-012-0045. However, this rule extends and adds to the existing requirements.  
5 These requirements apply across the urban area and are in addition to the climate friendly area specific  
6 requirements in those areas.

7 The rule requires local governments to provide for pedestrian-friendly and connected neighborhoods;  
8 for commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on  
9 auto-oriented land uses; some additional requirements for larger cities; and to have protections for  
10 existing and future transportation facilities.

- 11 (1) Cities and counties must implement plans and land use regulations to support compact,  
12 pedestrian-friendly, mixed-use land use development patterns in urban areas. Land use  
13 development patterns must support access by people using pedestrian, bicycle, and public  
14 transportation networks.
- 15 (2) Cities and counties must have land use regulations that provide for pedestrian-friendly and  
16 connected neighborhoods. Land use regulations must meet the following requirements for  
17 neighborhood design and access:
- 18 (a) Neighborhoods must be designed with connected networks of streets, paths, accessways,  
19 and other facilities to provide circulation within the neighborhood and pedestrian and  
20 bicycle system connectivity to adjacent districts. A connected street network is desirable  
21 for motor vehicle traffic but may be discontinuous where necessary to limit excessive  
22 through travel, or to protect a safe environment for walking, using mobility devices, and  
23 bicycling in the neighborhood.
- 24 (b) Neighborhoods must be designed with direct pedestrian access to key destinations as  
25 provided in OAR 660-012-0360 via sidewalks, pedestrian crossings, pedestrian  
26 accessways, or paths.
- 27 (c) Cities and counties must set block length and block perimeter standards at distances that  
28 will provide for pedestrian network connectivity. Pedestrian accessways or pedestrian-  
29 oriented public alleys through a block may be used to meet a block length or perimeter  
30 standard. Cities and counties may choose to provide for exemptions in cases where  
31 topography, natural features, railroads, or expressways would make these provisions  
32 prohibitive. In these cases, the city or county must ensure that the block length and  
33 perimeter are as short as possible.
- 34 (d) Cities and counties shall set standards to reduce out-of-direction travel for people using  
35 the pedestrian or bicycle networks.
- 36 (3) Cities and counties must have land use regulations in commercial and mixed-use districts that  
37 provide for a compact character and easy ability to walk or use mobility devices, and allow direct  
38 access on the pedestrian, bicycle, and public transportation networks. Land use regulations must  
39 meet the following requirements for commercial or mixed-use site design:
- 40 (a) Primary pedestrian entrances to buildings shall be oriented to a public street. An  
41 uninterrupted accessway, courtyard, plaza, or other pedestrian-oriented space must be  
42 provided between primary pedestrian entrances and the public sidewalk, except where the  
43 entrance opens directly to the sidewalk. All pedestrian entrances shall be designed to be  
44 barrier-free. Where a building has more than one ground-floor business, each business  
45 shall have at least one pedestrian entrance that meets the requirements of this subsection.

- 1 (b) No vehicular parking, circulation, access, or loading shall be permitted on-site between  
2 buildings and public streets. Bicycle parking may be permitted.
- 3 (c) On-site accessways shall be provided to directly connect key pedestrian entrances to  
4 public sidewalks, to any on-site parking, and to adjacent properties, as applicable.
- 5 (d) Any pedestrian entrances facing an on-site parking lot must be secondary to primary  
6 pedestrian entrances as required in this section. Primary pedestrian entrances must be  
7 open during business hours.
- 8 (e) Large sites must be designed with a connected network of public streets to meet the  
9 requirements of this section.
- 10 (f) Sites adjacent to a transit stop or station on a priority transit corridor must be oriented to  
11 the transit stop or station. The site design must provide a high level of pedestrian  
12 connectivity and amenities adjacent to the stop or station. Cities and counties must  
13 require an easement or dedication for a transit shelter if there is inadequate space in the  
14 existing right of way.
- 15 (4) Cities and counties must have land use regulations in residential neighborhoods that provide for  
16 slow neighborhood streets comfortable for families, efficient and sociable development patterns,  
17 and provide for connectivity within the neighborhood and to adjacent districts. Land use  
18 regulations in residential neighborhoods must include:
- 19 (a) Front yard and street side yard setbacks must be limited or zero. Where a setback more  
20 than zero is required, the city or county must set a standard that aims to minimize the  
21 total width of the existing or planned street right of way and required setback on each  
22 side of the street. Cities or counties may consider a standard related to the required  
23 building height.
- 24 (b) Buildings must be designed to face the street, with direct pedestrian access from building  
25 entrances to the sidewalk. Driveways and garages must be limited in width and must be  
26 off alleys where possible.
- 27 (5) Cities and counties must have land use regulations that ensure auto-oriented land uses are  
28 compatible with a community where it is easy to walk or use a mobility device. Land use  
29 regulations must include:
- 30 (a) Auto-oriented land uses must meet the site design requirements in this rule.
- 31 (b) Auto-oriented land uses that provide goods or services not directly related to the  
32 operation of an automobile must provide safe and convenient access opportunities for  
33 people walking, using a mobility device, or riding a bicycle. Access to goods and services  
34 must be equivalent to people driving a motor vehicle.
- 35 (c) Outside of climate friendly areas, where a permitted auto-oriented land use may not  
36 reasonably meet a site design standard prescribed in this rule due to the nature of the use,  
37 the city or county may prescribe an alternate standard. Alternate standards must protect  
38 pedestrian facilities.
- 39 (6) Cities and counties with an urban area over 100,000 in population must have reasonable land use  
40 regulations providing for the development of low-car districts. These districts must be developed  
41 with no-car or low-car streets, where walking or using mobility devices are the primary methods  
42 of travel within the district. Cities and counties must make provisions for emergency vehicle  
43 access and local freight delivery. Low-car districts must be permitted in locations where  
44 residential or mixed-use development is permitted.

- 1 (7) Cities and counties must implement land use regulations to protect transportation facilities,  
 2 corridors, and sites for their identified functions. These regulations must include, but are not  
 3 limited to:
- 4 (a) Access control actions consistent with the function of the transportation facility,  
 5 including but not limited to driveway spacing, median control, and signal spacing;
  - 6 (b) Standards to protect future construction and operation of streets, transitways, paths, and  
 7 other transportation facilities;
  - 8 (c) Standards to protect public use airports as provided in OAR 660-013-0080;
  - 9 (d) Processes to make a coordinated review of future land use decisions affecting  
 10 transportation facilities, corridors, or sites;
  - 11 (e) Processes to apply conditions to development proposals in order to minimize impacts and  
 12 protect transportation facilities, corridors or sites;
  - 13 (f) Regulations to provide notice to public agencies providing transportation facilities and  
 14 services, Metropolitan Planning Organizations, the Oregon Department of  
 15 Transportation, and the Oregon Department of Aviation of:
    - 16 (A) Land use applications that require public hearings;
    - 17 (B) Subdivision and partition applications;
    - 18 (C) Other applications which affect private access to roads; and
    - 19 (D) Other applications within airport noise corridors and imaginary surfaces which  
 20 affect airport operations.
  - 21 (g) Regulations assuring that amendments to land use designations, densities, and design  
 22 standards are consistent with the functions, capacities and performance standards of  
 23 facilities identified in the TSP.

24 **0340: Land Use Assumptions**

25 This rule describes how cities and counties make assumptions about the future development of the  
 26 urban area, for purposes of transportation planning. These assumptions are based on the required  
 27 population forecasts, existing comprehensive plans and land use regulations, and other provisions in the  
 28 Transportation Planning Rules. These assumptions are used to help make coordinated land use and  
 29 transportation plans.

- 30 (1) Cities and counties shall develop and adopt future land use assumptions for the purpose of  
 31 transportation system planning. The requirements of this rule apply to provisions of this division.  
 32 Future land use assumptions must include the planning horizon year of the transportation system  
 33 plan and a common horizon year for all jurisdictions across the metropolitan area.
- 34 (2) Future land use assumptions must be consistent with the most recent final population forecast as  
 35 provided in OAR 660-032-0020.
- 36 (3) Future land use assumptions must assume existing acknowledged comprehensive plan  
 37 designations and policies, and existing land use regulations remaining in force throughout the  
 38 planning period; except where these designations, policies, or regulations are superseded by  
 39 statute or rule. Future land use assumptions must assume existing acknowledged Urban Growth  
 40 Boundaries throughout the planning period.



- 1 (4) Where applicable, future land use assumptions must allocate growth assumptions within the  
2 capacity of jobs and housing within climate friendly areas designated as provided in OAR 660-  
3 012-0310 before allocating growth to other parts of the city or county. Notwithstanding section  
4 (3), future land use assumptions may assume reasonable levels of development as provided in  
5 OAR 660-012-0325 within climate friendly areas.
- 6 (5) Future land use assumptions must be developed at approximately a block-level of detail to  
7 understand where future development is expected. Future land use assumptions are used for  
8 transportation system development and analysis.

9 **0350: Urban Growth Boundary Expansions**

10 This rule includes requirements for local jurisdictions to ensure they are being consistent with  
11 coordinated transportation planning requirements when proposing to expand an Urban Growth  
12 Boundary. The rules provide for requirements prior to undertaking an Urban Growth Boundary  
13 Expansion, and requirements as part of the process of expanding the Urban Growth Boundary.

- 14 (1) A city and county must meet the following requirements prior to undertaking an Urban Growth  
15 Boundary expansion as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
  - 16 (a) The city must have an acknowledged transportation system plan as provided in OAR  
17 660-012-0100. If the county has responsibility for planning in urban unincorporated areas  
18 as provided in OAR 660-012-0110, the county must also have an acknowledged  
19 transportation system plan for the urban area as provided in OAR 660-012-0100.
  - 20 (b) The city and county must have submitted all regular reports as provided in OAR 660-  
21 012-0900 and have had each report approved by order as provided in OAR 660-012-  
22 0905.
  - 23 (c) The city and county must have designated climate friendly areas as provided in OAR  
24 660-012-0310 and must demonstrate compliance with OAR 660-008-0010(2).
  - 25 (d) The city and county must have adopted land use regulations as provided in OAR 660-  
26 012-0330.
- 27 (2) A city and county must meet the following requirements as part of the Urban Growth Boundary  
28 expansion process as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
  - 29 (a) The city and county must assess the ability of lands within the existing Urban Growth  
30 Boundary to accommodate the additional levels of growth expected. Cities and counties  
31 must assume that the future development of climate friendly areas and more land-  
32 efficient and transportation-efficient patterns of development across the urban area will  
33 be different and more intensive than existing patterns of development.
  - 34 (b) Lands otherwise of the same level of priority category for an Urban Growth Boundary  
35 expansion as provided in OAR 660-024-0067 or OAR 660-038-0170 may be prioritized  
36 by determining the potential level of access to existing urban pedestrian, bicycle, and  
37 transit networks, and the ability of those networks to be extended to the candidate areas  
38 for expansion.
  - 39 (c) Transportation system planning assumptions developed to make decisions about an  
40 Urban Growth Boundary expansion must be consistent with targets set under measures as  
41 provided in OAR 660-012-0910 and must result in a reduction in Vehicle Miles Traveled  
42 per capita.

- 1 (d) Transportation system planning assumptions developed to make decisions about an  
2 Urban Growth Boundary expansion may not assume the construction of any facility  
3 required to be reviewed as a Vehicle Miles Traveled-Increasing facility as provided in  
4 OAR 660-012-0830.
- 5 (e) The city and county must determine if the designation of additional lands as part of  
6 climate friendly areas will be required to meet the targets for households within these  
7 areas, as provided in OAR 660-012-0310.
- 8 (3) Where an Urban Growth Boundary is intended to follow an existing or planned street, road, or  
9 highway right-of-way, the boundary shall be placed on the rural side of the right-of-way or  
10 planned right-of-way, so that the right-of-way is inside the Urban Growth Boundary.
- 11 (4) Cities and counties with areas added to an Urban Growth Boundary where the requirements of  
12 OAR 660-012-0060 are not applied at the time of Urban Growth Boundary amendment as  
13 provided in OAR 660-024-0020 or OAR 660-038-0020 must update the land use assumptions as  
14 provided in OAR 660-012-0340 prior to an update of the transportation system plan as provided  
15 in OAR 660-012-0105.

16 **0360: Key Destinations**

17 This rule lists key destinations for use in coordinated transportation and land use planning. These are  
18 important places for all people to be able to access to meet daily needs and participate in society.

- 19 (1) Cities and counties shall use the key destinations described in this rule, as well as other  
20 destinations determined locally, for purposes of coordinated land use and transportation planning.
- 21 (2) Key destinations include, but are not limited to:
- 22 (a) climate friendly areas;
- 23 (b) Pedestrian-oriented commercial areas outside of climate friendly areas;
- 24 (c) Transit stations, stops, and terminals;
- 25 (d) Retail and service establishments, including grocery stores;
- 26 (e) Child care facilities, schools, and colleges;
- 27 (f) Parks, recreation centers, paths, trails, and open spaces;
- 28 (g) Farmers markets;
- 29 (h) Libraries, government offices, community centers, arts facilities, post offices, social  
30 service centers, and other civic destinations;
- 31 (i) Medical or dental clinics and hospitals;
- 32 (j) Major employers;
- 33 (k) Gyms and health clubs;
- 34 (l) Major sports or performance venues; and
- 35 (m) Other key destinations determined locally.

1 **New Rules 0400-0499: Parking**

2 This part of the Transportation Planning Rules relates to how cities and counties manage parking. The  
3 rules follow current best practice and move cities and counties away from one-size-fits-all mandates for  
4 development to build a large amount of costly off-street parking, towards more targeted management  
5 strategy and more deference to builders and property owners to provide parking for the diversity of  
6 development types as the market dictates.

7 **0400: Parking Management**

8 This rule directs jurisdictions to implement the parking rules.

- 9 (1) Cities and counties shall adopt comprehensive plans and land use regulations that implement  
10 provisions of OAR 660-012-0405, OAR 660-012-0410, and OAR 660-012-0415.
- 11 (2) Except as provided in OAR 660-012-0420, cities and counties shall amend their comprehensive  
12 plans and land use regulations to implement provisions of OAR 660-012-0425, OAR 660-012-  
13 0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.
- 14 (3) [Under discussion: how these rules apply to Metro-area jurisdictions]

15 **0405: Parking Regulation Improvements**

16 This rule works to give priority parking – a usual sign of status – to those carpooling or vanpooling. It  
17 aims to encourage the conversion of parking lots to higher uses, and to encourage shared parking.

18 It also aims to reduce the negative externalized impacts of parking. It works to make large parking lots  
19 more pedestrian-friendly, and to address some of the heat island effects through trees. It aims to  
20 mitigate the climate impacts of driving and parking through either increased clean energy or increased  
21 tree canopy.

- 22 (1) Cities and counties shall adopt and enforce land use regulations as provided in this section:
- 23 (a) Designated employee parking areas in new developments shall provide preferential  
24 parking for carpools and vanpools; and
- 25 (b) Property owners shall be allowed to redevelop any portion of existing off-street parking  
26 areas for bicycle-oriented and transit-oriented facilities and developments, including  
27 bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, transit-  
28 oriented developments, and similar facilities.
- 29 (2) Cities and counties shall adopt policies and land use regulations that allow and encourage the  
30 conversion of existing underused parking areas to other uses.
- 31 (3) Cities and counties shall adopt policies and land use regulations that allow and encourage shared  
32 parking.

- 1 (4) Cities and counties shall adopt land use regulations for new developments that include more than  
 2 one acre of surface parking as provided below:
- 3 (a) Developments must provide one of the following:
- 4 (A) Installation of solar panels with a generation capacity of at least 0.5 kW per  
 5 parking space on the property. In lieu of developing solar on site, cities may  
 6 allow developers to pay \$1,500 per parking space in the development into a city  
 7 fund dedicated to equitable solar or wind energy development or a fund at the  
 8 Oregon Department of Energy designated for such purpose. Developments  
 9 subject to OAR 330-135-0010 shall be exempt; or
- 10 (B) Creation of tree canopy covering at least 50% of the parking lot at maturity but  
 11 no more than 15 years after planting. Trees planted under this requirement must  
 12 meet the standards in subsection (3)(b).
- 13 (b) Developments must provide street trees along driveways. The tree species planted must  
 14 be the largest appropriate for the site. Trees must be planted and maintained to maximize  
 15 their root health and chances for survival, including having ample high-quality soil, space  
 16 for root growth, and reliable irrigation. Trees should be planted in continuous trenches  
 17 where possible. The city or county shall have minimum standards for planting and tree  
 18 care no lower than 2021 American National Standards Institute A300 standards, and a  
 19 process to ensure ongoing compliance with tree planting and maintenance provisions; and
- 20 (c) Developments must provide street-like design and features along driveways including  
 21 curbs, sidewalks, and buildings built to the sidewalk.

22 **0410: Electric Vehicle Charging**

23 This rule works to encourage new buildings to be EV-capable, to install electrical capacity and conduit.  
 24 Buildings would be ready to have wiring and charging stations added as demand calls for. As buildings  
 25 are 80-100 year structures, and Oregon is aiming to have 90% of new vehicles be EVs by 2035, it is  
 26 critical to install charging infrastructure as buildings are built.  
 27  
 28 The rule focuses on electrical capacity and conduit, and allows some Level 1 charging capacity in  
 29 residential buildings, which can be functional for many uses and saves money.

- 30 (1) Cities and counties shall adopt regulations requiring new development to support electric vehicle  
 31 charging.
- 32 (a) For new construction with five or more parking spaces in a parking lot or garage on a lot  
 33 or parcel, cities and counties shall require the installation of sufficient dedicated electrical  
 34 capacity and conduit to accommodate:
- 35 (A) Level 2 or above electric vehicle charging stations serving 20% of all parking  
 36 spaces for residential buildings, mixed-use buildings consisting of commercial  
 37 space and residential units, and commercial buildings; and
- 38 (B) Level 1 or above electric vehicle charging stations serving an additional 30% of all  
 39 parking spaces for residential buildings and mixed-use buildings consisting of  
 40 commercial space and residential units.
- 41 (b) In areas with insufficient transformer capacity, where meeting the requirements of this  
 42 ordinance would require significant utility upgrades, cities and counties may allow  
 43 construction to provide capacity at Level 1 charging levels.

- 1 (2) Cities with populations over 50,000, and counties with populations over 50,000 in the urban area  
 2 but outside of incorporated cities, [under discussion: and cities with populations over 25,000  
 3 within a metropolitan service district] shall require sufficient dedicated electrical capacity and  
 4 conduit to accommodate electric vehicle charging upon major remodel or renovation of certain  
 5 buildings or parking lots.
- 6 (a) Requirements shall apply to existing parking garages or commercial buildings with more  
 7 than 40 parking spots, residential developments with five or more parking spaces on a lot  
 8 or parcel, and mixed-use buildings with five or more parking spaces on a lot or parcel.
- 9 (b) In non-residential parking garages and commercial buildings, dedicated electrical  
 10 capacity and conduit must be sufficient to accommodate Level 2 or above electric vehicle  
 11 charging stations.
- 12 (c) In residential and mixed-use buildings, dedicated electrical capacity and conduit must be  
 13 sufficient to accommodate Level 1 or above electric vehicle charging stations.
- 14 (d) At least 20% of parking spots must have dedicated electrical capacity and conduit.
- 15 (e) For the purposes of this section, major remodel or renovation means the value of the  
 16 proposed alterations on the site is 20% or more of existing building or parking lot  
 17 valuation, or more than \$200,000.
- 18 (f) Local governments may grant an exemption if the cost of the charging installation  
 19 exceeds 20% of the cost of the proposed alterations.

20 **0415: Parking Maximums and Evaluation in More Populous Communities**

21 This rule calls for parking maximums in areas where car-dominant development would undermine  
 22 pedestrian-friendliness and other goals.

23  
 24 It also calls on Oregon’s most populous three cities to manage on-street parking to ensure availability, to  
 25 explore options to building new parking garages, and to ensure new parking garages can have life on the  
 26 ground floor.

- 27 (1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits  
 28 but within the urban growth boundary [under discussion: and cities with populations over 25,000  
 29 within a metropolitan service district,] shall study local conditions and set appropriate parking  
 30 maximums to encourage development in climate-friendly areas and along priority transit  
 31 corridors. Parking maximums shall include visitor parking and be no higher than 1.2 off-street  
 32 parking spaces per studio unit and 2 off-street parking spaces per residential unit in a multi-unit  
 33 development in such areas.
- 34 (2) Cities with populations over 150,000 shall, in addition to requirements in section (1) of this rule:
- 35 (a) Study use of priced on-street parking spaces at least every three years, and adjust prices  
 36 to ensure availability of on-street parking spaces within two blocks of each location at all  
 37 hours. This shall include metered spaces and spaces where a paid permit is required;
- 38 (b) Using permits, meters, or another method, price on-street parking spots in an area at least  
 39 one year before authorizing any new public structured parking including more than 100  
 40 spaces in that area after March 31, 2023;

- 1 (c) Adopt procedures ensuring prior to approval of construction of additional structured
- 2 parking projects of more than 300 parking spots designed to serve existing uses,
- 3 developer of that parking structure must implement transportation demand management
- 4 strategies for a period of at least six months designed to shift at least 10% of existing
- 5 vehicle trips ending within one-quarter mile of the proposed parking structure to other
- 6 modes; and
- 7 (d) Adopt design requirements to ensure the ground floor of new private and public
- 8 structured parking that fronts a public street and includes more than 100 parking spaces
- 9 shall be convertible to other uses in the future at a reasonable cost.

10 **0420: Exemption for Communities without Parking Mandates**

11 This clarifies the remainder of the 0400 parking series of rules apply only to those communities choosing  
 12 to continue to mandate parking.

- 13 (1) Cities and counties that adopt land use regulations that do not include parking mandates are
- 14 exempt from OAR 660-012-0425 through OAR 660-012-0450.

15 **0425: Reducing the Burden of Parking Mandates**

16 This rule allows builders to meet parking mandates by a variety of approaches, including taking action to  
 17 reduce climate pollution.

- 18 (1) Cities and counties shall adopt and enforce land use regulations as provided in this section. Cities
- 19 and counties shall not enforce regulations contrary to this section:
- 20 (a) Garages and carports shall not be required for residential developments;
- 21 (b) Garage parking spaces shall count towards off-street parking mandates;
- 22 (c) Provision of on-street parking shall be allowed to meet parking mandates where there are
- 23 no adopted plans to remove the on-street parking. Cities and counties may limit this to the
- 24 on-street parking adjacent to the property frontage;
- 25 (d) Provision of shared parking shall be allowed to meet parking mandates where there are
- 26 no adopted plans to remove the on-street parking;
- 27 (e) Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel,
- 28 except parking for people with disabilities which must be within a 100-foot distance;
- 29 (f) Parking mandates shall be reduced by one off-street parking space for each 3 kilowatts of
- 30 capacity in solar panels or wind power that will be provided in a development;
- 31 (g) Parking mandates shall be reduced by one off-street parking space for each dedicated car-
- 32 sharing parking space in a development; and
- 33 (h) Parking mandates shall be reduced by two off-street parking spaces for every electric
- 34 vehicle charging station that will be provided in a development.
- 35 (2) Any reductions under section (1) shall be cumulative and not capped.

1 **0430: Reduction of Parking Mandates for Development Types**

2 This rule reduces parking mandates for housing, following the trend in planning practice and previous  
3 Department rulemaking on traditional missing middle housing types. The rule works to reduce  
4 regulatory burdens for developing certain types of needed development, such as child care facilities.

5 (1) Cities and counties shall adopt land use regulations that do not:

- 6 (a) Require more than one parking space per unit in residential developments with more than  
7 one unit. Notwithstanding this requirement, cities must meet requirements as provided in  
8 OAR 660-046-0220;
- 9 (b) Require parking for the following development types:
  - 10 (A) Facilities and homes designed to serve people with psychosocial, physical,  
11 intellectual or developmental disabilities, including but not limited to residential  
12 care facilities, residential training facilities, residential treatment facilities,  
13 residential training homes, residential treatment homes, and conversion facilities  
14 as defined in ORS 443.400;
  - 15 (B) Child care facilities as defined under ORS 329A.250;
  - 16 (C) Single-room occupancy housing;
  - 17 (D) Residential units smaller than 750 square feet;
  - 18 (E) Affordable housing units as defined in OAR 660-039-0010;
  - 19 (F) Publicly-supported housing as defined in ORS 456.250;
  - 20 (G) Emergency and transitional shelters for people experiencing homelessness; and
  - 21 (H) Domestic violence shelters.

22 **0435: Parking Reform in Climate Friendly Areas**

23 This rule encourages parking reform in climate-friendly areas, which tend to have lower demand for  
24 parking, and are targeted for more pedestrian-friendly development patterns.

25 (1) Cities and counties shall adopt land use regulations for parking mandates in climate friendly areas  
26 [under discussion: how this applies in Metro] as provided in OAR 660-012-0305. In each such  
27 area, cities and counties shall either:

- 28 (a) Remove all parking mandates within the area and on parcels that include land within one-  
29 quarter mile distance of those areas; or
- 30 (b) Significantly manage parking, by:
  - 31 (A) Adopting a parking benefit district with metered on-street parking and some  
32 revenues dedicated to public improvements in the area.
  - 33 (B) Adopting land use amendments to require no more than one-half off-street  
34 parking space per new housing unit in the area; and
  - 35 (C) Not enforcing parking mandates for commercial developments.

36 (2) Cities and counties not adopting land use regulations without parking mandates under OAR 660-  
37 012-0420 shall adopt requirements requiring the parking for multi-family residential units in  
38 climate-friendly areas be unbundled parking.

1 **0440: Parking Reform near Transit Corridors**

2 This rule encourages parking reform near transit corridors and stops, where parking demand tends to be  
3 lower, and are areas targeted for more pedestrian-friendly development patterns.

- 4 (1) Cities and counties shall not require parking spaces for developments within one-half mile of  
5 priority transit corridors or three-quarters mile of rail transit stops.
- 6 (2) Until cities and counties designate priority transit corridors under OAR 660-012-0710 and amend  
7 land use regulations as provided in Section (1), cities and counties shall not enforce parking  
8 mandates for developments:
- 9 (a) Within three-quarters mile of a rail transit stop;
- 10 (b) Within one-half mile of bus service arriving with a frequency of at least four times an  
11 hour during peak service; and
- 12 (c) Within one-half mile of the most frequent transit routes in the community, if the  
13 frequency is at least once per hour during peak service.
- 14 (3) Cities and counties not adopting land use regulations without parking mandates under OAR 660-  
15 012-0420 shall adopt requirements requiring the parking for multi-family residential units in the  
16 areas in Section (1) be unbundled parking.

17 **0445: Parking Management Alternative Approaches**

18 For those communities not repealing parking mandates, this rule provides two options for improved  
19 parking management.

- 20 (1) In lieu of adopting land use regulations without parking mandates under OAR 660-012-0420,  
21 cities and counties may select and implement either a fair parking policy approach as provided in  
22 subsection (a) of this section, or a reduced regulation parking management approach as provided  
23 in subsection (b) of this section. These provisions must be implemented by March 31, 2023, and  
24 have effective dates no later than June 30, 2023.
- 25 (a) A fair parking policy approach shall include at least three of the following five  
26 provisions:
- 27 (A) A requirement that parking spaces for each residential unit in developments  
28 including five or more leased or sold residential units on a lot or parcel be  
29 unbundled parking.
- 30 (B) A requirement that parking spaces serving leased commercial developments be  
31 unbundled parking;
- 32 (C) A requirement for employers of 50 or more employees who provide free or  
33 subsidized parking to their employees at the workplace provide a flexible  
34 commute benefit of \$50 per month or the fair market value of that parking,  
35 whichever is greater, to those employees eligible for that free or subsidized  
36 parking who regularly commute via other modes instead of using that parking;
- 37 (D) A tax on the revenue from commercial parking lots collecting no less than 10%  
38 of income, with revenues dedicated to improving transportation alternatives to  
39 drive-alone travel; and



- 1 (E) A reduction of parking mandates for new multifamily residential development to  
2 no higher than 0.5 space per unit, including visitor parking.
- 3 (b) A reduced regulation parking management approach shall include all of the following:
- 4 (A) A repeal of all parking mandates within ½ mile pedestrian travel of climate  
5 friendly areas;
- 6 (B) A repeal of parking mandates for transit-oriented development and mixed-use  
7 development;
- 8 (C) A repeal of parking mandates for group quarters, including but not limited to  
9 dormitories, religious group quarters, adult care facilities, retirement homes, and  
10 other congregate housing;
- 11 (D) A repeal of parking mandates for studio apartments, one-bedroom apartments  
12 and condominiums in residential developments of five or more units on a lot or  
13 parcel;
- 14 (E) A repeal of parking mandates for redevelopment of buildings vacant for more  
15 than two years;
- 16 (F) A repeal of parking mandates requiring additional parking for change of use,  
17 redevelopment, or expansion of existing businesses;
- 18 (G) A repeal of parking mandates for buildings within a National Historic District, on  
19 the National Register of Historic Places, or on a local inventory of historic  
20 resources or buildings;
- 21 (H) A repeal of parking mandates for businesses with fewer than ten on-site  
22 employees or 3000 square feet floor space;
- 23 (I) A repeal of parking mandates for developments built under the Oregon  
24 Residential Reach Code;
- 25 (J) A repeal of parking mandates for developments seeking certification under any  
26 Leadership in Energy and Environmental Design (LEED) rating system, as  
27 evidenced by either proof of pre-certification or registration and submittal of a  
28 complete scorecard;
- 29 (K) A repeal of parking mandates for schools;
- 30 (L) A repeal of parking mandates for bars;
- 31 (M) Setting parking maximums in climate friendly areas and transit-oriented  
32 developments. Parking maximums shall include visitor parking and be no higher  
33 than 1.2 off-street parking spaces per studio unit and 2 off-street parking spaces  
34 per residential unit in a multi-unit development in such areas;
- 35 and
- 36 (N) Designation of at least one residential parking district or parking benefit district  
37 where on-street parking is managed through permits, meters, or time limits.

1 **0450: Parking Management in More Populous Communities**

2 The rule aims to ensure populous communities better understand and manage their existing parking  
3 supply before requiring new parking.

- 4 (1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits  
5 but within the urban growth boundary [under discussion: and cities with populations over 25,000  
6 within a metropolitan service district] shall either:
- 7 (A) Adopt land use regulations without mandates to provide parking spaces, other than  
8 parking spaces reserved for people with disabilities, parking required for electric vehicles  
9 when parking is provided, or parking for carpools and vanpools; or
- 10 (B) Price at least the percentage of on-street parking spaces specified in OAR 660-012-0012,  
11 and report the percentage of on-street parking spaces that are priced as provided in OAR  
12 660-012-0900. Residential parking permits priced at lower than \$15 per month or 50  
13 cents per day per space do not count towards this total.
- 14 (2) Cities may revisit the decision made under (1) at any time.

15 **New Rules 0500-0599: Pedestrian System**

16 This part of the Transportation Planning Rules relates to planning for the pedestrian system. The  
17 pedestrian system is intended to serve people walking, as well as people using mobility devices or other  
18 vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the  
19 bicycle system.

20 **0500: Pedestrian System Planning**

21 This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation  
22 system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access  
23 for most trips under one mile.

- 24 (1) Urban transportation system plans must include a pedestrian system element that meets the  
25 requirements of this rule. For the purposes of this division, the pedestrian system is intended to  
26 serve people walking, as well as people using mobility devices, or other devices or vehicles that  
27 operate at a similar speed and scale as people walking. The pedestrian system is intended to serve  
28 most short trips under one mile in cities.
- 29 (2) A pedestrian system element must include the following elements:
- 30 (a) The complete pedestrian system as described in section (3) of this rule that includes the  
31 full buildout of the pedestrian system within the Urban Growth Boundary;
- 32 (b) Identification of gaps and deficiencies in the pedestrian system as described in section (4)  
33 of this rule;
- 34 (c) Locations of key pedestrian destinations as described in OAR 660-012-0360; and
- 35 (d) A list of prioritized pedestrian system projects as described in OAR 660-012-0520.

- 1 (3) The complete pedestrian system is the full build out of a complete pedestrian system within the  
 2 planning area. A city determines the complete pedestrian system plan by:
- 3 (a) Using the pedestrian system inventory developed under OAR 660-012-0505 as a base;
  - 4 (b) Adding the minimum pedestrian facilities to places that do not presently meet the  
 5 minimum pedestrian system requirements in OAR 660-012-0510; and
  - 6 (c) Adding enhanced facilities above the minimum pedestrian system requirements where the  
 7 city finds that enhanced facilities are necessary or desirable to meet the goals of the city's  
 8 comprehensive plan.
- 9 (4) Cities must identify gaps and deficiencies in the pedestrian system by comparing the complete  
 10 pedestrian system plan with the pedestrian system inventory developed under OAR 660-012-  
 11 0505. Any part of the complete pedestrian system not presently built to the standard in the  
 12 complete pedestrian system plan must be identified as a gap or deficiency.

13 **0505: Pedestrian System Inventory**

14 This rule describes how cities must inventory their pedestrian system.

- 15 (1) Pedestrian system inventories must include information on sidewalks and street crossings for all  
 16 areas within climate friendly areas, within ¼ mile of all schools, and along all arterials and  
 17 collectors. Pedestrian system inventories must also include information on all pedestrian and  
 18 multiuse paths.
  - 19 (a) Inventories of sidewalks and paths must include information on width and condition.
  - 20 (b) Inventories of street crossings must include crossing distances, the type of crossing,  
 21 closed crossings, curb ramps, and distance between crossings.
- 22 (2) Pedestrian system inventories must include the crash risk factors of inventoried pedestrian  
 23 facilities, including but not limited to speed, volume, and roadway width. Pedestrian system  
 24 inventories must also include the location of all reported injuries and deaths of people walking or  
 25 using a mobility device. This must include all reported incidents from at least 10 years prior to the  
 26 transportation system plan base year to the year of adoption of the pedestrian system inventory.

27 **0510: Pedestrian System Requirements**

28 This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to  
 29 exceed the standards in this rule.

- 30 (1) Pedestrian facility owners must design, build, and maintain pedestrian facilities to permit  
 31 comfortable travel for all people, including people with disabilities.
- 32 (2) All streets and highways, other than expressways, shall have sidewalks, as provided in ORS  
 33 366.514.
  - 34 (a) Sidewalks must be planned for both sides of each street.
  - 35 (b) Cities must plan for progressively wider and more protected sidewalks and pedestrian  
 36 areas in the following contexts:
    - 37 (A) Arterials must have wider and more protected sidewalks than collector streets,  
 38 which must have wider and more protected sidewalks than local streets.

- 1 (B) Streets and highways in climate friendly areas and in areas with concentrations of  
2 underserved populations as provided in OAR 660-012-0120 must be planned for  
3 wider and more protected sidewalks and more enhanced crossings than on similar  
4 facilities outside of these areas.
- 5 (C) A substantial portion of the right-of-way in climate friendly areas must be  
6 dedicated to pedestrian uses, including but not limited to sidewalks, pedestrian  
7 plazas, and protective buffers.
- 8 (c) Cities must plan for enhanced tree canopy and other infrastructure that uses natural and  
9 living materials in pedestrian spaces in climate friendly areas and areas with  
10 concentrations of underserved populations as provided in OAR 660-012-0120.
- 11 (3) Off-street multi-use paths must be designed to permit comfortable joint or separated use for  
12 people walking, using mobility devices, and cycling.
- 13 (4) Enhanced crossings are pedestrian facilities to cross streets or highways that provide a high level  
14 of safety and priority to people crossing the street. Enhanced crossings must have adequate  
15 nighttime illumination to see pedestrians from all vehicular approaches. Enhanced crossings must  
16 be provided, at minimum, in the following locations:
- 17 (a) Closely spaced along arterial streets in climate friendly areas;
- 18 (b) Near transit stops on access-focused arterial or collector street in a climate friendly area  
19 or on a priority transit corridor; and
- 20 (c) At off-street path or trail crossings of any arterial or collector street.
- 21 (5) Cities may take exemptions to the standards in this rule through findings in the transportation  
22 system plan, for each location where an exemption is desired, for the following reasons:
- 23 (a) A city may plan for a sidewalk on one side of local streets in locations where topography  
24 would make it difficult to build a sidewalk on the other side of the street. Enhanced street  
25 crossings must be provided at each end of sections where there is a sidewalk on only one  
26 side of the street.
- 27 (b) A city may plan for no sidewalks on local streets that are sufficiently narrow, and carry  
28 little or no vehicular traffic, so that pedestrians are the primary users of the street.

29 **0520: Pedestrian System Projects**

30 This rule guides cities in determining the list of pedestrian system projects.

- 31 (1) Cities must develop a list of pedestrian system projects that would address all the gaps and  
32 deficiencies in the pedestrian system identified by the city under OAR 660-012-0500(4).
- 33 (2) Cities must develop pedestrian project prioritization factors that are able to sort the list of  
34 pedestrian system projects into a prioritized list of pedestrian system projects. Cities must develop  
35 pedestrian project prioritization factors by engaging underserved populations as provided in OAR  
36 660-012-0125.

- 1 (3) Cities must use pedestrian project prioritization factors to prioritize the following factors above  
 2 other factors:
- 3 (a) Pedestrian system investments in climate friendly areas;
  - 4 (b) Pedestrian system investments in areas with concentrations of underserved populations,  
 5 as provided in OAR 660-012-0120;
  - 6 (c) Pedestrian system investments in areas pedestrian safety risk factors such as roadways  
 7 with high speeds and high traffic volumes
  - 8 (d) Pedestrian system investments in areas with reported pedestrian serious injuries and  
 9 deaths;
  - 10 (e) Pedestrian system investments that provide access to key pedestrian destinations;
  - 11 (f) Pedestrian system investments that will connect to, fill gaps in, and expand the existing  
 12 pedestrian network;
  - 13 (g) Pedestrian system investments that prioritize pedestrian travel consistent with the  
 14 prioritization factors in OAR 660-012-0180; and
  - 15 (h) Where applicable, pedestrian system investments that implement a scenario plan  
 16 approved by order as provided in OAR 660-044-0120.
- 17 (4) The transportation system plan must include a description of the prioritization factors and method  
 18 of prioritizing pedestrian projects used to develop the prioritized list of pedestrian system  
 19 projects.

20 **New Rules 0600-0699: Bicycle System**

21 This part of the Transportation Planning Rules relates to planning for a safe, accessible and connected  
 22 bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using  
 23 other types of vehicles that operate at a bicycle speed and scale. These rules also include updated  
 24 requirements for bicycle parking.

25 **0600: Bicycle System Planning**

26 This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected  
 27 bicycle network that serves a variety of users. The rule requires a bicycle system element that provides  
 28 for a substantial portion of short urban trips under 3 miles to be by bicycle.

- 29 (1) Transportation system plans must include a bicycle system element that meets the requirements  
 30 of this rule. The bicycle system must be designed to provide safe and comfortable routes for a  
 31 range of users and abilities. For the purposes of this division, the bicycle system is intended to  
 32 serve people riding bicycles and other vehicles that operate at a similar speed and scale to people  
 33 riding bicycles. These vehicles include, but are not limited to: electric bicycles, kick-style and  
 34 electric scooters, and skateboards; and do not include motorcycles.
- 35 (2) A bicycle system element must include the following elements:
  - 36 (a) The complete bicycle system as described in section (3) that includes the full buildout of  
 37 the bicycle system within the Urban Growth Boundary;
  - 38 (b) Identification of gaps and deficiencies in the bicycle system as described in section (4);

- 1 (c) Locations of key bicycle destinations as described in OAR 660-012-0360; and
- 2 (d) A list of prioritized bicycle system projects as described in OAR 660-012-0620.
- 3 (3) The complete bicycle system is the full build out of a complete bicycle system within the
- 4 planning area. A city determines the complete bicycle system plan by:
  - 5 (a) Using the bicycle system inventory developed under OAR 660-012-0605 as a base;
  - 6 (b) Adding the minimum bicycle facilities to places that do not presently meet the minimum
  - 7 bicycle system requirements in OAR 550-012-0610; and
  - 8 (c) Adding enhanced facilities above the minimum bicycle system requirements where the
  - 9 city finds that enhanced facilities are necessary or desirable to meet the goals of the city's
  - 10 comprehensive plan.
- 11 (4) Cities must identify gaps and deficiencies in the bicycle system by comparing the complete
- 12 bicycle system with the bicycle system inventory developed under OAR 660-012-0605. Any part
- 13 of the complete bicycle system not presently built to the standard in the complete bicycle plan
- 14 must be identified as a gap or deficiency.

15 **0605: Bicycle System Inventory**

16 This rule describes how cities must inventory their bicycle system. The rule requires an inventory of  
 17 bicycle facilities in key areas, including multi-use paths.

- 18 (1) Bicycle system inventories must include information on bicycle lanes, bicycle routes, paths, and
- 19 other types of bicycle facilities. Inventories must include information on width, type, and
- 20 condition.
- 21 (2) Bicycle system inventories must include information on bicycle facilities of all types within
- 22 climate friendly areas, within ¼ mile of all schools, on designated neighborhood bikeways, and
- 23 along all arterials and collectors.
- 24 (3) Bicycle system inventories must include the crash risk factors of inventoried bicycle facilities,
- 25 including but not limited to speed, volume, separation, and roadway width. Bicycle system
- 26 inventories must also include the location of all reported injuries and deaths of people on
- 27 bicycles. This must include all reported incidents from at least 10 years prior to the transportation
- 28 system plan base year to the year of adoption of the bicycle system inventory.

29 **0610: Bicycle System Requirements**

30 This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system  
 31 that meets a substantial portion of local travel needs under three miles. Updated requirements ensure  
 32 cities and counties will plan for higher levels of separation beyond a standard bike lane for people riding  
 33 bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to  
 34 allow the widest range of people to safely ride bikes within communities. The rules require the  
 35 development of connected network of safe bicycle facilities.

- 36 (1) This rule describes the minimum planned bicycle facilities that must be included in plans. Cities
- 37 may choose to exceed the standards in this rule.

- 1 (2) Higher levels of protection and separation are necessary for bicycle facilities on higher speed and  
2 volume streets and highways, such as arterials and collectors. Bicycle facilities include:
- 3 (a) Separated or protected bicycle facilities, which are on-street facilities that are physically  
4 protected from motorized traffic by barriers that prevent intrusion into the bicycle  
5 facility. Physical protection may include parked motor vehicles. Protected bicycle  
6 facilities may be unidirectional or two-way. Protected bicycle facilities minimize  
7 conflicting traffic at intersections and other vehicular accesses to the street or highway.  
8 Bicycle traffic is highlighted and prioritized in locations where motor vehicle traffic does  
9 cross the protected facility.
- 10 (b) Bicycle boulevards, which are local streets with very little to no motorized traffic that are  
11 designated, signed, and prioritized for bicycle through travel. Protected or enhanced  
12 crossings are located where bicycle boulevards cross arterial or collector streets.
- 13 (c) Bicycle paths, which are off-street facilities exclusively for the use of people cycling.
- 14 (d) Multi-use paths, which are off-street facilities for the use of people walking, using  
15 mobility devices, and cycling.
- 16 (e) Buffered bicycle lanes, which are on-street bike facilities with a marked but not physical  
17 buffer between the bike lane and traffic; and
- 18 (f) Bicycle lanes, which are on-street bicycle facilities without physical or buffered  
19 protection from motorized traffic.
- 20 (3) Cities and counties must plan for a connected network of bicycle facilities that provides a safe  
21 and comfortable experience for people of all ages and abilities. A connected network is  
22 comprised of both the ability to access key destinations within a community and enough coverage  
23 of safe and comfortable facilities to ensure most people within the community can travel by  
24 bicycle.
- 25 (a) Cities and counties must develop an all ages, low stress, connected network of bicycle  
26 facilities that provide protection and separate considering the context of the parallel street  
27 or highway facility and land uses. This includes but is not limited to:
- 28 (A) Planning for higher levels of protection along and across arterials and collectors;
- 29 (B) Planning for connections to key destinations as provided in OAR 660-012-0360;  
30 and
- 31 (C) Planning for a connected network of bicycle boulevards on low volume streets  
32 and in residential districts.
- 33 (b) Cities and counties must plan for separated or protected bicycle facilities on arterials and  
34 collectors in climate friendly areas.
- 35 (c) Cities and counties must plan a minimum of a buffered bicycle lane on arterials or  
36 collectors where separated or protected bicycle facilities are not otherwise planned.

1 **0620: Bicycle System Projects**

2 This rule guides cities in determining the list of bicycle system projects.

- 3 (1) Cities must develop a list of bicycle system projects that would address all the gaps and  
4 deficiencies in the bicycle system identified by the city under OAR 660-012-0600(4).
- 5 (2) Cities must develop bicycle project prioritization factors that are able to sort the list of bicycle  
6 system projects into a prioritized list of bicycle system projects. Cities must develop bicycle  
7 project prioritization factors by engaging underserved populations as provided in OAR 660-012-  
8 0125.
- 9 (3) Cities must use bicycle project prioritization factors to prioritize the following factors above other  
10 factors:
- 11 (a) Bicycle system investments in climate friendly areas;
- 12 (b) Bicycle system investments in areas with concentrations of underserved populations, as  
13 determined under OAR 660-012-0120;
- 14 (c) Bicycle system investments in areas with safety risk factors such as roadways with high  
15 speeds and high traffic volumes;
- 16 (d) Bicycle system investments in areas with reported serious injuries and deaths to people  
17 riding bicycles;
- 18 (e) Bicycle system investments that provide access to key bicycle destinations;
- 19 (f) Bicycle system investments system investments that will connect to, fill gaps in, and  
20 expand the existing bicycle system network;
- 21 (g) Bicycle system investments that prioritize bicycle travel consistent with the prioritization  
22 factors in OAR 660-012-0180; and
- 23 (h) Where applicable, bicycle system investments that implement a scenario plan approved  
24 by order as provided in OAR 660-044-0120.
- 25 (4) The transportation system plan must include a description of the prioritization factors and method  
26 of prioritizing bicycle projects used to develop the prioritized list of bicycle system projects.

27 **0630: Bicycle Parking**

28 This rule includes updated requirements for bicycle parking. Existing statewide requirements require  
29 bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and  
30 secure parking for some uses where longer-term parking is expected, and short-term parking at retail  
31 uses, transit facilities, and other key destinations. The rule requires that long-term parking include  
32 provisions for electric charging and to accommodate a range of devices beyond bicycles.

- 33 (1) Cities and counties must require and plan for adequate bicycle parking to meet the increasing  
34 need for travel by bicycle.



- 1 (2) Cities and counties shall require covered, secure bicycle parking for all new multifamily  
2 development or mixed-use development of four units or more, and new office and institutional  
3 developments. Such bicycle parking must include at least one bicycle parking space for each  
4 residential unit and facilities for charging electric bicycles, electric wheelchairs, and other small-  
5 scale electric mobility devices. Charging must be available for simultaneous charge of electric  
6 mobility devices parked in 40% of spaces.
- 7 (3) Cities and counties shall require covered, secure bicycle parking for all new retail development.  
8 Such bicycle parking shall be located within 100 feet of the main retail entrance.
- 9 (4) Cities and counties shall require covered, secure bicycle parking for all major transit stations and  
10 park-and-ride lots.
- 11 (5) Cities and counties must require covered, secure bicycle parking in climate friendly areas, and  
12 near key destinations as provided in OAR 660-012-0360.
- 13 (6) Cities and counties must allow and provide for parking and ancillary facilities for shared bicycles  
14 or other small-scale mobility devices in climate friendly areas, and near key destinations as  
15 provided in OAR 660-012-0360.
- 16 (7) For any use, cities and counties must require at least as many bicycle parking spaces as mandated  
17 off-street motor vehicle parking spaces.
- 18 (8) Cities and counties must ensure that all bicycle parking provided must:
- 19 (a) Allow ways to secure at least two points on a bicycle;
- 20 (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position  
21 where it may be secured without conflicts from other parked bicycles, walls, or other  
22 obstructions;
- 23 (c) Be in a location that is convenient and well-lit; and
- 24 (d) Include sufficient bicycle parking spaces to accommodate large bicycles, including  
25 family and cargo bicycles.

## 26 **New Rules 0700-0799: Public Transportation System**

27 This part of the Transportation Planning Rules relates to planning for the public transportation system.  
28 The public transportation system is intended to serve people riding transit within urban areas, as well as  
29 travel within regions or between cities. This set of rules also includes requirements for a local  
30 Transportation Options plan element.

### 31 **0700: Public Transportation System Planning**

32 This rule and subsequent rules describe how cities must plan for their public transportation system.

- 33 (1) transportation system plans must include a public transportation system element that meets the  
34 requirements of this rule. Cities and counties must work in close cooperation with transit service  
35 providers in order to complete the public transportation system element of the transportation  
36 system plan.
- 37 (a) Cities and counties shall coordinate with public transportation service providers to  
38 develop the public transportation system plan element.

- 1 (b) The public transportation system plan element must include elements of the public
- 2 transportation system that are in the control of the city, county, and coordinating
- 3 transportation facility owners.
- 4 (c) The public transportation system plan element must identify elements of the public
- 5 transportation system that the city or county will work with transit service providers to
- 6 realize or improve, including transit priority corridors, transit supportive infrastructure,
- 7 and stop amenities.
- 8 (d) Cities and counties must align the public transportation system plan transit element with
- 9 Transit Development Plans, goals, and other strategic planning documents developed by
- 10 a transit service provider.
- 11 (e) transportation system plans do not control public transportation elements exclusively
- 12 controlled by transit service providers. These include funding or details of transit service
- 13 provision, including timetables and routing.
- 14 (2) A public transportation system element must include the following elements:
- 15 (a) The complete public transportation system as described in section (3) that includes the
- 16 full buildout and provision of services of the public transportation system within the
- 17 Urban Growth Boundary;
- 18 (b) Identification of gaps and deficiencies in the public transportation system as described in
- 19 section (4);
- 20 (c) Locations of key public transportation destinations as described in OAR 660-012-0360;
- 21 (d) A list of prioritized public transportation system projects as described in OAR 660-012-
- 22 0720; and
- 23 (e) The Transportation Options plan as provided in OAR 660-012-0750.
- 24 (3) The complete public transportation system is the full build out of a complete public transportation
- 25 system within the planning area. The city or county determines the complete public transportation
- 26 system plan by:
- 27 (a) Using the public transportation system inventory developed under OAR 660-012-0705 as
- 28 a base; and
- 29 (b) Adding the minimum public transportation services and facilities to places that do not
- 30 presently meet the minimum public transportation system requirements in OAR 660-012-
- 31 0710.
- 32 (4) Cities and counties must identify gaps and deficiencies in the public transportation system by
- 33 comparing the complete public transportation system with the public transportation system
- 34 inventory developed under OAR 660-012-0705. Any part of the complete public transportation
- 35 system not presently built or operated to the standards in the complete public transportation
- 36 system plan must be identified as a gap or deficiency. Cities and counties must identify gaps in
- 37 the transit supportive facilities provided on priority transit corridors and other transit corridors
- 38 identified as provided in OAR 660-012-0710. Transit supportive facilities include, but are not
- 39 limited to:
- 40 (a) Stations, hubs, stops, shelters, signs, and ancillary features; and
- 41 (b) Transit priority infrastructure, including signals, queue jumps, and semi exclusive or
- 42 exclusive bus lanes or transitways.

1 **0705: Public Transportation System Inventory**

2 This rule describes how cities must inventory their public transportation system.

- 3 (1) The public transportation system inventory must include information on local and intercity transit  
4 services, including the location of routes, major stations, transit stops, transitways, transit lanes,  
5 transit priority signals, queue jumps, on-route charging, and other transit supportive facilities not  
6 otherwise inventoried. Accessibility for people with disabilities must be inventoried where  
7 applicable.
- 8 (2) The public transportation system inventory must include the identification of existing service  
9 characteristics, including frequency and span of service for all services along identified transit  
10 priority corridors, serving key destinations, and serving major transit stations.
- 11 (3) Where local or intercity transit services travel outside of the planning area to other cities, the  
12 public transportation system inventory must include the identification of routes connecting to the  
13 next nearest cities with a population exceeding 9,000, as well as key destinations and major  
14 stations these routes.

15 **0710: Public Transportation System Requirements**

16 This rule includes the minimum requirements for safe, connected, and accessible public transportation  
17 system facilities.

- 18 (1) Cities must plan for a connected local transit network that serves key destinations as provided in  
19 OAR 660-012-0360, and can be accessed by housing and jobs within the planning area. Cities  
20 must identify:
- 21 (a) Priority transit corridors, which are transit corridors that are planned for the highest levels  
22 of regional transit service providing for a wide range of mobility needs; and
- 23 (b) Other transit corridors, which are planned to carry at least a moderate level of transit  
24 service providing for basic mobility needs.
- 25 (2) Cities and counties must plan for a range of transit supportive facilities along priority transit  
26 corridors and in other locations where transit priority is desired.
- 27 (a) Cities and counties must coordinate with transit service providers to determine transit  
28 priority infrastructure needed on priority transit routes for efficient transit service.
- 29 (b) Cities and counties shall prioritize expedited access for transit vehicles to and from major  
30 stops, stations, and terminals.
- 31 (c) Cities and counties shall consider intercity transit access to stations or terminals.
- 32 (3) Cities must plan for safe and accessible transit stops and stations.
- 33 (a) Along priority transit corridors and other locations where transit priority is desired, cities  
34 and counties must coordinate with transit service providers on the construction of transit  
35 supportive facilities. Cities must allow transit service providers to construct amenities at  
36 stops outright, with limited permitting requirements. These amenities include but are not  
37 limited to: sidewalk repair and extension, signage, lighting, benches, and shelters.
- 38 (b) Cities shall limit on-street parking at transit stop locations at the request of a transit  
39 service provider.

- 1 (4) Cities must coordinate with transit service providers to identify needs for intercity transit services  
2 at a level appropriate to the size of the urban area and the size and distance of intercity markets.
- 3 (5) Cities must coordinate with transit service providers to identify gaps in transit service provided in  
4 the transportation system plan, and gaps for each priority transit corridor and other transit  
5 corridors.

6 **0720: Public Transportation System Projects**

7 

This rule guides cities in determining the list of public transportation projects.
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- 8 (1) Cities must develop a list of public transportation projects that would address all the gaps and  
9 deficiencies in the public transportation system identified by the city under OAR 660-012-  
10 0700(4).
- 11 (2) Cities must coordinate with transit service providers to identify the gaps in transit service  
12 provided in the transportation system plan and OAR 660-044-0140 or the Statewide  
13 Transportation Strategy, including the gap in transit miles per capita, and gaps for each priority  
14 transit corridor and other transit corridors. The purpose of identifying these gaps is to illustrate  
15 the need for transit service operating funds for services operated within the planning area. The  
16 transportation system plan need not make provisions for funding operations of transit services  
17 directly.
- 18 (3) Cities must develop public transportation system project prioritization factors that are able to sort  
19 the list of public transportation system projects into a prioritized list of public transportation  
20 system projects. Cities must develop public transportation project prioritization factors by  
21 engaging underserved populations as provided in OAR 660-012-0125.
- 22 (4) Cities must use public transportation project prioritization factors to prioritize the following  
23 factors above other factors:
  - 24 (a) Public transportation system investments in climate friendly areas;
  - 25 (b) Public transportation system investments in areas with concentrations of underserved  
26 populations, as determined under OAR 660-012-0120, particularly in areas with  
27 concentrations of people dependent on public transportation;
  - 28 (c) Public transportation system investments that provide access to key public transportation  
29 destinations;
  - 30 (d) Public transportation system investments that will connect to, fill gaps in, and expand the  
31 existing public transportation network;
  - 32 (e) Public transportation system investments that prioritize transit travel consistent with the  
33 prioritization factors in OAR 660-012-0180; and
  - 34 (f) Where applicable, public transportation system investments that implement a scenario  
35 plan approved by order as provided in OAR 660-044-0120.
- 36 (5) The transportation system plan must include a description of the prioritization factors and method  
37 of prioritizing public transportation projects used to develop the prioritized list of public  
38 transportation projects.

1 **0750: Transportation Options Plan**

2 This rule describes how cities develop a transportation options element of their transportation system  
3 plan. The rule requires cities and counties to coordinate closely with transportation options providers,  
4 public transportation providers, and other cities and counties to identify existing programs, services, and  
5 projects; as well as future needs.

- 6 (1) Transportation system plans must include a transportation options element that includes:
- 7 (a) The existing programs, services, and projects identified in section (2);
  - 8 (b) The future transportation demand management needs identified in section (3) and the  
9 performance targets as provided in OAR 660-012-0910; and
  - 10 (c) A trip reduction strategy for large employers.
- 11 (2) Cities and counties shall coordinate with transportation options providers, public transportation  
12 service providers, and other cities and counties to identify existing transportation options and  
13 transportation demand management programs, services, and projects. This must include, but is  
14 not limited to:
- 15 (a) The identification of education, outreach, and other transportation demand management  
16 programs and services that focus on multi-modal forms of transportation;
  - 17 (b) The identification of transportation demand management programs and policies that  
18 discourage the use of single occupancy vehicles; and
  - 19 (c) The identification of the transportation options needs of underserved populations.
- 20 (3) Cities and counties shall coordinate with transportation options providers, public transportation  
21 service providers, and other cities and counties to identify future transportation demand  
22 management needs. This must include, but is not limited to:
- 23 (a) Commute Trip Reduction consultation and promotion of programs such as the provision  
24 of transit passes;
  - 25 (b) Physical improvements such as carpool parking spaces and park and ride locations; and
  - 26 (c) Regional solutions for intercity travel.

27 **New Rules 0800-0899: Streets and Highways System**

28 This part of the Transportation Planning Rules relates to planning for the street and highway system. The  
29 rules consider that the street and highway system is mostly fully built out. Future planning must assume  
30 a reduction in the amount of driving people do, in favor of increased travel in other modes.

31 **0800: Street and Highway System Planning**

32 This rule, and subsequent rules, describes how cities must plan for their street and highway  
33 transportation system.

- 34 (1) Urban Transportation System Plans must include a street and highway system element that meet  
35 the requirements of this rule.

- 1 (2) A street and highway system element must include the following elements:
- 2 (a) The complete street and highway system as described in section (3) that includes the full  
3 buildout of the street and highway system within the Urban Growth Boundary.
- 4 (b) Identification of gaps or deficiencies in the street and highway system as described in  
5 section (4);
- 6 (c) Locations of key destinations as described in OAR 660-012-0360; and
- 7 (d) A list of prioritized street and highway system projects as described in OAR 660-012-  
8 0820.
- 9 (3) The complete street and highway system is the full build out of a complete street and highway  
10 system within the planning area. A city determines the ultimate street and highway system plan  
11 by:
- 12 (a) Using the street and highway system inventory developed under OAR 660-012-0805 as a  
13 base;
- 14 (b) Adding the minimum street and highway facilities to places that do not presently meet the  
15 minimum street and highway system requirements in OAR 660-012-0810; and
- 16 (c) Accommodating the reallocation of right of way on facilities where this is deemed  
17 necessary as provided in this division.
- 18 (4) Cities must identify gaps and deficiencies in the street and highway system by comparing the  
19 complete street and highway system with the street and highway system inventory developed  
20 under OAR 660-012-0805. Any part of the complete street and highway system not presently  
21 built to the standard in the ultimate street and highway plan must be identified as a gap or  
22 deficiency.

23 **0805: Street and Highway System Inventory**

24 This rule describes how cities must inventory their street and highway system.

- 25 (1) Street and highway system inventories must include information on all streets and highways,  
26 including the functional classification of each facility.
- 27 (a) For local streets, inventories must include location.
- 28 (b) For collector streets, inventories must include location, condition, and number of general-  
29 purpose travel lanes, and turn lanes.
- 30 (c) For arterial streets, inventories must include location, condition, and number of general-  
31 purpose travel lanes, turn lanes, and lane width.
- 32 (d) For expressways and other limited-access highways, inventories must include location,  
33 condition, number of general-purpose travel lanes, and lane width. Inventories must also  
34 include locations and type of interchanges.
- 35 (2) Street and highway system inventories must include the location of all reported serious injuries  
36 and deaths of people related to vehicular crashes. This must include all reported incidents for at  
37 least 10 years prior to the transportation system plan base year.
- 38 (3) Street and highway system inventories must include an overview of pricing strategies in use,  
39 including specific facility pricing, area or cordon pricing, and parking pricing. Inventories must  
40 include pricing mechanisms and rates.

- 1 (4) Street and highway system inventories must include the location of designated freight routes, and  
2 the location of all key freight terminals within the planning area, including intermodal terminals.

3 **0810: Street and Highway System Requirements**

4 This rule includes the minimum requirements for the street and highway system. The rules require  
5 narrow and slow local streets. Cities and counties must plan, design, build, and maintain a connected  
6 streets and highway network in a manner that respects the prioritization factors in OAR 660-012-0180.

- 7 (a) Cities and counties must plan and streets and highways for the minimum size necessary  
8 for the identified function, land use context, and expected users of the facility.
- 9 (b) Cities and counties must consider and reduce excessive standards for local streets and  
10 accessways in order to reduce the cost of construction, increase safety, provide for more  
11 efficient use of urban land, provide for emergency vehicle access while discouraging  
12 inappropriate traffic volumes and speeds, and support connected and safe pedestrian and  
13 bicycle networks.
- 14 (c) Cities and counties must plan for an equitable allocation of right-of-way consistent with  
15 the prioritization factors as provided in OAR 660-012-0180. Streets in Climate-Friendly  
16 Areas and along priority transit corridors must be designed to prioritize pedestrian,  
17 bicycle, and transit systems, as provided in OAR 660-012-0510, OAR 660-012-0610, and  
18 OAR 660-012-0710.
- 19 (1) Cities and counties must plan local streets to provide local access to property and localized  
20 circulation within neighborhoods.
- 21 (a) Cities and counties must plan and design local streets for low and safe travel speeds  
22 compatible with shared pedestrian and bicycle use.
- 23 (b) Cities and counties shall establish standards for local streets with pavement width and  
24 right-of-way width as narrow as practical to meet needs, reduce the cost of construction,  
25 efficiently use urban land, discourage inappropriate traffic volumes and speeds, improve  
26 safety, and accommodate convenient pedestrian and bicycle circulation. Local street  
27 standards may allow pavement 28-foot wide where on-street parking is provided on both  
28 sides of the street and narrower widths where on-street parking is not permitted. Local  
29 street standards adopted by a city or county must be developed as provided in ORS  
30 368.039.
- 31 (c) Cities and counties must plan and design a complete and connected network of local  
32 streets. Cities may plan for chicanes, diverters, or other strategies or devices in local  
33 street networks where needed to prevent excessive speed or through travel. These  
34 measures must continue to provide for connected and pedestrian and bicycle networks.
- 35 (d) Cities and counties must avoid planning or designing local streets with a dead end. Dead  
36 end local streets may be permitted in locations with topographic or other barriers, or  
37 where the street is planned to continue to a connected network in the future.
- 38 (e) Cities and counties must plan for multimodal travel on local streets as provided in OAR  
39 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710. Cities and counties must  
40 plan local streets in climate-friendly areas to prioritize pedestrian and bicycle systems,  
41 and be limited to local access for motor vehicles.
- 42 (f) A city or county may plan for local streets to be wider than otherwise permitted in this  
43 rule when used exclusively for access to industrial or commercial properties outside of

- 1 climate-friendly areas, and where plans do not permit residential or mixed-use  
2 development.
- 3 (g) Transportation system plans need not include the specific location of all planned local  
4 streets but must describe areas where they will be necessary.
- 5 (2) Cities and counties must plan collector streets to provide access to property and collect and  
6 distribute traffic between local streets and arterials. Cities and counties must plan and design a  
7 collector street network that is complete and connected with local streets and arterials.
- 8 (a) Cities and counties must plan for multimodal travel on collector streets as provided in  
9 OAR 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710.
- 10 (b) Cities and counties must plan collectors in climate-friendly areas to prioritize pedestrian,  
11 bicycle, and public transportation systems.
- 12 (3) Cities and counties must plan arterial streets and highways to provide travel between  
13 neighborhoods and across urban areas. Cities and counties must plan an arterial street network  
14 that is complete and connected with local streets and collectors.
- 15 (a) Cities and counties must designate each segment of an arterial as one of the three  
16 categories below in the transportation system plan. These designations must be made  
17 considering the intended function, the land use context, and the expected users of the  
18 facility. Cities and counties must address these considerations to ensure local plans  
19 include different street standards for each category of arterial segment.
- 20 (A) Cities and counties must plan for local access priority arterial segments to  
21 prioritize access to property and connected streets when balancing needs on the  
22 facility. Local access priority arterial segments will generally allow for more  
23 access locations from property, more opportunities to make turns, more frequent  
24 intersections with other streets, and slower speeds.
- 25 (B) Cities and counties must plan for through movement priority arterial segments to  
26 prioritize through movement of traffic when balancing needs on the facility.  
27 Through movement priority arterial segments will generally prioritize access  
28 limited to intersections with the street network, limited access to individual  
29 properties, and safe speeds.
- 30 (C) Cities and counties must plan for arterial segments in a climate-friendly area to  
31 prioritize multimodal travel as provided in subsection (b). This includes  
32 prioritizing complete, connected, and safe pedestrian, bicycle, and public  
33 transportation facilities.
- 34 (b) Cities must plan for multimodal travel on or along arterial streets as provided in OAR  
35 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710.
- 36 (A) Cities and counties must plan arterials in climate-friendly areas to prioritize  
37 pedestrian, bicycle, and public transportation systems.
- 38 (B) Cities and counties must plan arterials along transit priority corridors to prioritize  
39 transit service reliability and frequency over general-purpose traffic.
- 40 (4) Cities and counties must plan freeways to provide travel between urban areas. Cities and counties  
41 must carefully consider new or expanded freeways considering goals for reductions in vehicle  
42 miles traveled per capita.
- 43 (a) Cities and counties must plan for high-occupancy vehicle lanes, including transit lanes,  
44 and managed priced lanes on expressways.



- 1 (b) Pedestrian and bicycle facilities should be parallel to expressways, rather than on them.
- 2 Transit facilities on or along expressways must be designed for direct transit vehicle
- 3 access.
- 4 (5) Notwithstanding other provisions of this rule, where appropriate, cities and counties must plan
- 5 and design streets and highways to accommodate:
- 6 (a) Transit vehicles on a segment of a priority transit corridor or transit corridor without
- 7 dedicated transit lanes or transitway.
- 8 (b) Freight travel on designated freight routes and key freight terminals inventoried as
- 9 provided in OAR 660-012-0805.
- 10 (c) Agricultural equipment on streets or highways connecting to agriculturally zoned land
- 11 used for agricultural purposes where equipment access is necessary.

12 **0820: Street and Highway System Projects**

13 This rule guides cities in determining the list of street and highway system projects.

- 14 (1) Cities must develop a list of street and highway system projects that would address the gaps and
- 15 deficiencies in the street and highway system.
- 16 (2) Cities must develop street and highway project prioritization factors that are able to sort the list of
- 17 street and highway system projects into a prioritized list of street and highway system projects.
- 18 Cities must develop street and highway project prioritization factors by engaging underserved
- 19 populations as provided in OAR 660-012-0125.
- 20 (3) Cities must use street and highway project prioritization factors to prioritize the following factors
- 21 above other factors:
- 22 (a) Street and highway investments that reallocate right-of-way from facilities dedicated to
- 23 moving motor vehicles to those for use by the pedestrian, bicycle, and public
- 24 transportation systems, particularly:
  - 25 (A) In climate-friendly areas;
  - 26 (B) In areas with concentrations of underserved populations, as provided in OAR
  - 27 660-012-0120; and
  - 28 (C) In areas with reported serious injuries and deaths.
- 29 (b) Street and highway system investments that will fill gaps in the existing street network;
- 30 (c) Street and highway system investments consistent with the prioritization factors in OAR
- 31 660-012-0180;
- 32 (d) Street and highway system investments that will help meet the performance targets as
- 33 provided in OAR 660-012-0910; and
- 34 (e) Street and highway system investments consistent with a scenario plan approved by order
- 35 as provided in OAR 660-044-0120.
- 36 (4) The transportation system plan must include a description of the prioritization factors and method
- 37 of prioritizing street and highway projects used to develop the prioritized list of street and
- 38 highway system projects.

1 (5) Cities choosing to include a proposed facility requiring authorization as provided in OAR 660-  
2 012-0830 in the transportation system plan must first meet the requirements as provided in OAR  
3 660-012-0830.

4 **0830: Authorization of Facilities That Increase Driving and Capacity**

5 This rule provides for an additional level of review of transportation facilities that could increase climate  
6 pollution. The rule is intended to ensure that additional alternatives are reviewed before investments  
7 are made in transportation facilities that are not consistent with the state's climate goals.

8 The authorization of a facility provided in this rule is only to allow a proposed facility to be put into the  
9 local transportation system plan, it does not replace any other requirements.

10 The process is intended to provide time for local governments to identify, review, assess, and potentially  
11 implement alternatives to the proposed facility. The goal is to avoid implementation of as many of these  
12 facilities as possible, limiting them only to those that are truly necessary to meet the transportation  
13 needs of the state and community.

14 (1) Cities and counties choosing to include any of the proposed facilities listed in this section as a  
15 planned project or illustrative project in any part of the local comprehensive plan, including the  
16 transportation system plan, must authorize the proposed facility as provided in this rule.

17 (a) A new or extended arterial street, highway, or freeway;

18 (b) New or expanded interchanges; or

19 (c) An increase in capacity for any existing collector or arterial street or highway, or  
20 freeway, but not including reallocation of right-of-way to provide more space for  
21 pedestrian, bicycle, transit, or high-occupancy vehicle facilities.

22 (2) Cities and counties choosing to authorize a proposed facility as provided in this rule must:

23 (a) Initiate the authorization process thorough action of the governing body of the city or  
24 county;

25 (b) Include the authorization process as part of an update to a transportation system plan to  
26 meet the requirements as provided in OAR 660-012-0100, or have an existing  
27 acknowledged transportation system plan meeting these requirements;

28 (c) Have met all applicable reporting requirements as provided in OAR 660-012-0900;

29 (d) Designate the project limits and characteristics of the proposed facility, including length,  
30 number of lanes, or other key features;

31 (e) Designate a facility impact area and determine affected jurisdictions as provided in  
32 section (3);

33 (f) Initiate an equity analysis of the proposed facility as provided in OAR 660-012-0130;

34 (g) Develop a public involvement strategy as provided in section (4);

35 (h) Conduct an alternatives review as provided in sections (5) and (6);

36 (i) Choose to move forward with an authorization report as provided in section (7);

37 (j) Complete an authorization report as provided in section (8); and

38 (k) Publish the authorization report as provided in section (9).

- 1 (3) A city or county choosing to designate a facility impact area and determine affected jurisdictions  
2 must:
- 3 (a) Coordinate with all cities and counties with planning jurisdictions within 2 miles of the  
4 limits of the proposed facility to determine the extent of the facility impact area;
- 5 (b) Review the extent of the impact of the proposed facility by including all areas where  
6 implementation of the proposed facility is expected to change levels or patterns of traffic  
7 or otherwise change the transportation system or land use development patterns;
- 8 (c) Take particular care when reviewing the facility impact area in places with concentrations  
9 of underserved populations as provided in OAR 660-012-0120. The city or county must  
10 consider the special impact of new Vehicle Miles Travelled per Capita-Increasing  
11 facilities in the context of historic patterns of discrimination, disinvestment, and  
12 malinvestment;
- 13 (d) Designate a facility impact area to include, at minimum, areas within one mile of the  
14 proposed facility.
- 15 (e) Determine affected jurisdictions by including all cities or counties with planning  
16 jurisdictions in the designated facility impact area.
- 17 (4) A city or county choosing to develop a public involvement strategy must, in coordination with  
18 affected jurisdictions:
- 19 (a) Develop the public involvement strategy as provided in OAR 660-012-0125.
- 20 (b) Ensure the public involvement strategy provides for opportunities for meaningful public  
21 participation in decision-making over the course of the authorization process;
- 22 (c) Ensure the public involvement strategy includes regular reports to the affected governing  
23 bodies, planning commissions, and the public on the progress of the authorization  
24 process.
- 25 (5) A city or county choosing to undertake an alternatives review must, in coordination with affected  
26 jurisdictions:
- 27 (a) Have designated the facility impact area, determined affected jurisdictions, transit service  
28 providers, and transportation options providers; and developed a public consultation  
29 strategy as provided in this rule;
- 30 (b) Develop a summary of the expected impacts of the proposed facility on underserved  
31 populations as provided in OAR 660-012-0120, particularly, but not exclusively, in  
32 neighborhoods with concentrations of underserved populations. These impacts must  
33 include, but are not limited to, additional household costs, and changes in the ability to  
34 access jobs and services without the use of a motor vehicle.
- 35 (c) Develop a summary of the estimated additional motor vehicle travel that is expected to be  
36 induced by implementation of the proposed facility over the first 20 years of service,  
37 using best available science;
- 38 (d) Investigate alternatives to the proposed facility through investments in the pedestrian and  
39 bicycle systems. The city or county must:
- 40 (A) Review the transportation system plan for identified gaps and deficiencies in  
41 pedestrian and bicycle facilities within the facility impact area;
- 42 (B) Determine how much of the need for the proposed facility may be met through  
43 enhanced investments in the pedestrian and bicycle networks;

- 1 (C) Identify pedestrian and bicycle system investments that could contribute to  
2 meeting the identified need which do not require implementation of the proposed  
3 facility; and
- 4 (D) Identify pedestrian and bicycle system investments that could contribute to  
5 meeting the identified need which may be implemented without the proposed  
6 facility, and may be retained if the proposed facility is implemented.
- 7 (e) Investigate alternatives to the proposed facility through investments in the public  
8 transportation system. The city or county must:
- 9 (A) Review the transportation system plan for identified gaps and deficiencies in  
10 public transportation facilities and services within the facility impact area;
- 11 (B) Coordinate with transit service providers to identify opportunities for providing  
12 additional transit service within or to the facility impact area; and
- 13 (C) Identify potential transit facility and service investments that contribute to  
14 meeting the identified need which may be implemented without the proposed  
15 facility.
- 16 (f) Investigate alternatives to the proposed facility through investments in transportation  
17 options programs; or other means to reduce demand for motor vehicle travel. The city or  
18 county must:
- 19 (A) Review the transportation system plan for identified existing and needed  
20 transportation demand management services within the facility impact area;
- 21 (B) Coordinate with transportation options providers to identify opportunities for  
22 providing transportation demand management services in and around the facility  
23 impact area;
- 24 (C) Identify potential transportation options program investments that contribute to  
25 meeting the identified need which may be implemented without the proposed  
26 facility.
- 27 (g) Investigate alternatives to the proposed facility that include system pricing. The city or  
28 county must:
- 29 (A) Determine if various types of pricing could substantially reduce the need for the  
30 proposed facility;
- 31 (B) Investigate a range of pricing methods, including, but not limited to: parking  
32 pricing, facility pricing, cordon pricing, or congestion pricing; and
- 33 (C) Identify pricing methods where it is reasonably expected to meet the need for the  
34 facility, may reasonably be implemented, and can be expected to generate  
35 sufficient revenue to cover the costs of operating the collection apparatus.
- 36 (6) A city or county choosing to complete an alternatives review must, in coordination with affected  
37 jurisdictions:
- 38 (a) Review the projects identified in section (5) to determine sets of investments that may be  
39 made that could substantially meet the need for the proposed facility without  
40 implementation of the proposed facility. A city or county must consider adopted state,  
41 regional, and local targets for reduction of vehicle miles traveled to reduce greenhouse  
42 gas emissions when making determinations of substantially meeting the need for the  
43 proposed facility; and

- 1 (b) Complete an alternatives review report upon completion of the alternatives review phase.  
2 The alternatives review report must include a description of the effectiveness of identified  
3 alternatives. The alternatives review report must include the summaries developed in  
4 section (5), subsections (b) and (c). The alternatives review report must be provided to  
5 the public, and the governing bodies and planning commissions of each affected city or  
6 county. The alternatives review report must also be included in the next annual report to  
7 the director as provided in OAR 660-012-0900.
- 8 (7) The governing body of the city or county shall review the alternatives review report and may  
9 either:
- 10 (a) Select a set of investments reviewed in the alternatives review report intended to  
11 substantially meet the identified need for the proposed facility. These investments may be  
12 added to the multimodal project list of the transportation system plan as provided in OAR  
13 660-012-0200; or
- 14 (b) Choose to complete the authorization report for the proposed facility, as provided in  
15 section (8).
- 16 (8) A city or county choosing to complete an authorization report as provided in section (7) must,  
17 after completion of the alternatives review, include the following within the authorization report:
- 18 (a) A record of the initiation of the authorization process by the governing body;
- 19 (b) The public involvement strategy developed as provided in section (5), and how each part  
20 of the public involvement strategy was met;
- 21 (c) The alternatives review report;
- 22 (d) A summary of the estimated additional long-term costs of maintaining the proposed  
23 facility, including expected funding sources and responsible transportation facility  
24 operator.
- 25 (9) A city or county, upon completing an authorization report, must publish the authorization report  
26 and provide it to the public and governing bodies of each affected jurisdiction.
- 27 (10) A city or county, having completed and published an authorization report, is permitted to place  
28 the proposed project on a prioritized project list with other projects as provided in OAR 660-012-  
29 0200. A proposed project authorized as provided in this rule may remain on a project list in the  
30 transportation system plan as long there are no substantial changes to the proposed project as  
31 described in the authorization report.

1 **New Rules 0900-0999: Monitoring and Reporting**

2 This part of the Transportation Planning Rules relates to how cities and counties will regularly report  
3 progress through compilation of submission of regular reports to the department. Annual reports will  
4 include a narrative of progress made over the past year, with more substantial reports required every  
5 four to five years.

6 **0900: Monitoring and Reporting**

7 This rule requires cities and counties to submit a report to the department annually. Most years the  
8 report will be a minor report, with an update of activities. However, every four or five years a major  
9 report must also include additional information on how the city and region are performing across a  
10 range of performance measures.

- 11 (1) Cities and counties outside of the planning area of Metro shall report annually on progress toward  
12 meeting the requirements in OAR 660-044 and this division.
- 13 (2) Metro shall prepare a report annually on progress toward meeting the requirements in OAR 660-  
14 044 and this division. Cities and counties within the planning area of Metro shall coordinate with  
15 Metro and provide information to Metro. Cities and counties within the planning area of Metro  
16 are not required to report directly to the department as provided in this rule.
- 17 (3) Cities, counties, and Metro shall submit the report to the director.
- 18 (4) Reports are due to the director no later than May 31 of each year for the report for the previous  
19 calendar year. The director shall review reports as provided in OAR 660-012-0905.
- 20 (5) Cities, counties, and Metro shall submit either a minor report, as provided in section (6), or a  
21 major report, as provided in section (7), each year.
- 22 (a) Minor reports shall be submitted each year where a major report is not submitted.
- 23 (b) Major reports shall be submitted for each year in which the metropolitan planning  
24 organization representing the city or county approved a regional transportation plan as  
25 provided in 23 CFR 450.324.
- 26 (6) A minor report must include the following information:
- 27 (a) A narrative summary of the state of coordinated land use and transportation planning in  
28 the planning area over the reporting year, including any relevant activities or projects  
29 undertaken or planned by the city or county;
- 30 (b) A copy of the order approving the report from the previous reporting year as provided in  
31 OAR 660-012-0905;
- 32 (c) The planning horizon date of the acknowledged transportation system plan, a summary of  
33 any amendments made to the transportation system plan over the reporting year, and an  
34 estimate of planning activities over the near future which may include amendments to the  
35 transportation system plan;
- 36 (d) The findings from reports made in the reporting year for all equity analyses conducted as  
37 provided in OAR 660-012-0130;
- 38 (e) Any temporary projects implemented as provided in OAR 660-012-0145;

- 1 (f) Any reviews of Vehicle Miles Traveled per Capita-Increasing facilities as provided in  
2 OAR 660-012-0830 including those with consultations underway, suspended, or  
3 completed; and
- 4 (g) A description of what immediate actions the city or county has considered to be taken to  
5 reduce greenhouse gas emissions as provided in ORS 184.899(2).
- 6 (h) A description of the consultations with the metropolitan planning organization on how  
7 the regional transportation plan could be altered to reduce greenhouse gas emissions as  
8 provided in ORS 184.899(2).
- 9 (7) A major report must include the following information:
- 10 (a) All information required in a minor report as provided in section (5);
- 11 (b) Reporting for each regional and local performance measures as provided in OAR 660-  
12 012-0910 and either OAR 660-044-0110 or 660-044-0210, including:
- 13 (A) Baseline data;
- 14 (B) Baseline projections of expected outcomes from existing adopted plans;
- 15 (C) An assessment of whether the city or county has met or is on track to meet each  
16 performance target for each reporting year between the base year and planning  
17 horizon year;
- 18 (D) For any performance targets that were not met, a proposal for the corrective  
19 actions that will be taken to meet the performance target by the next major report;
- 20 (E) An assessment of whether the reporting city or county has adopted local  
21 amendments to implement the approved land use and transportation scenario plan  
22 as provided in OAR 660-044-0130;
- 23 (F) For any amendments to implement the approved land use and transportation  
24 scenario plan as provided in OAR 660-044-0130 that have not yet been adopted,  
25 a proposal for the corrective actions that will be taken to adopt the amendments;  
26 and
- 27 (G) Status of any corrective actions identified in prior reports.
- 28 (8) The director may grant an exemption to a city or county from a requirement to include any  
29 required element of a report when the director determines that collection and reporting of the  
30 information would not be possible or would place an undue burden on the city or county. The city  
31 or county must request an exemption in writing prior to the due date of the report.
- 32 (9) Counties need only report for those portions of the county within an Urban Growth Boundary  
33 inside the metropolitan area. A county may jointly report with a city for the entire urban growth  
34 area of the city.
- 35 (10) Reports as provided by this rule are not land use decisions.

1 **0905: Orders Approving a Report**

2 This rule provides a process for receipt, review, and approval of submitted reports. The rule gives the  
3 director of DLCD the opportunity to review a report for completeness, then either approve the report or  
4 refer it to the commission. There is an appeal process for approved reports to the commission. The  
5 commission may either approve or remand a report that was referred or appealed to the commission.

- 6 (1) For the purposes of this section, “local government” means a city, county, or Metro that is  
7 submitting a report as required by OAR 660-012-0900.
- 8 (2) Upon receipt of a submitted report as provided in OAR 660-012-0900;
- 9 (a) The director shall make a preliminary determination of completeness within 30 calendar  
10 days of receipt and shall notify the reporting local government of any missing items  
11 required under OAR 660-012-0900(6) or 660-012-0900(7).
- 12 (b) The reporting local government must supply information within 30 days of the director’s  
13 notification. If the reporting city or county does not supply additional information, the  
14 director shall consider the original submission complete.
- 15 (c) If the director does not notify the reporting local government of missing items within 30  
16 days of submittal, the report shall be deemed complete.
- 17 (3) Upon a determination of completeness, the director shall:
- 18 (a) Post a timely and complete copy of the submitted report on the department’s website  
19 along with the alternative findings the director may make in section (4), and a statement  
20 that any person may file a written comment regarding the submitted report no more than  
21 21 days after the posting of the report.
- 22 (b) Provide notice to persons described under ORS 197.615(3)(a), directing them to the  
23 posting described in subsection (a) of this section and informing them that they may file a  
24 written comment regarding the submitted report no more than 21 days after the posting of  
25 the report.
- 26 (4) Within 60 days of determining completeness, the director shall;
- 27 (a) Find that the local government has met the performance targets, and has adopted local  
28 amendments to implement any approved land use and transportation scenario plan as  
29 provided in OAR 660-044-0130;
- 30 (b) Find that the local government has proposed adequate corrective actions to address any  
31 performance targets that were not met and adequate to implement any approved land use  
32 and transportation scenario plan as provided in OAR 660-044-0130;
- 33 (c) Find, that the local government has not met any performance targets and that the local  
34 government has proposed inadequate corrective actions; or
- 35 (d) Find that the local government has not implemented an approved land use and  
36 transportation scenario plan as provided in OAR 660-044-0130 and that the local  
37 government proposed inadequate corrective actions.
- 38 (5) If the director has made findings described in subsections (4)(a) or (4)(b), then the director shall  
39 issue an order approving the report and provide the order to the commission its next regularly  
40 scheduled meeting. If the next regularly scheduled meeting begins less than 21 days after the date  
41 of the order, the director shall provide the order to the commission at the next subsequent  
42 regularly scheduled meeting.



- 1 (6) If the director has made findings described in subsections (4)(c) or (4)(d), then the director shall  
2 provide the findings to the commission at its next subsequent meeting and recommend that the  
3 commission schedule a compliance hearing. If the next regularly scheduled meeting begins less  
4 than 21 days after the date of the order, the director shall provide the findings to the commission  
5 at the next subsequent regularly scheduled meeting.
- 6 (7) If the director does not issue an order approving the submittal or make a referral to the  
7 commission within 60 days of determining completeness, the submittal shall be deemed  
8 approved.
- 9 (8) The director shall cause copies of an approval order to be sent to the reporting local government,  
10 posted on a public website, and provided to persons who provided written comment under section  
11 (3). The order must include information on the process to appeal the director's order as described  
12 in this rule.
- 13 (9) A person who has provided written comment under section (3) may appeal the director's order to  
14 the commission. An appeal must be submitted at least seven days prior to the regularly scheduled  
15 commission meeting where the director provides the report to the commission . An appeal must  
16 clearly identify a deficiency in the submitted report based on the requirements of this division.
- 17 (10) Upon receiving the order or findings from the director, the commission may:
- 18 (a) Approve the order. The commission may not accept public testimony at the meeting.  
19 (b) On its own motion, schedule a compliance hearing for consideration of the director's  
20 order.  
21 (c) If the director has made findings under subsection (4)(b) or (4)(c), or if an appeal has  
22 been filed under section (9), schedule a compliance hearing.
- 23 (11) The commission shall conduct a compliance hearing within 90 days of the date of the commission  
24 meeting where the commission scheduled the hearing.
- 25 (12) At the compliance hearing the commission shall:
- 26 (a) Consider the director's written and oral report  
27 (b) Consider oral testimony and written testimony provided at least 14 days prior to the  
28 hearing from the local government and any persons who provided written comment under  
29 section (3)  
30 (c) Approve an order;
- 31 (A) Remanding the submitted report to the reporting local government with specific  
32 directions for needed changes, consistent with the requirements of this division;  
33 or  
34 (B) Approving the submitted report.
- 35 (13) Compliance includes, but is not limited to, meeting deadlines established in OAR 660-044-0015  
36 and OAR 660-012-0012, submitting reports or implementing corrective actions as provided in  
37 OAR 660-012-0900.
- 38 (14) The commission may evaluate the compliance the cities and counties within a metropolitan area  
39 in a collective evaluation, or the commission may evaluate the compliance of an individual city or  
40 county separately.

- 1 (15) If the commission finds a local government or a collection of local governments out of  
 2 compliance with the requirements of this division, the commission may use any authority granted  
 3 to commission, including but not limited to the actions below.
- 4 (a) Issue an enforcement order as provided in ORS 197.319 through 197.335.
- 5 (b) Issue an order to invalidate the acknowledgement of local transportation system plans  
 6 that are not consistent with an approved Land use and Transportation Scenario Plan.
- 7 (c) Provide notice to the Oregon Department of Transportation and the United States  
 8 Department of Transportation of the lack of compliance with state planning requirements.
- 9 (16) The director shall cause an order of the commission’s decision to be issued, with copies sent to  
 10 the reporting local government, and all parties that participated in the hearing.
- 11 (17) Final orders under this rule may be reviewed as provided in ORS 183.484 for orders in other than  
 12 a contested case. Reports and orders as provided in this rule are not land use decisions.

13 **0910: Land Use and Transportation Performance Measures**

14 This rule requires reporting on local action performance measures to demonstrate that the actions  
 15 necessary to achieve the greenhouse gas reduction targets are being implemented. Transportation  
 16 system plans are required to include policies and projects that will meet the local target for each  
 17 performance measure.

- 18 (1) Cities, counties, and Metro must use land use and transportation system performance measures as  
 19 means of measuring progress towards developing and implementing land use and transportation  
 20 systems plans that meet the Metropolitan Greenhouse Reduction Targets in OAR 660-044-0020  
 21 and 660-044-0025.
- 22 (2) Cities, counties, and Metro that have a land use and transportation scenario approved by the  
 23 commission as provided in OAR 660-044-0050 or OAR 660-044-0120 shall report on the  
 24 performance measures from the approved regional scenario plan.
- 25 (3) Cities and counties that do not have a land use and transportation scenario approved by the  
 26 commission as provided in OAR 660-044-0120 shall report on the specific actions, including  
 27 capital improvements and the adoption of policies that they have or will undertake to reduce  
 28 pollution and increase equitable outcomes for underserved populations. At a minimum, this report  
 29 must include the following performance measures:
- 30 (a) Compact Mixed-use Development
- 31 (A) Number of publicly supported affordable housing units in climate friendly areas.
- 32 (B) Number of existing and permitted dwelling units in climate friendly areas and  
 33 percentage of existing and permitted dwelling units in climate friendly areas  
 34 relative to total number of existing and permitted dwelling units in the  
 35 jurisdiction.
- 36 (C) Share of retail/service jobs in climate friendly areas relative to retail/service jobs  
 37 in the jurisdiction.

- 1 (b) Active Transportation
- 2 (A) Percent of collector and arterials streets in climate friendly areas and underserved
- 3 population neighborhoods with bicycle and pedestrian facilities with Level of
- 4 Traffic Stress 1 or 2.
- 5 (B) Percent of collector and arterial roadways in climate friendly areas and
- 6 underserved population neighborhoods with safe and convenient marked
- 7 pedestrian crossings.
- 8 (C) Percent of transit stops with safe and marked pedestrian crossings within 100
- 9 feet.
- 10 (c) Transportation Options
- 11 (A) Number of employees covered by an Employee Commute Options Program.
- 12 (B) Number of households engaged with Transportation Options activities.
- 13 (C) Percent of all Transportation Options activities that were focused on underserved
- 14 population communities.
- 15 (d) Transit
- 16 (A) Share of households within ½ mile of a priority transit corridor.
- 17 (B) Share of low-income households within ½ mile of a priority transit corridor.
- 18 (C) Share of key destinations within ½ mile of a priority transit corridor.
- 19 (e) Parking Costs and Management
- 20 (A) Average daily public parking fees in climate friendly areas.
- 21 (f) Transportation Systems Investments
- 22 (A) Percent of jurisdiction transportation budget spent in climate friendly areas and
- 23 underserved population neighborhoods.
- 24 (B) Share of investments that support low carbon modes of transportation.
- 25 (4) Cities and counties shall use the performance measures and targets adopted in section (2) of this
- 26 rule to develop and implement transportation and land use plans, projects, and policies that will
- 27 help meet the applicable Metropolitan Greenhouse Gas Reduction Targets in OAR 660-044-0020
- 28 and 660-044-0025.

1 **0915: Land Use and Transportation Performance Targets**

2 This rule requires cities and counties to set performance targets for the implementation of actions  
3 necessary to achieve the greenhouse gas reduction targets. If a city or county has an approved regional,  
4 they will set performance targets included in that plan. If a city or county does not have an approved  
5 regional plan, they will set performance targets in a major update to their transportation systems plan  
6 or a major report, whichever comes first. Performance targets must be set at levels that are reasonably  
7 likely to achieve the greenhouse gas reduction targets and the Statewide Transportation Strategy  
8 targets.

- 9 (1) Cities and counties must set performance targets for each reporting year for each performance  
10 measure provided in OAR 660-044-0110 and OAR 660-012-0910 in their local transportation  
11 system plan. Performance targets for the performance measures provided in OAR 660-012-0910  
12 must be set at levels that are reasonably likely to achieve the regional performance targets from  
13 an approved land use and transportation scenario plan as provided in OAR 660-044-0110(7)(a) or  
14 the regional performance targets from the Statewide Transportation Strategy as adopted by the  
15 Oregon Transportation Commission.
- 16 (2) Cities and counties that have a land use and transportation scenario approved by the commission  
17 as provided in OAR 660-044-0120 must set targets for equity performance measures in a  
18 transportation system plan as provided in OAR 660-044-0110(7)(c).
- 19 (3) Cities and counties shall set the performance targets in any major update to their transportation  
20 systems plan as provided in OAR 660-012-0105. If a city or county has not yet set targets and is  
21 submitting a major report as provided in OAR 660-012-0900(4), then the city or county shall set  
22 the performance targets and include as a minor update to their transportation system plan.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 9

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 9 Item 13: Draft Housing Rules Amendments**  
**DATE:** October 22, 2021

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This document includes revised amendments to the Housing Rules (OAR Chapter 660, Division 8) that were initially provided to the rulemaking advisory committee at meeting #7 in August 2021. Proposed amendments to the adopted rules are shown with underline for new language.

### 660-008-0010

#### **Allocation of Buildable Land**

(1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

(2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provision shall apply to local governments also subject to the requirements of OAR 660-012-0310. Following the initial designation of climate friendly areas as required in OAR 660-012-0315, local governments shall maintain sufficient lands within climate friendly areas to accommodate at least thirty percent of identified needed housing. Land sufficiency for climate friendly areas shall be calculated consistent with the provisions of OAR 660-012-0315(2). Demonstration of compliance with this requirement shall be included in each subsequent Housing Capacity Analysis. Land use requirements in climate friendly areas as provided in OAR 660-012-0320 shall be established for any newly designated climate friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

(3) Beginning June 30, 2027, a local government subject to the requirements of OAR 660-012-0310 that has identified a need to expand the urban growth boundary due to an identified residential land need shall designate and zone additional climate friendly area as provided in OAR 660-012-0315(1), (4), (5), and (6) concurrent with expansion of the urban growth boundary. The newly designated and zoned climate friendly area shall be of sufficient size to accommodate one half of the additional housing units that cannot be accommodated within the current urban growth boundary as provided in ORS 197.296(5). The local government may choose to designate a portion of the newly expanded urban growth boundary area as climate friendly area if the area qualifies for designation as provided in OAR 660-012-0310(1), or may chose to designate additional climate friendly area in other locations within the UGB that qualify for designation. Additional climate friendly area may be accommodated within one or more locations within the urban growth boundary. The designation and zoning of additional climate friendly area shall comply with all applicable requirements for climate friendly areas as provided in OAR 660-012-0310 through OAR 660-012-0325.

## Housing Production Strategy Report Structure

As provided in ORS 197.290(2), a city with a population of more than 10,000 people must develop and adopt a Housing Production Strategy Report that includes a list of specific actions, including the adoption of measures and policies that the city shall undertake to promote development within the city to address a housing need identified under ORS 197.296(3) or ORS 197.296(10) for the most recent 20-year period described in the city's Housing Capacity Analysis. At a minimum, this Report must include the following components:

(4) Achieving Fair and Equitable Housing Outcomes – A Housing Production Strategy Report must include a narrative summarizing how the selected Housing Production Strategies, in combination with other city actions, will achieve equitable outcomes with regard to the following factors:

(a) Location of Housing - How the city is striving to meet statewide greenhouse gas emission reduction goals, established under Executive Order No. 20-04, by creating compact, mixed-use neighborhoods available to people who are members part of state and federal protected classes. Within a metropolitan service district, cities subject to this rule shall describe actions taken by the city to promote the production of affordable housing, to mitigate or avoid the displacement of members of state and federal protected classes, and to remove barriers and increase housing choice for members of state and federal protected classes within Region 2040 centers. Cities subject to this rule and to OAR 660-012-0310 shall describe actions taken by the city to promote the production of affordable housing, to mitigate or avoid the displacement of members of state and federal protected classes, and to remove barriers and increase housing choice for members of state and federal protected classes within climate friendly areas;

(b) Fair Housing - How the city is affirmatively furthering fair housing for all state and federal protected classes. Affirmatively furthering fair housing means addressing disproportionate housing needs, patterns of integration and segregation, racially or ethnically concentrated areas of poverty, and disparities in access to housing opportunity;

(c) Housing Choice – How the city is facilitating access to housing choice for communities of color, low-income communities, people with disabilities, and other state and federal protected classes. Housing choice includes access to existing or new housing that is located in neighborhoods with high-quality community amenities, schooling, employment and business opportunities, and a healthy and safe environment.

(d) Housing options for residents experiencing homelessness – How the city is advocating for and enabling the provision of housing options for residents experiencing homelessness and how the city is partnering with other organizations to promote services that are needed to create permanent supportive housing and other housing options for residents experiencing homelessness;

(e) Affordable Homeownership and Affordable Rental Housing – How the city is supporting and creating opportunities to encourage the production of affordable rental housing and the opportunity for wealth creation via homeownership, primarily for state and federal protected classes that have been disproportionately impacted by past housing policies; and

(f) Gentrification, Displacement, and Housing stability – How the city is increasing housing stability for residents and mitigating the impacts of gentrification, as well as the economic and physical displacement of existing residents resulting from investment or redevelopment.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 10 Item 1: Meeting 10 Packet Cover Memo**  
**DATE:** December 6, 2021

Thank you for your continued participation in this process. We are making consistent progress through the rule-writing processes with your help! Your comments and questions are central to helping us build policies that will help shape the future of our state for decades to come. This cover memo includes:

- A **meeting overview**, including a summary of key items in this packet;
- An update on **work groups** focusing on five important topics;
- A discussion on **timing of implementation** of the draft rules, and how we might make changes to adjust to feedback.

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## Meeting Overview

At this meeting, we will discuss:

- How principles from the [equitable outcomes statement](#) have been incorporated into the draft rules. For more on this, please see packet item 5;
- A review of the draft amendments to the Metropolitan Greenhouse Gas Reduction Rules (Division 44) that guide regional scenario planning;
- An overview of themes we have heard in comments; and
- Reports from the five topic-specific work groups that will be meeting December 8-14.

The draft advisory committee meeting agenda is included in this packet as **item 2**.

This packet includes draft rules for all parts of the proposed rulemaking, including updated drafts for transportation planning and metropolitan scenario planning. These drafts have not yet been completely reviewed by legal counsel. Parts of these rules have been released in previous meetings. Some parts have been updated based on feedback from the advisory committee, other stakeholders, and legal counsel. Staff will continue to revise these rules in response to feedback received prior to completion of the public hearing draft of the rules in February 2022, and revised drafts will be released over the next few months. For more information on the rulemaking schedule, please see packet **item 3**.

Other items in this packet include:

- **Item 4:** The [Key Questions Worksheet](#) is both a worksheet for you as well as a feedback guide for staff. You may find it useful to make notes during the meeting. After the meeting, we will send you a survey based on these questions for you to provide additional written feedback. We encourage all advisory committee members and alternates to provide feedback in this way. Your written comments continue to be very helpful.
- **Item 5:** [How the Draft Rules Respond to the Equitable Outcomes Statement](#) provides an overview of the key principles from the advisory committee's equitable outcomes statement, and how the draft rules address each of them.
- **Item 6:** The [Summary of Draft Rules Feedback](#) summarizes comments received from the follow up survey from RAC Meeting 9; additional comments provided by advisory committee members; comments from community conversations that included each metropolitan area; from written public testimony; verbal testimony from the November 18, 2021, meeting of the Land Conservation and Development Commission; and guidance from the commission.
- **Item 7:** [Checklists for Jurisdictions](#) provides a short summary of requirements for jurisdictions in different metropolitan areas, and when those requirements must be met. These checklists are based on the present version of the draft rules.
- **Item 8:** The [Modeling Q&A](#) is a short overview of the state's present modeling capacity for estimating the effects of plans in meeting climate pollution reduction targets. This item was written and provided by staff at the Oregon Department of Transportation.



The following items in the packet include a full set of the updated draft rules, and a summary of all the draft rules. These are the entire set of rules staff expects to present to the commission for adoption next year, following additional revisions.

- **Item 9:** The Summary of Draft Rules provides a rule-by-rule summary of each part of the updated draft rules in item 11 (Division 8), item 10 (Division 12), and item 12 (Division 44). The summaries in this draft note if there have been changes from the previous draft, and if a work group will be reviewing the rule. **We suggest that you may find this document easier to read first.** The document may help you find the specific parts of the draft rules which may be of interest.
- **Item 10:** The Draft Transportation Planning Rules (Division 12) are the most recent drafts of updated and new rules for transportation and land use planning. The summary box above each rule includes a note if there have been changes from the previous draft, and if a work group will be reviewing the rule. Staff expects to make additional changes following the work groups.
- **Item 11:** The Draft Housing Rules (Division 8) are the most recent drafts of updated rules for housing planning. These changes are related to requirements for climate friendly areas.
- **Item 12:** The Draft Metropolitan Greenhouse Gas Reduction Rules (Division 44) are the most recent drafts of updated rules for metropolitan scenario planning. These rules were last reviewed by the advisory committee in March. There have been changes to align the rules with updated draft Division 12 rules. Primarily this means reporting responsibilities have been streamlined and combined into Division 12.

## Work Groups

After polling members of the advisory committee on key topics where additional attention is needed, staff are convening five work groups to work on rules in more detail. These work groups and the dates and times of their first meetings are:

- **Parking Reform:** Wednesday December 8, 9am – 11am
- **Transportation System Planning:** Wednesday December 8, 11am – noon
- **Climate Friendly Areas and Land Use:** Friday December 10, 9am – 11am
- **Transportation Modal Planning:** Friday December 10, 11am – noon
- **Transportation Performance Standards:** Tuesday December 14, 11am – noon

Meetings will be held virtually and links to attend have been distributed over email. Video of these meetings will be livestreamed and available for later viewing on the [DLCD YouTube channel](#). As these meetings will be held prior to the advisory committee meeting, staff expects to have reports from the work groups at the meeting. Additional meetings of some work groups may be necessary and will be scheduled as needed.

## Timing of Implementation

Staff has received many comments about the timelines for implementing parts of the draft rules. A variety of timelines for certain actions are in the draft rules in OAR 660-012-0012. The [rulemaking charge](#) directs the department to act with urgency. We must balance urgency with the ability of local governments to successfully implement necessary actions.

- One option could be to allow local governments to submit a work program to reorganize the order for completing certain required actions. Different local governments have different priorities, plans, resources, and existing obligations. A work program option would continue to require urgent action but would provide some flexibility.
- The state has some resources available to assist local government implementation in the current biennium through June 2023. Some actions need to occur in this timeframe. Staff are continuing to work with state agency partners on obtaining resources to support local government implementation now and into the future.
- Another option could be to adjust rules to permit easier implementation while achieving the desired policy objectives.

Staff are interested in your thoughts and will take these options to LCDC in February for additional guidance.

## Conclusion

As always, there will be a livestream of this RAC meeting on the [DLCD YouTube channel](#). A recording of the meeting will be available for later viewing as well.

Please remember that the [project website](#) has many related materials available. You can find the packet from RAC Meeting 9 ([Part 1](#), [Part 2](#)) there, as well as a [video recording](#) of the last meeting and prior meetings. Do not hesitate to email or call our staff with any questions.

Finally, if you have any questions on the materials in this packet or anything else about the rulemaking process, please contact us via phone or email at [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Emails to this address go to several staff on our project team, including those listed below.

On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative.

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**Climate Friendly and Equitable Communities  
Rulemaking Advisory Committee (RAC)  
Meeting 10  
December 17, 2021; 9:00am – 1:00 pm**



**DRAFT AGENDA**

<b>Time</b>	<b>Topic</b>	<b>Who</b>
8:45 – 9:00 am	<i>Arrive and Settle In</i>	RAC members
9:00 – 9:10 am	<b>Welcome, Opening Remarks, and Review Agenda</b>	Nick Lelack, LCDC Commissioner Sylvia Ciborowski, Meeting Facilitator
9:10 – 9:40 am	<b>How the Draft Rules Respond to the Equitable Outcomes Statement</b>	Evan Manvel, DLCD Staff Kevin Young, DLCD Staff
9:40 – 9:55 am	<b>Amendments to Rules for Metropolitan Greenhouse Gas Reduction Targets</b>	Cody Meyer, DLCD Staff
9:55 – 10:25 am	<b>What We've Heard – General Comments</b>	Matt Crall, DLCD Staff Bill Holmstrom, DLCD Staff
10:25 – 10:35 am	<b>Break</b>	
10:35 – 10:50 am	<b>Report Out from Transportation Performance Standards Work Group</b>	Bill Holmstrom
10:50 – 11:05	<b>Report Out from Transportation System Planning Work Group</b>	Cody Meyer
11:05 – 11:20	<b>Report Out from Climate Friendly Areas Work Group</b>	Kevin Young
11:20 – 11:35	<b>Report Out from Transportation Modal Planning Work Group</b>	Bill Holmstrom
11:35 – 11:50	<b>Report Out from Parking Work Group</b>	Evan Manvel
11:50 – 12:30	<b>Breakout Discussion Groups</b>	All
12:30 – 12:35	<b>Next Steps and Wrap Up</b>	Sylvia Ciborowski Stuart Warren, LCDC Commissioner

This meeting will be available for livestreaming, and later available for viewing on the [DLCD YouTube channel](#). A link to this stream and a recording of the meeting will also be posted on the [rulemaking web page](#).

Public comments may be submitted to the Rulemaking Advisory Committee by sending them to [DLCD.CFEC@dlcd.oregon.gov](mailto:DLCD.CFEC@dlcd.oregon.gov). Comments received at least three working days before the meeting will be distributed to committee members prior to the meeting. Comments also will be shared with members of the Land Conservation and Development Commission.

DRAFT

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** RAC 10 Item 3: Rulemaking Schedule  
**DATE:** December 6, 2021

The schedule below is an updated summary of remaining activities in the Climate-Friendly and Equitable Communities Rulemaking, including activities of the Rulemaking Advisory Committee (RAC) and the Land Conservation and Development Commission (LCDC).

Date	RAC	LCDC
December 17	<b>RAC 10</b> <ul style="list-style-type: none"> <li>Review of equitable outcomes in the draft rules</li> <li>Review regional scenario planning rules</li> <li>Review work group outcomes</li> </ul>	
December 2021	<b>Practitioner Meetings</b> <ul style="list-style-type: none"> <li>Salem/Keizer/Turner: Wednesday, December 1, 4-6pm</li> <li>Bend: Thursday, December 2, 2-4pm</li> <li>Grants Pass and Medford Regions: Monday December 6, 1-3pm</li> <li>Eugene/Springfield/Coburg: Tuesday, December 7, 1-3pm</li> <li>Portland Metro (MTAC/TPAC): Wednesday, December 15, 9:30-noon</li> <li>Albany and Corvallis Regions: Thursday, December 16, 10-noon</li> </ul> <b>Work Groups</b> <ul style="list-style-type: none"> <li>Parking Reform: Wednesday December 8, 9am – 11am</li> <li>Transportation System Planning: Wednesday December 8, 11am – noon</li> <li>Climate Friendly Areas and Land Use: Friday December 10, 9am – 11am</li> <li>Transportation Modal Planning: Friday December 10, 11am – noon</li> <li>Transportation Performance Standards: Tuesday December 14, 11am – noon</li> </ul> <b>Staff Work</b> <ul style="list-style-type: none"> <li>Rules reviewed by legal team for clarity and consistency</li> </ul>	
January 20, 2022	<b>RAC 11</b> <ul style="list-style-type: none"> <li>Final rule refinements</li> <li>Contingent Impact Statement review</li> </ul>	
February 3 and 4, 2022		<ul style="list-style-type: none"> <li>Review draft rules, discuss key policy questions</li> </ul> <b>Requested Input:</b> <ul style="list-style-type: none"> <li>Direction on key policy questions</li> </ul>

Date	RAC	LCDC
February – March 2022	<b>Staff Work</b> <ul style="list-style-type: none"> <li>• Rules prepared per Secretary of State requirements               <ul style="list-style-type: none"> <li>February 7 – Draft rules to Department of Justice for legal review</li> <li>February 21 – Draft rules to Rules Coordinator</li> <li>March 1 – Draft rules published by Secretary of State</li> </ul> </li> </ul>	
March 31, April 1, 2022		<ul style="list-style-type: none"> <li>• <b>First public hearing</b> to consider the draft administrative rules</li> </ul> Requested Input: <ul style="list-style-type: none"> <li>• Identification of any necessary corrections or amendments</li> </ul>
May 19 and 20, 2022		<ul style="list-style-type: none"> <li>• <b>Final public hearing</b></li> <li>• Adoption</li> </ul>

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 10 Item 4: Key Questions Worksheet**  
**DATE:** December 6, 2021

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To meet our ambitious timeline and schedule, meetings of the advisory committee will need to be a space for robust conversation and discussion about agenda items. To facilitate this type of discussion, we have pulled specific topics, questions, and decision points from the meeting packet into this central discussion worksheet document. The intent of this document is to mirror the flow of the discussion and agenda items. You may use the document to collect your thoughts, comments, questions, and concerns on specific points.

As you review the meeting packet contents prior to our meeting on **December 17, 2021, from 9:00 am – 1:00 pm**, please use this worksheet to take down notes or to formulate your questions for the project team. We will send committee members and alternates a link to a fillable version of this discussion worksheet to collect additional questions or comments.

### **RAC Meeting Discussion Items: How the Draft Rules Respond to the Equitable Outcomes Statement**

1. Item 5 in the packet describes how the rules work to reach the outcomes and process principles in the Equitable Outcomes Statement. Do the draft rules adequately respond to the Equitable Outcomes Statement? If not, do you have one – or more – suggestions for how the rules should be amended to better meet equitable outcomes?

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**RAC Meeting Discussion Items: Transportation Performance Standards**

- 2. The draft rule 660-012-0170 describes how local governments will be required to adopt more than one transportation performance standard. What are one or two things that are important to you as we work to revise this rule?

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**RAC Meeting Discussion Items: Transportation System Planning**

- 3. The draft Transportation Planning Rules, starting with rule 0100, describes how local governments will be required to update their transportation system plans in the future. What are one or two things that are important to you as we work to revise these rules?

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**RAC Meeting Discussion Items: Climate Friendly Areas and Land Use Requirements**

- 4. The draft rules for Climate Friendly Areas and Land Use Requirements are located in Sections 660-012-0012(5) (deadlines) and 660-012-0310 through -0330. Based on the report out from the work group, are there rule concepts that you strongly agree or disagree with? If you disagree, what alternative approach do you propose?

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**RAC Meeting Discussion Items: Transportation Modal Planning**

- 5. The draft Transportation Planning Rules between rule 0500 and rule 0830 deal with planning for the pedestrian, bicycle, public transportation, and street systems. What are one or two things that are important to you as we work to revise these rules?

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**RAC Meeting Discussion Items: Parking Reform and Electric Vehicle Charging**

- 6. Do you have any suggestions for how to improve the draft rules for Parking Reform and Electric Vehicle Charging?

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**Other Comments**

- 7. Which one element of the rules do you think needs the most attention in the next month?

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- 8. Do you have any concerns or suggestions regarding other draft rules or other aspects of the rulemaking and implementation effort?

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**General Questions**

- 9. Please share any recommendations to help improve your understanding or the productivity of future meetings.

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***Thank You!***

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
 Evan Manvel, Land Use and Transportation Planner  
**SUBJECT:** **RAC 10 Item 5: Equitable outcomes crosswalk**  
**DATE:** December 6, 2021

### How the Draft Rules Respond to the Equitable Outcomes Statement

As Department of Land Conservation and Development staff (DLCD) continue to refine the rules, we were rightly asked to circle back to the Equitable Outcomes Statement the RAC spent significant time developing and refining, and to compare that Statement to the draft rules.

As staff relied on the Statement while drafting the rules, much has come forward – particularly language around process and the identified list of underserved populations.

Success reaching the overall outcomes on equity and climate will depend significantly on how the rules are implemented, but the tables below indicate some of the provisions developed to most directly reach those outcomes.

#### Future Vision

The future vision is something we must continue to review against our actions, but ideally the rest of the Equitable Outcomes Statement captures the work to be done in this rulemaking.

#### Equity-Driven Processes

The draft rules attempt to bring forward much of the equity-driven process work in the Equitable Outcomes Statement through the draft provisions in OAR 660-012-0115 through 0130.

Equitable Outcomes Statement	Rulemaking and Implementation
Prioritize community-led engagement and decision-making, with specific attention to communities most impacted by climate pollution	See OAR 660-012-0125
Center the voices of people and organizations representing underserved populations	660-012-0115(2) and (3) 660-044-0100 (community engagement plan as first step towards scenario planning)

Recognize where and how intersectional discrimination compounds disadvantages	Part of the equity analysis under 660-012-0130(2)(d)
Value lived experience and qualitative data, not just quantitative data	Part of the equity analysis under 660-012-0130(2)(e) 660-044-0110(11) (Report on community-based conversations)
Assess, document, acknowledge and address where past policies and effects of climate change have harmed and are likely to perpetuate harm to underserved populations	Part of the equity analysis required under 660-012-0130(2)(b)
Are in languages and formats that can be used by everyone	660-012-0125(1)(c)
Are accessible to people with disabilities	660-012-0125(1)(c)
Are accessible to people without computer/internet access, with limited transportation and child care options, and with schedule constraints around employment or other critical responsibilities	660-012-0125(1)(c)
Build the ability of people and governments to work together and access opportunities regionally	Scenario planning rule requirements in OAR Chapter 660, Division 044
Monitor and evaluate the effects and actions of local and regional policies and decisions, ensuring transportation and other community development and public investments move communities towards the future vision above	660-012-0125(1)(d) 660-012-0315(4)(c) (Analysis of fair and equitable housing outcomes) 660-008-0050(4)(a) (Location of housing) 660-012-0012(5)(e) 660-044-0110(9)(c) (Equity performance measure)

## Underserved Populations

The Equitable Outcomes Statement:

“Climate pollution reduction efforts will prioritize actions that result in more just and equitable outcomes for all Oregonians, with a focus on historically and currently marginalized communities, using an intersectional approach that leads with race. ... [list of populations]

“These underserved populations should not just be considered in isolation, but with consideration of intersecting or compounding harms and disadvantages.”

Draft rules:

Staff brought the list of underserved populations into the rule in OAR 660-012-0120 (2) and 660-044-0005. Intersectionality is part of the equity analysis communities are required to do under 660-012-0130(2)(d).

## Outcomes

The Equitable Outcomes Statement:

“The core of this work aims to *both* reduce climate pollution and increase equity by reducing driving, improving transportation choices, and creating communities where daily needs can be met by walking, biking, remote access, or taking transit.”

Draft rules aim to address this holistically.

## Climate Outcomes

Equitable Outcomes Statement	Rulemaking and Implementation
Achieving Oregon’s transportation-related greenhouse gas pollution reduction targets	OAR Chapter 660, Division 44 660-012-0160 660-012-0200 660-012-0210 660-012-0915
Increased resilience to the effects of climate disruption	OAR 660-012-0125 660-012-0130 660-012-0310 660-012-0405 660-012-0510.
Healthy air quality and increased carbon sequestration, particularly through tree canopy and parks in urban areas	Tree canopy provisions near parking are in OAR 660-012-0405; trees and parks are referenced in climate friendly areas OAR 660-012-0320(3), and parks are identified as a key destination in 660-012-0360(f).

## Equity Outcomes

This work aims to further more inclusive communities, and these principal equity outcomes:

Equitable Outcomes Statement	Rulemaking and Implementation
Increased stability of underserved populations, lowering the likelihood of displacement due to gentrification from public and private investments	Local governments must identify policies to mitigate or avoid displacement in climate friendly areas under 660-012-0315(4) and 660-008-0050(4)(a).
More accessible, safe, affordable and equitable transportation choices with better connectivity to destinations people want to reach (e.g. education, jobs, services, shopping, places of worship, parks and open spaces, and community centers)	660-012-0500, 660-012-0600, and 660-012-0700 work to improve choices, intersecting with 660-012-0800 and various references to key destinations throughout the rules
Adequate housing with access to employment, education, and culturally appropriate food, goods, services, recreational and cultural opportunities, and social spaces	Housing provisions are addressed in 660-012-0315 and 0320, and in 660-008-0010 and -0050.

The effort also aims to further these equity outcomes:

Equitable Outcomes Statement	Rulemaking and Implementation
Increased safety for people put in vulnerable conditions in public spaces, transportation and community development	Co-benefit of better transportation infrastructure (biking, walking, transit)
Equitable access to welcoming parks, nature, open spaces and public spaces	Parks, public spaces, and open spaces are identified as a key destination in 660-012-0360(f); various provisions including 660-012-0180(2)(e) and 660-012-0320(3) call for prioritizing investments improving access to these destinations; transit, bike and pedestrian sections call out these key destinations
Better and more racially equitable health outcomes across the lifespan, particularly those connected to transportation choices, air pollution, and food	Co-benefit of better transportation infrastructure (biking, walking, transit)
Recognizing and remedying impacts of past practices such as redlining, displacement, exclusionary zoning, and roadway and other public infrastructure locating that harmed underserved populations	Local governments are directed to develop decision-making factors recognizing past inequities in 660-012-0125(1)(e)

Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas	Measures to promote affordable housing in climate friendly areas in OAR 660-008-0050(4)(a) and (f).
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### Action and Accountability

The staff and Commission will work towards these outcomes using administrative rules, agency guidance documents, and technical assistance. A few implementation guidelines follow:

Equitable Outcomes Statement	Rulemaking and Implementation
<b>Success requires resources.</b> Achieving these more equitable process and outcomes will require allocation of significant resources at the state and local level.	DLCD continues to work with our state partners at ODOT, OHCS, DEQ and the state legislature to identify resources to assist in implementation.
<b>Information must be improved.</b> The State and its partners must work to improve quantitative and qualitative information so communities can prioritize investments to address inequitable outcomes.	DLCD is working with State of Oregon partners to lead on equity mapping.
<b>Investment is critical.</b> Budgets and spending are clear statements of priorities, and increased investment in communities of underserved populations is a required step to achieve the desired long-term outcomes.	DLCD is working with ODOT, OHCS, and DEQ to secure resources and focus them in climate friendly areas and areas with underserved populations. Also reflected in project prioritization requirements in 660-012-0520(3)(b), 660-012-0620(3)(b), and 660-012-0720(4)(b).
<b>Outcomes must be measured, and the Commission and Department must develop a clear system for implementation and accountability.</b> Staff will discuss performance measures, timelines, and responsible parties for these outcomes in rulemaking and associated guidance documents. Some elements of the listed outcomes are outside the scope of the rulemaking and LCDC/DLCD’s statutory authority, but are important to describe our desired future.	Ongoing reporting is required in OAR 660-012-0900. Reporting must include progress toward centering the voices of underserved populations. Reporting must also include performance against a range of performance measures, including those in OAR 660-012-0910.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 10 Item 6: Summary of Feedback Received on Draft Rules**  
**DATE:** December 6, 2021

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This document includes a summary of the guidance and feedback staff have received on the full set of draft rules that were released in October at RAC meeting 9. Since that meeting, staff held community conversations with each metropolitan area, received survey responses and additional guidance from the rules advisory committee, held a work session with the Land Conservation and Development Commission (LCDC or commission), received written public testimony, and heard public testimony and received guidance from the commission at their November meeting.

The overall themes that staff heard across all of these different venues are presented below by topic area and are followed by a summary of the comments that we heard from each venue. At the advisory committee meeting in December, staff will have held meetings with planning practitioners in each region and held topic specific work groups. A summary of the feedback received at those meetings will be presented at the advisory committee meeting and in a following memo.

### Overall Themes

#### General

- **Implementation** – The rules need to find a balance between acting with urgency and realistic implementation timelines for local governments.
- **Funding** – The rules will require a lot of funding for local planning and investments to realize the goals.
- **Balance** – Staff needs to continue to work on finding the right balance between outcomes-based and prescriptive rules. Outcomes-based rules provide flexibility but can be subjective, difficult to interpret, and tough to enforce. Prescriptive rules are objective, easy to understand and enforce, but don't account for the local planning context.

#### Climate Friendly Areas (CFA)

- Concern that the market for mixed-use development is weak in some areas and may not achieve desired results
- Concerns that the proposed rules are not strong enough to result in the needed outcomes
- A two-phase implementation process poses some challenges for local governments
- Allowed housing types are not likely to be owner-occupied, thereby inhibiting wealth creation from homeownership, and worsening economic disparities



## Parking Reform

- Desire to move expeditiously across all MPOs, including Metro
- Desire to strengthen tree canopy provisions
- Questions about how and where provisions apply, particularly in relation to transit service levels and around narrow streets
- Questions about how reform has worked elsewhere

## Transportation Planning Rules (TPR)

- More work required to clarify application of transportation performance standards
- Finding balance between safety for vulnerable users and emergency accessibility for streets
- Need to align state investments goals with local plans
- Desire for stronger rules on bike infrastructure

## Summary of Comments Received in RAC Survey

### Transportation Performance Standards (Rule 0170)

- Listed standards are subjective, established metrics needed
- More clarity through guidance and technical assistance
- How to balance conflicts between two standards?
- Cities will need time to make updates
- Deadlines are needed
- Flexibility (subjective) vs prescriptive (objective)

### Street and Highway Rules (Rules 0800-0830)

- How to make changes to planned facilities connected to existing developments (SDCs)
- Balance narrow streets with emergency access and evacuation needs
- Balance wide streets with impacts to vulnerable users
- Clear and objective standards needed for connection to housing development

### Climate Friendly Areas (Rules 0310-0325)

- Clarify if CFA designation is a land use decision
- Concern with two-step implementation process
- Need for market analysis regarding densities, etc.
- 1,000 foot minimum dimension for CFA area is too restrictive
- Rules focus on maximum height allowances, but height or FAR minimums might work better
- Concern that housing types would not be owner-occupied

### Trees, Open Space, and Green Infrastructure

- Better accomplished through guidance than in rules
- General direction better than specific requirements, allowing for local flexibility
- Open space requirements conflict with density goals
- Green infrastructure and parks are needed in CFAs to reduce urban heat island effects
- Coordination with parks plans would help to achieve goals

## Electric Vehicle Charging and Parking Management (Rules 0400-0450)

- Specific suggestions about parking reform language
- Concerns about cost and location of EV charging
- Interest in how parking management will work
- How will DLCD assist?

## General Concerns and Suggestions

- Timelines don't account for time needed for technical analysis, community engagement, public hearing processes
- Some inconsistent and unclear language in rules
- Funding will be needed for planning and facilities
- Rules need to do a better job of addressing the needs of persons with disabilities
- Four-hour meetings are too long to sustain engagement

## Themes from RAC Breakout Rooms

### General Comments

- Concern was shared regarding the timeline and whether it reflects the urgency of the climate situation.
- Concern was shared on whether the rules are limiting consumer or developer choice that won't be reflective of market demands.
- The group shared consensus that the rules are on the right track, but DLCD must continue to think of the impacts or consequences and support cities in development standards.

### Equity

- Achieving equity is central in the rules and must be kept in mind when talking about the rules.
- The group shared a vision for CFAs where people feel safe walking and not being in a car including for historically under-represented communities.
- The group suggested to evaluate CFAs over time in terms of affordability and displacement.
- Agreement was shared that CFAs need to have an equity focus.

### Transportation

- There is a need to plan for decreasing vehicles miles traveled.
- Concern was shared on funding and development of high-quality bike/pedestrian facilities in CFAs.
- Discussed how cities will need to potentially work differently with ODOT to ensure safe travel in CFAs and recognize freight moves into areas as well.

### Public Engagement

- There is a need for public engagement, and it may require extension of timeframes for implementation to get it right.
- Concern was shared about needing significant and timely public engagement.

## Climate Friendly Areas

- Time is needed to look at how the rules apply to existing areas in cities, and group encourages DLCD to think through what changes are necessary to close the gap on what's been done to promote development in some areas.
- The group inquired why DLCD had not asked the RAC what CFAs should like earlier in the process.
- The group discussed what is and isn't a CFA and on what the rules might mean for tenure vs ownership. They discussed if the rules are encouraging rental stock and discouraging home owned housing; home ownership should be encouraged.
- Concern was shared on the lack of a market study and if development in some areas is actually feasible.

## Summary of Public Comment to RAC and LCDC

- A very large number of groups and people in support of applying parking reform rules to Metro-area jurisdictions
- More work to do on green infrastructure
- Significant funding needed to implement walking and biking infrastructure
- Concerns about implementation timelines being too long or too short
- Desire for stronger rules on bike infrastructure

## Summary of Community Conversations

To provide general and geographically focused updates on the rulemaking process, DLCD staff hosted a second series of four online community conversations in October. These conversations were focused on the state's eight metropolitan areas.

The community conversations provided some background on what agency rulemaking is trying to achieve through the draft rules, a forum for members of the community to ask questions, and included a set of breakout sessions to gather insights into community perspectives about the rulemaking process. This memo summarizes the key themes of these events.

### Biggest Themes:

- Concerns about implementation (funding, resources, etc.)
- Concerns the market may not build out what we want
- Concern these rules aren't strong enough to reach our goals
- Concern ODOT investments/rules/authority may conflict with local efforts
- Desire for stronger bikeway rules
- Concerns about displacement and equity
- Desire to strengthen green infrastructure requirements
- Questions about how tradeoffs and conflicting priorities would be resolved
- Desire for more clarity on what's required by whom and when
- Concerns about enforcement and accountability
- Desire for flexibility and local control
- Think carefully about management public right-of-way; planning and transportation achieving common outcomes

## Implementation

- Is it ambitious enough?
- Rules not strong enough
- Allow time for community engagement
- Can we shorten up timelines?
- Market will work against us
- Concerned about enforcement, implementation
- Need funding for projects, not just planning
- Clear communication on what is being proposed
- Concern about ability to tailor to local needs
- Timeline aggressive
- Concern about community support
- Have other communities do scenario planning (Bend, etc.)
- Have to acknowledge how hard it is to make development work
- More expertise on costs; more insights into incentives
- How to incentivize the most effective pollution-reducing actions?
- Implementation difficult; need clear instructions for city staff
- What happens if we have no transit?
- Need more progress in Metro; they shouldn't get a pass
- How demonstrate progress?
- Want to update TSP guidelines and model code to help
- Need modeling resources
- Connect to school districts for ideas
- Shifting job commutes under COVID; how address?
- Want flexibility and funding
- Concerns about public backlash

## Green Infrastructure

- Parks/Open Space in CFAs: should they be required?
- Bioswales/green infrastructure to calm traffic speeds?
- Focus resources/green infrastructure on neglected areas
- Density vs trees/landscaping
- How are heat islands mitigated?

## Bikeways

- Need better quality/protected bikeways that serve all ages/abilities everywhere, not just CFAs
- Wheelchair bound folks – in bikeways in future with new EV-wheelchairs?
- Focus safety on most vulnerable road users

## Land Use/Climate-Friendly Areas (CFA)

- Anti-displacement, particularly in CFAs
- More than one CFA per community? (Eugene analysis: yes)
- Concern about not expanding UGBs
- Most new development should be in CFAs
- Cities have tried to do this, but market/incentives needed
- Glad tied to Housing Production Strategies
- What happens in new urban growth areas?
- Is affordable housing feasible in CFAs? Does the financing of going tall work?
- Equity between CFAs and Climate-Unfriendly Areas?
- Link with housing efforts
- Some urbanized county areas have town centers but no requirements for Housing Needs Analysis or Housing Production Strategies; weird in-between place

## Roadways/Modal Prioritization

- How stop intersection widenings?
- Conflicts with freight plans
- Safeguards against wrong kind of development in CFAs?
- How do transportation planning guidelines impact ODOT plans?
- How does modal prioritization happen?
- Volume-to-Capacity standard vs other things; how choose?
- How coordinate street design if city doesn't have jurisdiction
- Conflicts between reduction in vehicle miles travelled per capita and allowing more car capacity
- What does highway impact statement look like?
- Still measure congestion too much

## Parking/EVs

- Excited about parking reform
- Concern about ensuring people can get around if parking reform passes and bad transit
- Parking pricing needs to happen, including in Metro

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 10



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
Ryan Marquardt, Land Use and Transportation Planner  
**SUBJECT:** **RAC 10 Item 7: Checklists for Jurisdictions**  
**DATE:** December 3, 2021

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Staff has prepared simplified “checklists” to aid jurisdictions with tracking the multiple compliance timelines for CFEC rulemaking. The checklists cover the compliance and reporting deadlines for the draft versions of the rules in this packet. They are intended to be generalized guides, and not step-by-step implementation guides.

There are four versions of the checklist that cover the various geographic areas for which these proposed rules apply. These are:

- Cities and Counties inside the following metropolitan areas: Albany, Bend, Corvallis, Middle Rogue, and Rogue Valley;
- Cities and Counties inside the Central Lane metropolitan area;
- Cities and Counties inside the Salem-Keizer metropolitan area; and
- Cities and Counties in Metro

Central Lane and Salem-Keizer have separate checklists based on the draft Division 44 Scenario Planning rules applicable within the metropolitan area boundaries. Metro has its own checklist since the much of the Division 44 scenario planning has already occurred, the proposed Climate Friendly Areas in Division 12 are interrelated with Metro’s 2040 centers, and reporting per draft OAR 660-012-0900 is handled regionally.

The checklists are working drafts. They will be revised based on any feedback from advisory committee members, and as needed for clarity and accuracy.

# Albany, Bend, Corvallis, Middle Rogue, and Rogue Valley MPOs

## Parking

- Cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

March 31, 2023	<input type="checkbox"/>	Adopt land use requirements for off-street parking and electric vehicle charging (OAR 660-012-0400)
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## Climate-Friendly Areas

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

June 30, 2023	<input type="checkbox"/>	Designate climate friendly areas (OAR 660-012-0315(4))
June 30, 2024	<input type="checkbox"/>	Adopt land use requirements for climate friendly areas and a climate friendly comprehensive plan element (OAR 660-012-0315(5))

## Housing Capacity Analysis Updates (not part of Climate Friendly and Equitable Communities rulemaking)

- 2022: Grants Pass
- 2023: Medford
- 2024: Bend
- 2027: Central Point; Corvallis
- 2028: Albany
- 2029: Ashland

December 31 <sup>st</sup> of year listed above	<input type="checkbox"/>	Required Housing Capacity Analysis Update Timelines (no changes from CFEC)
	<input type="checkbox"/>	Housing Capacity Analysis to demonstrate a minimum of 30% of Housing Capacity is located in CFAs
One year after HCA	<input type="checkbox"/>	Housing Production Strategy Report

## Transportation System Plan (TSP)

- Cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

December 31, 2022	<input type="checkbox"/>	Select VMT reduction target approach to implement 660-012-0160 (660-0012-0012(3))
When Updating the TSP	<input type="checkbox"/>	Adopt land use regulations outside of CFAs in compliance with OAR 660-012-330
	<input type="checkbox"/>	Amend TSP for Compliance with OAR 660-012-100, 500, 600, 700, and 800
<b>TPR Reporting</b>		
May 31, 2023	<input type="checkbox"/>	Report for 2022 reporting year (unless extension is requested); Major report for Corvallis MPO; minor report for all other MPOs
May 31 <sup>st</sup> each subsequent year	One of the following:	
	<input type="checkbox"/>	Major report for the year when MPO approves a regional transportation plan (OAR 660-012-0900(5)(b)) <i>Expected RTP Updates: 2023: Albany; 2024: Middle Rogue; 2025: Bend, Rogue Valley</i>
	-OR-	
	<input type="checkbox"/>	Minor report (OAR 660-012-0900(6))

**Urban Growth Boundary**

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

When expanding an UGB after June 30, 2027	<input type="checkbox"/> Designate and zone additional CFA(s) concurrent with UGB expansion
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# Eugene – Springfield Metropolitan Area

## Parking

- All cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

March 31, 2023	<input type="checkbox"/>	Adopt land use requirements for off-street parking and electric vehicle charging (OAR 660-012-0400)
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## Climate-Friendly Areas

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

June 30, 2023	<input type="checkbox"/>	Designate climate friendly areas (OAR 660-012-0315(4))
June 30, 2024	<input type="checkbox"/>	Adopt land use requirements for climate friendly areas and a climate friendly comprehensive plan element (OAR 660-012-0315(5))

## Scenario Planning

- Cities and counties within the Eugene-Springfield metropolitan area

December 31, 2022	<input type="checkbox"/>	Submit a work program as provided in OAR 660-044-0100
December 31, 2023	<input type="checkbox"/>	Submit land use and transportation scenario plan that meets OAR 660-044-0110 and submit it for review by LCDC as provided in OAR 660-044-0120

## Housing Capacity Analysis Updates (not part of Climate Friendly and Equitable Communities rulemaking)

- 2025 - City of Springfield; 2026 - City of Eugene

December 31 <sup>st</sup> of year listed above	<input type="checkbox"/>	Required Housing Capacity Analysis Update Timelines (no changes from CFEC)
	<input type="checkbox"/>	Housing Capacity Analysis to demonstrate a minimum of 30% of Housing Capacity is located in CFAs
One year after HCA	<input type="checkbox"/>	Housing Production Strategy Report

## Transportation System Plan (TSP)

- Cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

December 31, 2022	<input type="checkbox"/>	Select VMT reduction target approach to implement 660-012-0160 (660-0012-0012(3))
When Updating the TSP; no later than December 31, 2024	<input type="checkbox"/>	Adopt local amendments for the land use and transportation scenario plan as provided in OAR 660-044-0130
	<input type="checkbox"/>	Adopt land use regulations outside of CFAs in compliance with OAR 660-012-330
	<input type="checkbox"/>	Amend TSP for Compliance with OAR 660-012-100, 500, 600, 700, and 800
<b>TPR Reporting</b>		
May 31, 2023	<input type="checkbox"/>	Major report for 2022 reporting year (unless extension is requested)
May 31 <sup>st</sup> each subsequent year	One of the following: <input type="checkbox"/>	Major report for the year when MPO approves a regional transportation plan (OAR 660-012-0900(5)(b)) <i>Central Lane RTP Expected every 4 years</i>

	-OR- <input type="checkbox"/> Minor report (OAR 660-012-0900(6))
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**Urban Growth Boundary**

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

When expanding an UGB after June 30, 2027	<input type="checkbox"/> Designate and zone additional CFA(s) concurrent with UGB expansion
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# Salem-Keizer Metropolitan Area

## Parking

- All cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

March 31, 2023	<input type="checkbox"/>	Adopt land use requirements for off-street parking and electric vehicle charging (OAR 660-012-0400)
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## Climate-Friendly Areas

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

June 30, 2023	<input type="checkbox"/>	Designate climate friendly areas (OAR 660-012-0315(4))
June 30, 2024	<input type="checkbox"/>	Adopt land use requirements for climate friendly areas and a climate friendly comprehensive plan element (OAR 660-012-0315(5))

## Scenario Planning

- Cities and counties within the Salem-Keizer metropolitan area

June 30, 2023	<input type="checkbox"/>	Submit a Land Use and Transportation Scenario Plan work program as provided in OAR 660-044-0100 to DLCDC for review
	<input type="checkbox"/>	Submit an Interim Report prior to scenario planning as provided in OAR 660-044-0200 and 660-044-0210 to the department
June 30, 2025	<input type="checkbox"/>	Prepare a land use and transportation scenario plan based provided in OAR 660-044-0110 and submit it for review by LCDC as provided in OAR 660-044-0120
June 30, 2026	<input type="checkbox"/>	Adopt local amendments for the land use and transportation scenario plan as provided in OAR 660-044-0130

## Housing Capacity Analysis Updates (not part of Climate Friendly and Equitable Communities rulemaking)

- 2024 - City of Salem and City of Keizer

December 31, 2024	<input type="checkbox"/>	Required Housing Capacity Analysis Update Timelines (no changes from CFEC)
	<input type="checkbox"/>	Housing Capacity Analysis to demonstrate a minimum of 30% of Housing Capacity is located in CFAs
One year after HCA	<input type="checkbox"/>	Housing Production Strategy Report

## Transportation System Plan (TSP)

- Cities within metropolitan areas (no minimum population threshold)
- Unincorporated portions of counties in UGB of cities in metropolitan area

December 31, 2022	<input type="checkbox"/>	Select VMT reduction target approach to implement 660-012-0160 (660-0012-0012(3))
When Updating the TSP; no later than December 31, 2024	<input type="checkbox"/>	Adopt local amendments for the land use and transportation scenario plan as provided in OAR 660-044-0130
	<input type="checkbox"/>	Adopt land use regulations outside of CFAs in compliance with OAR 660-012-330

	<input type="checkbox"/> Amend TSP for Compliance with OAR 660-012-100, 500, 600, 700, and 800
TPR Reporting	
May 31, 2023	<input type="checkbox"/> Minor report (OAR 660-012-0900(6)) (unless extension is requested)
May 31 <sup>st</sup> each subsequent year	One of the following: <input type="checkbox"/> Major report for the year when MPO approves a regional transportation plan (OAR 660-012-0900(5)(b)) <i>Expected Salem-Keizer RTP Updates in 2023</i> -OR- <input type="checkbox"/> Minor report (OAR 660-012-0900(6))

**Urban growth boundary**

- Cities within metropolitan areas; population >5,000
- Unincorporated portions of counties in UGB of cities in metropolitan area; population of >5,000 within the UGB

When expanding an UGB after June 30, 2027	<input type="checkbox"/> Designate and zone additional CFA(s) concurrent with UGB expansion
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# Metro Jurisdictions

## Parking

- Applies to cities and counties in the Metro UGB

March 31, 2023	<input type="checkbox"/>	Adopt land use requirements for off-street parking and electric vehicle charging (OAR 660-012-0400)
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## Climate-Friendly Areas

- Where cities and counties have not yet complied with Metro Title 6 for Regional or Town Centers

December 31, 2025	<input type="checkbox"/>	Adopt Region 2040 centers and land use regulations in Urban Growth Management Functional Plan Title 6 (Metro to amend Title 6 for CFA compliance by December 31, 2024)
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## Housing Capacity Analysis Updates *(not part of Climate Friendly and Equitable Communities rulemaking)*

- 2022: Oregon City
- 2023: Beaverton, Gresham, Happy Valley, Hillsboro, Lake Oswego, Milwaukie, Portland, West Linn, Wilsonville
- 2025: Forest Grove
- 2026: Sherwood, Troutdale, Tualatin
- 2027: Gladstone, Cornelius, Tigard

December 31 <sup>st</sup> of year listed above	<input type="checkbox"/>	Required Housing Capacity Analysis Update Timelines (no changes from CFEC)
	<input type="checkbox"/>	Housing Capacity Analysis to demonstrate a minimum of 30% of Housing Capacity is located in CFAs
One year after HCA	<input type="checkbox"/>	Housing Production Strategy Report

## Transportation System Plan (TSP)

- Applies to cities and counties in the Metro UGB

When Updating the TSP	<input type="checkbox"/>	Adopt OAR 660-012-0330 land use regulations outside of CFAs
	<input type="checkbox"/>	Amend TSP for Compliance with OAR 660-012-100, 500, 600, 700, and 800



## Climate Friendly and Equitable Communities Rulemaking: Modeling Q&A

Work on Oregon's *Climate Friendly and Equitable Communities* rulemaking process is underway, which could lead to new analysis requirements for city and county transportation system plans (TSPs).

Participants in the rulemaking process have questions about whether current transportation models could forecast anticipated reductions in vehicle miles travelled (VMT) per capita in TSPs due to an increased focus on non-motorized, transit and other travel demand management strategies. This handout generally describes the capabilities of regional travel demand models for the metropolitan areas within Oregon. Modeling capabilities in the Portland Metro, Eugene/Springfield or Salem/Keizer metropolitan areas have some enhanced features not fully described here. Questions about modeling capabilities in these regions should be directed to the appropriate metropolitan planning organization.

### **1. Can Oregon's travel demand models determine the effects of long-range plans for bicycle, pedestrian, and transit systems on vehicle miles travelled (VMT)?**

The transportation networks represented in Oregon's trip-based models do include pedestrian, bicycle, and transit as travel options, and the models can represent trips via these modes. The Activity-Based Model (ABM) approach represents user behavior on these systems in even greater detail. So, it is possible to model the VMT outcomes of investing more in infrastructure for these modes, but limitations with modeling these modes do exist. Oregon's modelers are constantly working on improvements. An example of an area being worked on is on better representing the "quality" (or feeling of safety) of projects that improve pedestrian or bicycle travel. Related to VMT estimation; the rulemaking asks TSPs to model scenarios with higher per mile pricing policies that will also increase non-auto mode usage and impact VMT.

### **Key Models and Tools for TSP Analysis in Oregon**

#### **Trip-Based Travel Demand Models**

Most of the metropolitan regions in Oregon have traditional "trip-based" regional travel demand models. Trip-based models, which simulate the travel behavior of groups of households, were originally conceived in the 1960's and 70's to analyze motorized vehicle traffic. Many enhancements have been made to trip-based modeling concepts over time, but the primary strength of these models still lies in their ability to evaluate roadway projects (cars, transit, and trucks) on the transportation network.

#### **Activity-Based Model (ABM)**

For the metropolitan region covering Medford and Grants Pass, ODOT has deployed an activity-based travel demand model (the first for an Oregon metropolitan region). Activity-based models (ABMs) simulate the choices and travel behaviors of individual people. When compared to traditional trip-based models, ABMs have greater capabilities in analyzing non-motorized, transit, and other emerging modes of travel. Over the next several years there are plans to establish ABMs in more metropolitan regions in Oregon.

#### **Other Tools**

Other "off model" tools may be helpful for TSP analysis. Examples include TNEXT (web-based software for visualization, analysis and reporting of transit networks), Bicycle Level of Traffic Stress (BLTS) tool for assessing the comfort and connectivity of bicycle networks, PlaceTypes tool to classify and visualize land use and transportation interactions, travel demand model post-processors that work with the EPA's Motor Vehicle Emission Simulator (MOVES), and the Tool for Operations Benefit-Cost Analysis (TOPS-BC).

Information in this handout focuses on the capabilities of ODOT's trip-based and activity-based travel demand models. For more information on other supporting tools, please see [ODOT's Greenhouse Gas Modeling and Analysis Tools Overview Report](#).

## **2. Can the models determine the VMT effects of policy incentives for non-motorized travel, or pricing and parking policies intended to make travel by passenger car less convenient?**

Both the trip-based models and the ABM can analyze the effects of *some* pricing and parking policies, including mileage fees and congestion tolls on VMT. However, trip-based models cannot currently directly analyze the VMT effects of travel demand management, telework or incentive programs aimed at increasing walking, biking and transit use (some indirect methods have been applied in the past). The ABM may be better positioned to help analyze travel demand management strategies, but further research, model development, and testing would be needed to figure out how to represent these types of policy actions in the model.

## **3. Can the models determine the VMT effects of a single transportation infrastructure project, like a new sidewalk, a new bicycle lane, or a widened roadway?**

The models are good tools for examining the VMT effects of major changes to the transportation network, such as a corridor redevelopment project that adds or reduces lanes, road closures, new roadway connections, regional non-motorized investment, etc. But regional models are not designed to forecast the VMT outcome of a single, smaller project, such as a new intersection turn lane, a stretch of new sidewalk, a bicycle lane, or a localized project to improve neighborhood level connectivity.

## **4. Can the models determine the VMT effects of adding new transit routes or increasing the frequency of service on an existing transit route?**

Yes. Both the trip-based models and the ABM can be used to help with these analyses.

## **5. Can the models determine the VMT effects of land use and demographic changes?**

Yes. Both the trip-based models and the ABM can forecast VMT outcomes from changes in a region's future housing mix, development patterns, and demographics which can have significant impacts on VMT. The travel demand models themselves do not forecast future land use or demographic patterns, but testing alternative land use inputs is a primary use and strength of Oregon's travel demand models.

## **6. Can the models provide information for equity analysis, such as for a subset of transportation users, or for sub-geographic areas within a metropolitan region?**

Reporting frameworks in Oregon's current travel demand models are structured for use at the regional (MPO) level. Some cordoning of model outputs is possible, for example to look at the VMT contribution of households within a single city to the region's overall VMT. Income levels are currently a type of equity that can be analyzed, but further improvements in equity analysis and reporting is a known and desired area of enhancement. In addition to improving the modeling techniques, assessing equity will require that forecasts allocate specific demographic characteristics to specific neighborhoods, which is a policy challenge not a technical one.

## **7. What could be done to improve Oregon's modeling capabilities?**

ODOT works with the Oregon Modeling Statewide Collaborative (OMSC), an interagency group helping to continuously improve travel demand modeling for Oregon MPOs. A statewide shift to ABM models for all metropolitan areas is under discussion at the OMSC. ABMs, while not a panacea, could significantly improve alternative mode and equity analysis capabilities. Additionally, the OMSC's greenhouse gas (GHG) subcommittee has identified other joint efforts on data and "off-model" tools that could improve GHG analysis capabilities. Funding and resources would need to be found before a statewide shift to ABMs and other OMSC recommendations could be fully implemented or expedited.

### **Contact:**

**Alex Bettinardi, ODOT Transportation Planning and Analysis Unit**  
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**(503) 986-4104**

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 10



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **Item 9: Summary of Amendments to Rules**  
**DATE:** December 6, 2021

This document includes summaries of each rule that staff is proposing to amend or add as part of the Climate-Friendly and Equitable Communities rulemaking.

Summary of Amendments to Housing Rules (Division 8) ..... 1  
 Summary of Amendments to Transportation Planning Rules (Division 12) ..... 2  
 Summary of Amendments to the Metropolitan Greenhouse Gas Reduction Target Rules (Division 44) ..... 19

<b>Summary of Amendments to Housing Rules (Division 8)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-008-0010	Allocation of Buildable Land	This is an existing rule that provides for how cities are to determine the amount of buildable land necessary to accommodate anticipated planning needs over a future planning period, which is typically 20 years. The amended language adds a new requirement for cities over 10,000 population within metropolitan areas to maintain climate friendly areas sufficient to accommodate at least 30% of their housing needs as they grow. Additionally, Section (3) requires the same cities to designate additional climate friendly areas after June 30, 2027, if expanding their urban growth boundaries to accommodate a residential land need.
660-008-0050	Housing Production Strategy Report Structure	This is an existing rule that provides for how cities are to prepare Housing Production Strategy Reports one year after their required update to their Housing Capacity Analyses. Amended language in Section (4)(a) establishes requirements to promote the production of affordable housing, mitigate or avoid the displacement of members of state and federal classes, and remove barriers and increase housing choices for these populations in climate friendly areas, or within Region 2040 Centers within the Portland Metro region.



Summary of Amendments to Transportation Planning Rules (Division 12)		
Number	Rule Title	Rule Summary
Changes to Existing Rules		<p>The existing rules will mostly remain the same, with some changes as noted below:</p> <ul style="list-style-type: none"> <li>0000: Updates to reflect changes across the division.</li> <li>0005: Updates to reflect changes across the division.</li> <li>0015: Changes to remove requirements specific to metropolitan areas.</li> <li>0016: This rule only applies in metropolitan areas and will be deleted.</li> <li>0035: Changes to remove requirements specific to metropolitan areas.</li> <li>0045: Changes to remove requirements specific to metropolitan areas.</li> <li>0060: Updates to reflect changes across the division.</li> </ul> <p>We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.</p>
660-012-0000	Purpose	<p>The purpose provides an overview of the commission’s reasons for adopting the division, including how the division implements the statewide planning goals. A clear purpose statement is useful for everyone who uses the rules; including the public, local governments, and the courts.</p> <p>We propose to adjust the purpose to focus on the challenges of today and the future. The updated purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation safety (with traffic deaths trending higher and four times that of leading countries, and twice that of Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution, and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has inequitably impacted key underserved populations, and decision making has centered the voices of the privileged at the expense of those populations.</p> <p>This purpose acknowledges those problems and focuses on remedies. The purpose retains key coordination and planning elements.</p> <p><b>Since the October draft amendments, this rule now includes an element addressing wildlife passage, flood waters, and natural systems along waterways and in riparian areas.</b></p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0005	Definitions	<p>Every division of rules has a list of definitions. We will keep the list of definitions in the existing division, with changes and additions, as necessary. These definitions apply to the existing rules which will continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of metropolitan areas.</p> <p>Changes in section numbering are not marked in this rule.</p> <p><b>Since the October draft rules, the rule now includes a definition of “commercial parking lot.” The updated rule adjusts the definition of Level 2 charging station while inserting a placeholder for direct current fast chargers.</b></p>
660-012-0015	Preparation and Coordination of Transportation Systems Plans	<p>We propose to alter this existing rule. The existing rule gives overarching direction to local governments in how to prepare and coordinate development of local and regional transportation system plans. We propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to local governments outside of metropolitan areas. New rules will direct how local governments in metropolitan areas prepare and coordinate development of local transportation system plans.</p> <p>There have been no substantive changes from the October draft amended rule.</p>
660-012-0016	Coordination with Federally-Required Transportation Plans in Metropolitan Areas	<p>Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.</p> <p>We expect to use some of the elements in this rule in our updated rules in order to encourage regional planning efforts. Updated local transportation planning requirements in metropolitan areas will require advanced local actions, including the development of financially-constrained local plans, that will inform federally-required RTPs. In the Portland Metropolitan Area, many of these regional planning requirements have been retained in draft rule 660-012-0102. Additionally, metropolitan areas will be required to undertake regional scenario planning, which is required in the Metropolitan Greenhouse Gas Reduction Rules (OAR Chapter 660, Division 44).</p> <p>There have been no substantive changes from the October draft amended rule.</p>
660-012-0035	Evaluation and Selection of Transportation System Alternatives	<p>We propose to alter this existing rule. The existing rule directs how local governments evaluate and select transportation alternatives. We propose to delete some parts of this rule pertaining only to local governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments in metropolitan areas will evaluate and select transportation alternatives.</p> <p>There have been no substantive changes from the October draft amended rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0045	Implementation of the Transportation System	<p>We propose to alter this existing rule. The existing rule directs how local governments are to implement the local transportation system plan. We propose to delete one section of this rule pertaining only to metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the requirements within this section.</p> <p>There have been no substantive changes from the October draft amended rule.</p>
660-012-0060	Plan and Land Use Regulation Amendments	<p>This rule guides cities and counties when they change the acknowledged comprehensive plan after adoption of a transportation system plan. The rule provides for consideration of transportation system needs in response to the proposed changes.</p> <p>Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable Communities Rulemaking.</p> <p>This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing some minor changes to reflect changes in how performance standards work within metropolitan areas.</p> <p>There have been no substantive changes from the October draft amended rule.</p>
New Rules 0011-0012: Applicability and Effective Dates		<p>These rules are intended to help implement the new rules numbered 0100 and above, which will apply to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions, and when those rules apply.</p>
660-012-0011	Applicable Rules	<p>This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-0100 and above. Local governments in other parts of the state will continue to use the existing rules, although cities outside metropolitan areas may opt into using the updated rules if they wish. We are working with Metro and will be consulting with potentially affected local governments to determine how rules may apply in the Portland Metropolitan Area.</p> <p>The following rules will continue to apply statewide, even in metropolitan areas:</p> <ul style="list-style-type: none"> <li>OAR 660-012-0000, Purpose</li> <li>OAR 660-012-0005, Definitions</li> <li>OAR 660-012-0010, Transportation Planning</li> <li>OAR 660-012-0060, Plan and Land Use Regulation Amendments</li> <li>OAR 660-012-0065, Transportation Improvements on Rural Lands</li> <li>OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land</li> </ul> <p>The latter two rules only apply to rural lands statewide.</p> <p><b>Since the October draft, this rule has changed to clarify that OAR 660-012-0012 only applies within metropolitan areas.</b></p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0012	Effective Dates	<p>This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most provisions will take effect shortly after the commission adopts the rule amendments, but the implementation of some provisions will be phased in over time.</p> <p>There have been no substantive changes from the October draft amended rule. Staff expect to review many provisions of this rule in several work groups. Adjustments to effective dates may be made to balance urgent action with the ability to successfully implement provisions of the rules.</p>
New Rules 0100-0210: General Provisions		<p>This part of the Transportation Planning Rules will contain general provisions for how cities and counties in metropolitan areas conduct coordinated land use and transportation planning. These include updated rules for how cities and counties undertake transportation system plans within urban areas. There are significant changes and clarifications in how this process works, including how cities and counties ensure equitable participation in decision-making, and how plans are amended and updated over time.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0100	Transportation System Plans in Metropolitan Areas	<p>This rule provides the starting point for how cities in metropolitan areas will be required to adopt, amend, and implement local transportation system plans in urban areas. The rule lists all the required elements of a transportation system plan. The rule also provides for how cities will determine the base and horizon years of a local transportation system plan.</p> <p>This rule has been renamed, but no substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>
660-012-0102	Transportation System Planning in the Portland Metropolitan Area	<p>This rule describes how transportation system planning works in the Portland Metropolitan Area, including local planning by cities and counties, and regional planning by Metro. Many of the regional planning requirements are from existing rules in OAR 660-012-0016.</p> <p>This rule has a temporary rule number and will be renumbered in a future draft.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0105	Transportation System Plan Updates	<p>This rule describes how cities update their transportation system plans. The rule provides for either a major or minor update to plans. The existing rules were written when most places did not even have a transportation system plan, so there is little guidance about how they are to be kept up to date. The purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between larger updates.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0110	Transportation System Planning Area	<p>This rule sets out requirements for the geographic scope of transportation system plans. The default assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban unincorporated areas.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>
660-012-0115	Transportation System Planning Engagement	<p>This rule directs how cities must engage the public, and specifically underserved populations, in the development and approval of transportation system plans.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0120	Underserved Populations	<p>Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped identify underserved populations to consider in this rulemaking, expanding on a list from the Governor’s office. To rectify harms done in the past and in current practice, communities must prioritize these populations in decision-making processes and outcomes.</p> <p>This rule sets out a Definition of underserved populations for use in transportation and land use planning consistent with the Equitable Outcomes Statement developed by the Rules Advisory Committee. The rule also requires cities and counties to identify areas with concentrations of underserved populations.</p> <p><b>Since the October draft, this rule has added “refugees” as an underserved population.</b></p>
660-012-0125	Decision-Making with Underserved Populations	<p>This rule directs how local governments center underserved populations in decision-making. The rule requires local governments to implement an involvement program with a range of activities to ensure equitable participation in decision-making and work toward equitable outcomes. The rule requires local governments to identify and engage with recognized tribes with ancestral lands in the city or county. The rule requires cities and counties to regularly assess and report on progress.</p> <p><b>Since the October draft, the rule has been clarified to note that “recognized tribes” means federally recognized.</b></p>
660-012-0130	Equity Analysis	<p>This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is required for a variety of actions throughout the division. The purpose of an equity analysis is to identify impacts of proposed projects and policies and potentially inequitable consequences or burdens on impacted communities.</p> <p><b>Since the October draft, this rule has changed to add a step in the equity analysis which requires assessing, acknowledging, and addressing current and past harm from racism.</b></p>

Summary of Amendments to Transportation Planning Rules (Division 12)		
Number	Rule Title	Rule Summary
660-012-0140	Transportation System Refinement Plans	<p>This rule provides cities and counties with the opportunity to defer some decisions that would otherwise be made in a transportation system plan to a later refinement planning process. This rule is largely based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0145	Temporary Projects	<p>This rule makes clear that certain temporary or pilot projects need not be included in the transportation system plan to be implemented. These are expected to be short-term trials or temporary fixes in advance of a plan update.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0150	Transportation System Inventories	<p>This rule includes general requirements for inventories of existing facilities and services in transportation system plans. The specific requirements for each mode of transportation are in separate rules, as noted in this rule. There are basic levels of inventories required, and larger cities will be required to do more advanced inventories.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>
660-012-0155	Transportation Modeling and Analysis	<p>This rule sets requirements for how cities and counties use transportation modeling and analysis to make land use decisions.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0160	Vehicle Miles Traveled Reduction Targets	<p>This rule requires cities and counties to use vehicle miles travelled as a proxy for greenhouse gas pollution for cities and counties that do not yet have an approved regional scenario plan. The rule applies when adopting a TSP and requires the city or county to adopt a TSP that is projected to reduce vehicle miles travelled. Vehicle miles traveled per capita is defined as any light duty vehicle trip originating from either a city or metropolitan region.</p> <p><b>Since the October draft, this rule has changed to be more specific about future vehicle miles per capita, the include Metro where applicable, and to be clear that a plan must include a project list that meets the applicable vehicle miles per capita target.</b> The transportation system planning work group will review this rule.</p>
660-012-0165	Evaluation and Selection of Transportation System Alternatives	<p>This rule provides criteria for cities and counties to use when evaluating and selecting between transportation system alternatives in a transportation system plan.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0170	Transportation Performance Standards	<p>This rule provides a framework for how decisions are made using transportation performance standards. These include decisions made about transportation system planning, reviewing comprehensive plan and land use regulation amendments, and in the local review of development proposals.</p> <p>Currently many, but not all, decisions have relied heavily on performance standards related to motor vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and mobility.</p> <p>No substantive changes have been made to this rule since the October draft. The performance standards work group will review this rule.</p>
660-012-0180	Transportation Prioritization Factors	<p>This rule sets the context for prioritizing projects in local transportation system plans; and how cities, counties, Metro, and state agencies make decisions about investments in the transportation system. The prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes, safety, and accessibility.</p> <p><b>Since the October draft, this rule has been changed to clarify that reducing per capita vehicle miles traveled means meeting greenhouse gas reduction targets.</b> The transportation system planning work group will review this rule.</p>
660-012-0200	Combined and Illustrative Project Lists	<p>This rule describes how cities and counties take the combined list of projects developed in the modal elements of the transportation system plan, develop multimodal projects, and produce a combined project list. The rule requires cities and counties to use the combined project list to develop an illustrative project list. The illustrative project list must include a set of projects that would meet targets for reductions in per capita vehicle miles traveled.</p> <p><b>Since the October draft, this rule has changed to clarify the process of creating a combined project list.</b> The transportation system planning work group will review this rule.</p>
660-012-0205	Funding Projections	<p>This rule describes how cities develop funding projections in the transportation system plan. Funding projections include a list of funding sources that are expected to fund transportation facilities and services, and the amount of funding available for transportation projects over the planning period.</p> <p><b>Since the October draft, this rule has had a name change and some changes in terminology to be consistent throughout.</b> The transportation system planning work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0210	Financially-Constrained Project List	<p>This rule gives cities and counties a method to develop a financially-constrained project list. Projects on the financially-constrained project list are the planned projects to be considered for further project development, funding, and construction. The financially-constrained list of projects in the local transportation system plan will inform the federally required regional transportation plan. The financially-constrained list will also be the only projects that may be assumed as “reasonably likely” when considering if an amendment to a comprehensive plan or land use regulation has a “significant effect” on the transportation system.</p> <p>The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita Vehicle Miles Traveled, and support meeting targets set against a range of performance measures.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation system planning work group will review this rule.</p>
New Rules 0300-0360: Coordinated Land Use and Transportation Planning		<p>The Transportation Planning Rules are, at their heart, a guide for local governments to make coordinated plans for both land use and their transportation system. This part of the Transportation Planning Rules focus on land use requirements, including requirements for climate friendly areas.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0300	Coordinated Land Use and Transportation System Planning	<p>This rule contains general provisions for cities and counties within metropolitan areas in how they accomplish coordinated land use and transportation planning.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0310	Climate-Friendly Areas	<p>This rule describes the requirements for the designation of climate friendly areas. The rule sets out some basic standards for which areas should and should not be considered for designation as a climate friendly area.</p> <p>No substantive changes have been made to this rule since the October draft. The climate friendly areas and land use work group will review this rule.</p>
660-012-0315	Designation of Climate-Friendly Areas	<p>This rule describes the process to be followed for cities and counties to designate climate friendly areas, including consideration for, and mitigation of, potential inequitable impacts that might result from CFA designation, such as the displacement of underserved populations.</p> <p>No substantive changes have been made to this rule since the October draft. The climate friendly areas and land use work group will review this rule.</p>



Summary of Amendments to Transportation Planning Rules (Division 12)		
Number	Rule Title	Rule Summary
660-012-0320	Land Use Requirements in Climate-Friendly Areas	This rule describes development codes and other land use requirements cities and counties must adopt for climate friendly areas. No substantive changes have been made to this rule since the October draft. The climate friendly areas and land use work group will review this rule.
660-012-0325	Transportation Review in Climate Friendly Areas	This rule describes how local governments review changes to comprehensive plans and land use regulations in climate friendly areas. The rule requires an interim multimodal plan when the climate friendly area is implemented. <b>Since the October draft, this rule has changed slightly to clarify that it applies to land use changes including those made to designate and implement climate friendly areas.</b> The climate friendly areas and land use work group and transportation performance standards work group will review this rule.
660-012-0330	Land Use Requirements	These land use requirements apply to cities and counties within metropolitan areas and have to do with how land use interacts with the transportation system. Many of these requirements are in the existing rules, particularly OAR 660-012-0045. However, this rule extends and adds to the existing requirements. These requirements apply across the urban area and are in addition to the climate friendly area specific requirements in those areas.  The rule requires local governments to provide for pedestrian-friendly and connected neighborhoods; for commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on auto-oriented land uses; some additional requirements for larger cities; and to have protections for existing and future transportation facilities.  No substantive changes have been made to this rule since the October draft. The climate friendly areas and land use work group will review this rule.
660-012-0340	Land Use Assumptions	This rule describes how cities and counties make assumptions about the future development of the urban area, for purposes of transportation planning. These assumptions are based on the required population forecasts, existing comprehensive plans and land use regulations, and other provisions in the Transportation Planning Rules. These assumptions are used to help make coordinated land use and transportation plans.  No substantive changes have been made to this rule since the October draft.
660-012-0350	Urban Growth Boundary Expansions	This rule includes requirements for local jurisdictions to ensure they are being consistent with coordinated transportation planning requirements when proposing to expand an urban growth boundary. The rules provide for requirements prior to undertaking an urban growth boundary expansion, and requirements as part of the process of expanding the urban growth boundary.  No substantive changes have been made to this rule since the October draft.

Summary of Amendments to Transportation Planning Rules (Division 12)		
Number	Rule Title	Rule Summary
660-012-0360	Key Destinations	<p>This rule lists key destinations for use in coordinated transportation and land use planning. These are important places for all people to be able to access to meet daily needs and participate in society.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
New Rules 0400-0450: Parking		<p>This part of the Transportation Planning Rules relates to how cities and counties address and manage parking. The rules follow current best practice and move cities and counties away from one-size-fits-all mandates for developers to build a large amount of costly and land-intensive off-street parking, towards more targeted management strategy. This approach provides more deference to builders and property owners to provide parking for the diversity of development types as the market dictates.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0400	Parking Management	<p>This rule directs jurisdictions to implement climate-friendly and equitable parking reform rules by improving parking codes and removing mandated parking associated with development or providing alternative climate-friendly measures.</p> <p><b>Since the October draft, this rule states all metropolitan area jurisdictions, including those in Metro, must adopt the electric vehicle charging rules. The draft rule retains has a placeholder for application of other provisions in the Metro area.</b></p> <p><b>The draft rule now also has an allowance for communities to ask for an exemption for areas with narrow streets that may have more constrained on-street parking.</b></p> <p>The parking reform work group will review this rule.</p>
660-012-0405	Parking Regulation Improvements	<p>This rule works to give priority parking to those carpooling or vanpooling. It aims to encourage the conversion of parking lots to higher uses, and to encourage shared parking.</p> <p>It also aims to reduce the negative externalized impacts of parking such as heat island effects and reduced walkability. It works to make large parking lots more pedestrian-friendly, and to address some of the heat island effects through tree canopy. It aims to mitigate the climate impacts of driving and parking through either increased clean energy or increased tree canopy.</p> <p><b>Since the October draft, staff have added some tree canopy requirements for parking lots of a quarter-acre and larger and clarified the street trees do not need to be next to each drive aisle.</b></p> <p>The parking reform work group will review this rule.</p>

Summary of Amendments to Transportation Planning Rules (Division 12)		
Number	Rule Title	Rule Summary
660-012-0410	Electric Vehicle Charging	<p>This rule works to encourage new buildings to be EV-capable, to install electrical capacity and conduit. Buildings would be ready to have wiring and charging stations added as demand calls for. As buildings are 80-100 year structures, and Oregon is aiming to have 90% of new vehicles be EVs by 2035, it is critical to install charging infrastructure as buildings are built.</p> <p>The rule focuses on electrical capacity and conduit, and allows some Level 1 charging capacity in residential buildings, which can be functional for many uses and saves money.</p> <p><b>Since the October draft, the rule language clarifies we are talking about <i>service</i> capacity, and changes the provision about sufficient capacity from transformers to substations. The rule splits out percentages for both conduit and service capacity, and further differentiates between residential/mixed-use and commercial development. Conduit is the most expensive thing to retrofit, and load management is only possible with at least Level 2 technology. Hence, installing sufficient Level 2 conduit capacity at residences is emphasized. The rule also now allows those developments installing direct current fast chargers to install less conduit. The retrofit requirements for Metro-area cities between 25,000 and 50,000 population has been removed.</b></p> <p>The parking reform work group will review this rule as time allows.</p>
660-012-0415	Parking Maximums and Evaluation in More Populous Communities	<p>This rule calls for parking maximums in areas where car-dominant development would undermine pedestrian-friendliness and other goals.</p> <p>It also calls on Oregon’s most populous three cities to manage on-street parking to ensure availability, to explore options to building new parking garages, and to ensure new parking garages can have active uses on the ground floor.</p> <p><b>Since the October draft, this rule has been clarified to note the availability of parking should be within two blocks of each lot or parcel, instead of “location”, and the “public” parking garage provision has shifted to a definition based on it being city-owned land.</b></p> <p>The parking reform work group will review this rule.</p>
660-012-0420	Exemption for Communities without Parking Mandates	<p>This clarifies the remainder of the 0400 parking series of rules apply only to those communities choosing to continue to mandate parking.</p> <p>No substantive changes have been made to this rule since the October draft. The parking reform work group will review this rule.</p>
660-012-0425	Reducing the Burden of Parking Mandates	<p>This rule allows builders to meet parking mandates by a variety of approaches, including taking action to reduce climate pollution.</p> <p><b>Since the October draft, the provision in (1)(e) has been clarified to make sure parking for people with disabilities is near entrances.</b></p> <p>The parking reform work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0430	Reduction of Parking Mandates for Development Types	<p>This rule reduces parking mandates for housing, following the trend in planning practice and previous Commission rulemaking on traditional missing middle housing types. The rule works to reduce regulatory burdens for developing certain types of needed development, such as childcare facilities.</p> <p><b>Since the October draft, this rule has been reorganized and it has been clarified its provisions are effective upon the effective date of the rule.</b> The parking reform work group will review this rule.</p>
660-012-0435	Parking Reform in Climate Friendly Areas	<p>This rule encourages parking reform in climate-friendly areas, which tend to have lower demand for parking, and are targeted for more pedestrian-friendly development patterns.</p> <p><b>Since the October draft, this rule has clarified land adjacent to climate-friendly areas in adjacent jurisdictions is not impacted by (1)(a).</b></p> <p>The parking reform work group will review this rule.</p>
660-012-0440	Parking Reform near Transit Corridors	<p>This rule encourages parking reform near transit corridors and stops, where parking demand tends to be lower, and are areas targeted for more pedestrian-friendly development patterns.</p> <p><b>Since the October draft, this rule has been reworded and clarified.</b></p> <p>The parking reform work group will review this rule.</p>
660-012-0445	Parking Management Alternative Approaches	<p>For those communities not repealing parking mandates, this rule provides two options for improved parking management.</p> <p><b>Since the October draft, this rule has exempted townhouses and rowhouses from unbundling and given communities the option to move between the fair parking policy approach and the reduced regulations approach.</b></p> <p>The parking reform work group will review this rule.</p>
660-012-0450	Parking Management in More Populous Communities	<p>The rule aims to ensure populous communities better understand and manage their existing parking supply before requiring new parking.</p> <p><b>Since the October draft, this draft removes counties from the provisions, and gives cities six more months to comply via 660-012-0012, and allows cities to change their selection any time in the future.</b></p> <p>The parking reform work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
New Rules 0500-0520: Pedestrian System		<p>This part of the Transportation Planning Rules relates to planning for the pedestrian system. The pedestrian system is intended to serve people walking, as well as people using mobility devices or other vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the bicycle system.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0500	Pedestrian System Planning	<p>This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access for most trips under one mile.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0505	Pedestrian System Inventory	<p>This rule describes how cities must inventory their pedestrian system.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0510	Pedestrian System Requirements	<p>This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to exceed the standards in this rule.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0520	Pedestrian System Projects	<p>This rule guides cities in determining the list of pedestrian system projects.</p> <p>No substantive changes have been made to this rule since the October draft. transportation modal planning work group will review this rule.</p>
New Rules 0600-0630: Bicycle System		<p>This part of the Transportation Planning Rules relates to planning for a safe, accessible, and connected bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using other types of vehicles that operate at a bicycle speed and scale. These rules also include updated requirements for bicycle parking.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0600	Bicycle System Planning	<p>This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected bicycle network that serves a variety of users. The rule requires a bicycle system element that provides for a substantial portion of short urban trips under 3 miles to be by bicycle.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0605	Bicycle System Inventory	<p>This rule describes how cities must inventory their bicycle system. The rule requires an inventory of bicycle facilities in key areas, including multi-use paths.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0610	Bicycle System Requirements	<p>This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system that meets a substantial portion of local travel needs under three miles. Updated requirements ensure cities and counties will plan for higher levels of separation beyond a standard bike lane for people riding bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to allow the widest range of people to safely ride bikes within communities. The rules require the development of connected network of safe bicycle facilities.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0620	Bicycle System Projects	<p>This rule guides cities in determining the list of bicycle system projects.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0630	Bicycle Parking	<p>This rule includes updated requirements for bicycle parking. Existing statewide requirements require bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and secure parking for some uses where longer-term parking is expected, and short-term parking at retail uses, transit facilities, and other key destinations. The rule requires that long-term parking include provisions for electric charging and to accommodate a range of devices beyond bicycles.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
New Rules 0700-0750: Public Transportation System		<p>This part of the Transportation Planning Rules relates to planning for the public transportation system. The public transportation system is intended to serve people riding transit within urban areas, as well as travel within regions or between cities. This set of rules also includes requirements for a local Transportation Options plan element.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0700	Public Transportation System Planning	<p>This rule and subsequent rules describe how cities must plan for their public transportation system.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0705	Public Transportation System Inventory	This rule describes how cities must inventory their public transportation system.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.
660-012-0710	Public Transportation System Requirements	This rule includes the minimum requirements for safe, connected, and accessible public transportation system facilities.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.
660-012-0720	Public Transportation System Projects	This rule guides cities in determining the list of public transportation projects.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.
660-012-0750	Transportation Options Plan	This rule describes how cities develop a transportation options element of their transportation system plan. The rule requires cities and counties to coordinate closely with transportation options providers, public transportation providers, and other cities and counties to identify existing programs, services, and projects; as well as future needs.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.
New Rules 0800-0830: Streets and Highways System		This part of the Transportation Planning Rules relates to planning for the street and highway system. The rules consider that the street and highway system is mostly fully built out. Future planning must assume a reduction in the amount of driving people do, in favor of increased travel in other modes.  These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.
660-012-0800	Urban Street and Highway System Planning	This rule, and subsequent rules, describes how cities must plan for their street and highway transportation system.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.
660-012-0805	Urban Street and Highway System Inventory	This rule describes how cities must inventory their street and highway system.  No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.

<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0810	Street and Highway System Requirements	<p>This rule includes the minimum requirements for the street and highway system. The rules require: narrow and slow local streets; identifying arterials that are more focused on mobility, and those more focused on access, and treating them differently; and a minimal number of general-purpose travel lanes due to an expected decline in driving, and to accommodate the growth of other modes.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0820	Street and Highway System Projects	<p>This rule guides cities in determining the list of street and highway system projects.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
660-012-0830	Authorization of Facilities That Increase Driving and Capacity	<p>This rule provides for an additional level of review of transportation facilities that could increase climate pollution. The rule is intended to ensure that additional alternatives are reviewed before investments are made in transportation facilities that are not consistent with the state’s climate goals.</p> <p>The authorization of a facility provided in this rule is only to allow a proposed facility to be put into the local transportation system plan, it does not replace any other requirements.</p> <p>The process is intended to provide time for local governments to identify, review, assess, and potentially implement alternatives to the proposed facility. The goal is to avoid implementation of as many of these facilities as possible, limiting them only to those that are truly necessary to meet the transportation needs of the state and community.</p> <p>No substantive changes have been made to this rule since the October draft. The transportation modal planning work group will review this rule.</p>
New Rules 0900-0915: Monitoring and Reporting		<p>This part of the Transportation Planning Rules relates to how cities and counties will regularly report progress through compilation of submission of regular reports to the department. Annual reports will include a narrative of progress made over the past year, with more substantial reports required every four to five years.</p> <p>These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.</p>
660-012-0900	Monitoring and Reporting	<p>This rule requires cities and counties to submit a report to the department annually. Most years the report will be a minor report, with an update of activities. However, every four or five years a major report must also include additional information on how the city and region are performing across a range of performance measures.</p> <p>No substantive changes have been made to this rule since the October draft.</p>



<b>Summary of Amendments to Transportation Planning Rules (Division 12)</b>		
<b>Number</b>	<b>Rule Title</b>	<b>Rule Summary</b>
660-012-0905	Orders Approving a Report	<p>This rule provides a process for receipt, review, and approval of submitted reports. The rule gives the director of DLCD the opportunity to review a report for completeness, then either approve the report or refer it to the commission. There is an appeal process for approved reports to the commission. The commission may either approve or remand a report that was referred or appealed to the commission.</p> <p><b>Since the October draft, this rule has been reworked due to additional legal review. The substance of the review process has not changed for major (every 4-5 years) reports, however the review process has been streamlined for minor (annual) reports.</b></p>
660-012-0910	Land Use and Transportation Performance Measures	<p>This rule requires reporting on local action performance measures to demonstrate that the actions necessary to achieve the greenhouse gas reduction targets are being implemented. transportation system plans are required to include policies and projects that will meet the local target for each performance measure.</p> <p>No substantive changes have been made to this rule since the October draft.</p>
660-012-0915	Land Use and Transportation Performance Targets	<p>This rule requires cities and counties to set performance targets for the implementation of actions necessary to achieve the greenhouse gas reduction targets. If a city or county has an approved regional plan, they will set performance targets included in that plan. If a city or county does not have an approved regional plan, they will set performance targets in a major update to their transportation systems plan or a major report, whichever comes first. Performance targets must be set at levels that are reasonably likely to achieve the greenhouse gas reduction targets and the Statewide Transportation Strategy targets.</p> <p>No substantive changes have been made to this rule since the October draft.</p>

Summary of Amendments to the Metropolitan Greenhouse Gas Reduction Target Rules (Division 44)		
Number	Rule Title	Rule Summary
Changes to Rules		<p>The existing rules will mostly remain the same, with the largest changes as noted below:</p> <ul style="list-style-type: none"> <li>• 0000 – New purpose statement</li> <li>• 0015 – Schedule for cities and counties to do scenario planning</li> <li>• 0100 – Work programs for scenario planning</li> <li>• 0110 – Required contents of a scenario plan</li> <li>• 0120 – Department and commission review</li> <li>• 0130 – Local plan amendments to implement the scenario plan</li> </ul>
660-044-0000	Purpose	<p>This is a <b>new purpose statement</b> to entirely replace the existing purpose statement. The purpose provides an overview of the commission’s reasons for adopting the division, including how the division implements the statewide planning goals. A clear purpose statement is useful for everyone who uses the rules; including the public, local governments, and the courts.</p> <p>We propose to adjust the purpose to focus on the challenges of today and the future. The updated purpose also focuses in areas where Oregon is most deficient. This purpose highlights climate pollution, and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has inequitably impacted key priority populations, and decision making has centered the voices of the privileged at the expense of those populations.</p> <p>This purpose acknowledges those problems and focuses on remedies. The purpose retains key coordination and planning elements.</p>
660-044-0005	Definitions	<p>Every division of rules has a list of definitions. Major additions to the definitions include the RAC’s Equitable Outcomes to help operationalize the statement in this division.</p>
660-015-0015	Applicability – Compliance Schedule	<p>This is a <b>new rule</b> that expands the scenario planning requirements to cities and counties beyond the Portland metropolitan area. The rule provides compliance dates for the cities and counties in the Eugene-Springfield metropolitan area that conducted regional scenario planning in 2011-2015 to adopt and implement that work. The preferred scenario which resulted from that work will be used as the foundation for meeting the new requirements in this section.</p> <p>This rule also provides compliance dates in the Salem-Keizer metropolitan area that has not yet undertaken scenario planning as described in this division.</p> <p>This section allows for other regions to voluntarily opt into the regional scenario planning program and provides a process for how the commission could require scenario planning in the Albany, Bend, Corvallis, Grants Pass, and Rogue Valley metropolitan areas in the future.</p>

Summary of Amendments to the Metropolitan Greenhouse Gas Reduction Target Rules (Division 44)		
Number	Rule Title	Rule Summary
660-044-0020	Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area	Minor amendment to an existing rule extending horizon year to incorporate any planning work that goes beyond 2050.
660-044-0025	Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas	This is an existing rule with a change that makes the targets mandatory. Minor amendment extends horizon year to incorporate any planning work that goes beyond 2050.
660-044-0030	Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions	This is an existing rule that provides the methods by which local governments apply the greenhouse gas targets to the scenario planning process.
660-044-0035	Review and Evaluation of Greenhouse Gas Reduction Targets	This is an existing rule that provides for how the department review and evaluate the greenhouse gas targets in this division.
660-044-0040	Preferred Scenario in the Portland Metropolitan Area	This is an existing rule that provides guidance for Metro as they select a scenario. The Metro region has already selected and adopted a preferred scenario by way of their Climate Smart Communities program. This change is to support any future amendments needed to the plan.
660-044-0045	Regional Plans to Implement the Preferred Scenario in the Portland Metropolitan Area	This is an existing rule that provides guidance for how the preferred scenario is implemented in the Metro region. Metro has moved beyond the adoption phase and is in the implementation phase.
660-044-0050	Commission Review of Regional Plans in the Portland Metropolitan Area	This is an existing rule that provides guidance for commission review of the implementation or the preferred scenario in regional plans. The amendments extends commission review to amendment of the regional plan.
660-044-0055	Adoption of Local Plans to Implement the Preferred Scenario in the Portland Metropolitan Area	This is an existing rule that specifies a process for local governments in Metro to implement the preferred scenario.
660-044-0060	Monitoring and Reporting in the Portland Metropolitan Area	This is an existing rule that specifies a process for monitoring and reporting implementation of the preferred scenario in the Metro region.
New Rules 0100-0130: Scenario Planning in metropolitan areas outside of Portland Metro.		These <b>new rules</b> provide guidance for the new requirements for other metropolitan areas. These are a parallel to the requirements that apply only to the Portland metropolitan area.
660-044-0100	Scenario Planning Work Programs	<i>This is a <b>new rule</b> that describes the process for scenario planning in cities and counties beyond the Portland Metro region. A work program is the first step in the process. The work program provides the basic framework for doing conducting the greenhouse gas reduction scenario planning.</i>

Summary of Amendments to the Metropolitan Greenhouse Gas Reduction Target Rules (Division 44)		
Number	Rule Title	Rule Summary
660-044-0110	Land use and Transportation Scenario Plan Contents	<p><i>This <b>new rule</b> lists the elements of a scenario plan. The core element is a <u>preferred scenario</u> that would meet the pollution reduction targets. The <u>scenario plan</u> includes additional elements to implement the preferred scenario, to track progress and to report on the planning process.</i></p> <p><i>The rule specifies how cities and counties will report and monitor plan implementation, actions taken, and on equitable outcomes.</i></p>
660-044-0120	Commission Review of a Land Use and Transportation Scenario Plan	<p><i>This <b>new rule</b> describes the review process for scenario plans in cities and counties beyond the Portland metropolitan area. Before the formal review, state and local staff will collaborate on the plan and resolve most questions. If there are no remaining issues, the cities and counties will formally submit the plan and the DLCD Director will approve it. If there are unresolved questions, the process goes to the commission for a public hearing and decision.</i></p>
660-044-0130	Local Amendments to Implement Approved Land use and Transportation Scenario Plan	<p><i>This <b>new rule</b> describes the process for local governments outside of the Portland Metro area to individually implement the regional scenario plan they jointly developed.</i></p>

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 10



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 10 Item 10: Draft Transportation Planning Rules (Division 12)**  
**DATE:** December 6, 2021

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### Summary

These proposed amendments to the Transportation Planning Rules (Oregon Administrative Rules Chapter 660, Division 12) are a response to the direction provided in [Executive Order 20-04](#), the multi-agency work through the [Every Mile Counts](#) Multi-Agency Work Program, to implement the [Statewide Transportation Strategy](#). The proposed rules are informed by guidance received from the Land Conservation and Development Commission, the advisory committee, and input from the public and other interested parties.

The Transportation Planning Rules guide local governments as they make coordinated land use and transportation plans. The proposed amendments are intended to update Oregon's land use and transportation planning systems at the state, regional, and local levels to meet the state's goals for climate and equity.

To meet our goals, urgent and aggressive action is needed. We must do things differently than we have in the past, or risk unacceptable outcomes. Our existing plans have resulted in a transportation system that serves motor vehicle traffic very well, with a complete network providing convenient and reliable access to anyone who has the ability and means to own and operate a car. However, in comparison to the investments in the automotive system, investments in the pedestrian, cycling, and transit networks have been left behind. As a result, these networks are often incomplete, unsafe, and disconnected.

The results of these decisions mean that:

- Our transportation system inflicts barriers on many people, including people with disabilities, people with lower incomes, people of color, women, and the young and old;
- Our transportation system generates high levels of pollution, including pollution affecting the earth's climate, as well as other air, soil, water, and noise pollution; and
- Our transportation system is costly to families as well as government.

The proposed amendments are intended to counter these systemic issues by placing an emphasis on building neighborhoods where it is not necessary to own and operate a motor vehicle to fully participate in community life. This includes access to work, shopping, school, medical facilities, parks, and other locations and services that people use every day.

The end goal is to transform Oregon’s communities to be safe, equitable, sociable, and pleasant places where driving is not required, and the amount of driving is reduced. The proposed rule amendments will do this by:

- Requiring cities and counties to create more places where it is easy to walk or use a mobility device, and mixed-use development is allowed and encouraged;
- Prioritizing investments in high-quality, connected, and safe pedestrian, bicycle, and transit networks;
- Right-sizing parking requirements; and
- Changing the methods of planning for transportation, including which standards are used to determine success or failure.

### About This Document

- This document is organized with proposed changes to existing rules first, followed by new proposed rules.
- Where we are making changes to **existing rules**, we use ~~strikethrough~~ and underline for deleted and new text. Where the entire rule is new, we just have the text.
- The rules have been divided into several parts, this is just for ease of reading and not part of the rules.
- The summary box at the top of each rule helps to explain it. It is not part of the rules, but just to help readers understand what is in each rule.
- The summary box above each rule also notes if there have been substantive changes from the last draft distributed in October. If there have been changes, these are described and highlighted in **bold text**.

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1   **Updated Rules**

2   **Changes to Existing Rules**

3   The existing rules will mostly remain the same, with some changes as noted below:

4       0000: Updates to reflect changes across the division.

5       0005: Updates to reflect changes across the division.

6       0015: Changes to remove requirements specific to metropolitan areas.

7       0016: This rule only applies in metropolitan areas and is proposed to be deleted.

8       0035: Changes to remove requirements specific to metropolitan areas.

9       0045: Changes to remove requirements specific to metropolitan areas.

10      0060: Updates to reflect changes across the division.

11   We do not propose any alterations to the remaining existing rules in the Transportation Planning Rules.

12   Changes from the text of existing rules are noted with underline under added text, and ~~strikeouts~~  
13   ~~through deleted text~~.

1 **0000: Purpose**

2 The purpose provides an overview of the commission’s reasons for adopting the division, including how  
3 the division implements the statewide planning goals. A clear purpose statement is useful for everyone  
4 who uses the rules; including the public, local governments, and the courts.

5 We propose to adjust the purpose to focus on the challenges of today and the future. The updated  
6 purpose also focuses in areas where Oregon is most deficient. Oregon is falling short on transportation  
7 safety (with traffic deaths trending higher and four times that of leading countries, and twice that of  
8 Canada), so the purpose re-ups the emphasis on safety. As the roadway network is relatively complete  
9 for cars, we focus on ensuring quality options for other modes. This purpose highlights climate pollution,  
10 and Oregon’s need to meet our goals to reduce that pollution. Oregon’s transportation system has  
11 inequitably impacted key underserved populations, and decision making has centered the voices of the  
12 privileged at the expense of those populations.

13 This purpose acknowledges those problems and focuses on remedies. The purpose retains key  
14 coordination and planning elements.

15 **Since the October draft amendments, this rule now includes an element addressing wildlife passage,  
16 flood waters, and natural systems along waterways and in riparian areas.**

17 (1) This division implements Statewide Planning Goal 12 (Transportation) to provide and encourage  
18 a safe, convenient, and economic transportation system. This division also implements provisions  
19 of other statewide planning goals related to transportation planning in order to plan and develop  
20 transportation facilities and services in close coordination with urban and rural development. The  
21 purpose of this division is to direct transportation planning in coordination with land use planning  
22 to:

23 (a) Provide for safe transportation for all Oregonians;

24 (b) Promote the development of transportation systems adequate to serve statewide, regional  
25 and local transportation needs and the mobility and access needs of those who cannot  
26 drive and other underserved populations;

27 (c) Provide for affordable, accessible and convenient transit, pedestrian, and bicycle access  
28 and circulation, with improved connectivity to destinations people want to reach, such as  
29 education facilities, work places, services, shopping, places of worship, parks, open  
30 spaces, and community centers;

31 (d) Ensure Oregon meets its statutory and executive goals to reduce climate pollution by  
32 reducing pollution from transportation;

33 (e) Recognize and remedy impacts of past practices such as redlining, displacement,  
34 exclusionary zoning, and roadway and other public infrastructure siting that harmed  
35 certain populations;

36 (f) Engage those populations in decision-making and prioritize investments serving those  
37 communities;

38 (g) Facilitate the safe flow of freight and other goods and services within regions and  
39 throughout the state through a variety of modes including road, air, rail and marine  
40 transportation;

41 (h) Protect existing and planned transportation facilities, corridors and sites for their  
42 identified functions;

- 1           (i) Provide for the construction and implementation of transportation facilities,  
2           improvements and services necessary to support acknowledged comprehensive plans;
- 3           (j) Identify how transportation facilities are provided on rural lands consistent with the  
4           goals;
- 5           (k) Protect and restore safe passage for fish and wildlife, flood waters, and other natural,  
6           system functions at roadway crossings of waterbodies and other native habitat corridors;
- 7           (l) Ensure coordination among affected local governments and transportation service  
8           providers and consistency between state, regional and local transportation plans; and
- 9           (m) Ensure changes to comprehensive plans are supported by adequate planned transportation  
10          facilities for all modes.

11 (1) ~~This division implements Statewide Planning Goal 12 (Transportation) to provide and encourage~~  
12 ~~a safe, convenient and economic transportation system. This division also implements provisions~~  
13 ~~of other statewide planning goals related to transportation planning in order to plan and develop~~  
14 ~~transportation facilities and services in close coordination with urban and rural development. The~~  
15 ~~purpose of this division is to direct transportation planning in coordination with land use planning~~  
16 ~~to:~~

- 17 (a) ~~Promote the development of transportation systems adequate to serve statewide, regional~~  
18 ~~and local transportation needs and the mobility needs of the transportation disadvantaged;~~
- 19 (b) ~~Encourage and support the availability of a variety of transportation choices for moving~~  
20 ~~people that balance vehicular use with other transportation modes, including walking,~~  
21 ~~bicycling and transit in order to avoid principal reliance upon any one mode of~~  
22 ~~transportation;~~
- 23 (c) ~~Provide for safe and convenient vehicular, transit, pedestrian, and bicycle access and~~  
24 ~~circulation;~~
- 25 (d) ~~Facilitate the safe, efficient and economic flow of freight and other goods and services~~  
26 ~~within regions and throughout the state through a variety of modes including road, air,~~  
27 ~~rail and marine transportation;~~
- 28 (e) ~~Protect existing and planned transportation facilities, corridors and sites for their~~  
29 ~~identified functions;~~
- 30 (f) ~~Provide for the construction and implementation of transportation facilities,~~  
31 ~~improvements and services necessary to support acknowledged comprehensive plans;~~
- 32 (g) ~~Identify how transportation facilities are provided on rural lands consistent with the~~  
33 ~~goals;~~
- 34 (h) ~~Ensure coordination among affected local governments and transportation service~~  
35 ~~providers and consistency between state, regional and local transportation plans; and~~
- 36 (i) ~~Ensure that changes to comprehensive plans are supported by adequate planned~~  
37 ~~transportation facilities.~~

38 (2) In meeting the purposes described in section (1), coordinated land use and transportation plans  
39 should ensure the transportation system supports a pattern of travel and land use in urban areas  
40 that will avoid common air pollution, climate pollution, inequity, wasteful spending, traffic and  
41 livability problems faced by other large urban areas of the country, through measures designed to  
42 increase transportation options ~~choices~~ and make more efficient use of the existing transportation  
43 system.

44 (3) The extent of planning required by this division and the outcome of individual transportation  
45 plans will vary depending on community size, needs and circumstances. Generally, larger and  
46 faster growing communities and regions will need to prepare more comprehensive and detailed  
47 plans, while smaller communities and rural areas will have more general plans. For all  
48 communities, the mix of planned transportation facilities and services should be sufficient to

1 ensure economic, sustainable and environmentally sound mobility and accessibility for all  
2 Oregonians. Coordinating land use and transportation planning will also complement efforts to  
3 meet other state and local objectives, including containing urban development, reducing the cost  
4 of public services, protecting farm and forest land, reducing air, water and noise pollution,  
5 conserving energy and reducing climate pollution emissions of greenhouse gases that contribute  
6 to global climate change.

7 (a) In all urban areas, coordinated land use and transportation plans are intended to provide  
8 safe transportation convenient vehicular circulation and to enhance, promote and  
9 facilitate safe and convenient pedestrian and bicycle travel by planning a well-connected  
10 network of streets, sidewalks, paths, and trails, and supporting improvements for ~~all~~  
11 travel non-driving travel modes.

12 (b) In urban areas ~~that contain~~ with a population greater than 25,000 persons, coordinated  
13 land use and transportation plans are intended to improve livability and accessibility by  
14 promoting the provision of transit service and more efficient performance of existing  
15 transportation facilities through transportation system management and demand  
16 management measures.

17 (c) Within metropolitan areas, coordinated land use and transportation plans are intended to  
18 improve livability and accessibility by promoting changes in the transportation system  
19 and land use patterns. A key outcome of this effort is a reduction in dependence reliance  
20 on single occupant automobile use, particularly during peak periods. To accomplish this  
21 outcome, this division promotes increased planning for alternative non-driving modes  
22 and street connectivity and encourages land use patterns throughout urban areas that  
23 make it more convenient for people to walk, bicycle, use transit, use automobile travel  
24 more efficiently, and drive less to meet their daily needs. The result of applying these  
25 portions of the division will vary within metropolitan areas. Some parts of urban areas,  
26 such as downtowns, pedestrian districts, transit-oriented developments, climate friendly  
27 areas, areas along priority transit corridors, and other mixed-use, pedestrian-friendly  
28 centers, will be highly convenient for a variety of modes, including walking, bicycling  
29 and transit, while others will be more auto-oriented while still providing for safe and  
30 convenient and ~~include more modest measures to accommodate~~ access and circulation by  
31 other modes. In all instances, infrastructure shall be designed and constructed to ensure  
32 safety and convenience for Oregonians of all ages and abilities.

33 (4) This division sets requirements for coordination among affected levels of government and  
34 transportation service providers for preparation, adoption, refinement, implementation and  
35 amendment of transportation system plans. Transportation system plans adopted pursuant to this  
36 division fulfill the requirements for public facilities required under ORS 197.712(2)(e), Goal 11  
37 and chapter 660, division 11, as they relate to transportation facilities. The rules in this division  
38 are not intended to make local government determinations “land use decisions” under ORS  
39 197.015(10). The rules recognize, however, that under existing statutory and case law, many  
40 determinations relating to the adoption and implementation of transportation plans will be land  
41 use decisions.

1 **0005: Definitions**

2 Every division of rules has a list of definitions. We will keep the list of definitions in the existing division,  
3 with changes and additions, as necessary. These definitions apply to the existing rules which will  
4 continue to apply outside of metropolitan areas, as well as new rules for cities and counties inside of  
5 metropolitan areas.

6 Changes in section numbering are not marked in this rule.

7 **Since the October draft rules, the rule now includes a definition of “commercial parking lot.” The**  
8 **updated rule adjusts the definition of Level 2 charging station while inserting a placeholder for direct**  
9 **current fast chargers.**

- 10 (1) "Access Management" means measures regulating access to streets, roads and highways from  
11 public roads and private driveways. Measures may include but are not limited to restrictions on  
12 the siting of interchanges, restrictions on the type and amount of access to roadways, and use of  
13 physical controls, such as signals and channelization including raised medians, to reduce impacts  
14 of approach road traffic on the main facility.
- 15 (2) "Accessway" means a walkway that provides pedestrian and or bicycle passage either between  
16 streets or from a street to a building or other destination such as a school, park, or transit stop.  
17 Accessways generally include a walkway and additional land on either side of the walkway, often  
18 in the form of an easement or right-of-way, to provide clearance and separation between the  
19 walkway and adjacent uses. Accessways through parking lots are generally physically separated  
20 from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include  
21 landscaping, trees and lighting. Where accessways cross driveways, they are generally raised,  
22 paved or marked in a manner which provides convenient access for pedestrians.
- 23 (3) "Affected Local Government" means a city, county or metropolitan service district that is directly  
24 impacted by a proposed transportation facility or improvement.
- 25 (4) "Approach Road" means a legally constructed, public or private connection that provides  
26 vehicular access either to or from or to and from a highway and an adjoining property.
- 27 (5) "At or near a major transit stop: "At" means a parcel or ownership which is adjacent to or  
28 includes a major transit stop generally including portions of such parcels or ownerships that are  
29 within 200 feet of a transit stop. "Near" generally means a parcel or ownership that is within 300  
30 feet of a major transit stop. The term "generally" is intended to allow local governments through  
31 their plans and ordinances to adopt more specific definitions of these terms considering local  
32 needs and circumstances consistent with the overall objective and requirement to provide  
33 convenient pedestrian access to transit.
- 34 (6) "Climate Friendly Area" means an urban mixed-use area containing, or planned to contain, a  
35 mixture of higher-density housing, jobs, businesses, and services. These areas are served by, or  
36 planned for service by, high-quality pedestrian, bicycle, and transit infrastructure and services to  
37 provide frequent and convenient connections to key destinations within the city and region. To  
38 maximize community benefits these areas typically do not contain or require large parking lots,  
39 and are provided with abundant tree canopy and vegetation to provide shade, cooling, and other  
40 amenities to visitors, residents, and employees. Climate friendly areas will reduce the reliance on  
41 single-occupant motor vehicle trips for residents, workers, and visitors by providing more  
42 proximate destinations within climate friendly areas, improved connectivity to key destinations  
43 elsewhere in the community, and enhanced alternative transportation options.

- 1 (7) “Commercial parking lot” means a location without a primary use on the lot or parcel where  
2 parking spaces are rented or leased to individual drivers. It does not include shared parking  
3 arrangements.
- 4 (8) "Committed transportation facilities" means those proposed transportation facilities and  
5 improvements which are consistent with the acknowledged comprehensive plan and have  
6 approved funding for construction in a public facilities plan or the Six-Year Highway or  
7 Transportation Improvement Program.
- 8 (9) “Demand management" means actions which are designed to change travel behavior in order to  
9 improve performance of transportation facilities and to reduce need for additional road capacity.  
10 Methods may include, but are not limited to, the use of alternative modes, ride-sharing and  
11 vanpool programs, trip-reduction ordinances, shifting to off-peak periods, and reduced or paid  
12 parking.
- 13 (10) “Direct current fast charger” means [insert definition]
- 14 (11) “Freeway” means a limited-access highway with access points exclusively from interchanges  
15 with other streets and highways. Freeways may provide very limited access for rural land uses in  
16 rural areas where no other access is available.
- 17 (12) "Influence area of an interchange" means the area 1,320 feet from an interchange ramp terminal  
18 measured on the crossroad away from the mainline.
- 19 (13) “Level 2 Electric Vehicle Charging Station” means a device or facility for delivering electricity to  
20 motor vehicles that operates on at least a 40 ampere breaker on a single phase 208/240 volt AC  
21 circuit.
- 22 (14) "Local streets" means streets that are functionally classified as local streets to serve primarily  
23 local access to property and circulation within neighborhoods or specific areas. Local streets do  
24 not include streets functionally classified as collector or arterials.
- 25 (15) "Local Street Standards" include but are not limited to standards for right-of-way, pavement  
26 width, travel lanes, parking lanes, curb turning radius, and accessways.
- 27 (16) "Major" means, in general, those facilities or developments which, considering the size of the  
28 urban or rural area and the range of size, capacity or service level of similar facilities or  
29 developments in the area, are either larger than average, serve more than neighborhood needs or  
30 have significant land use or traffic impacts on more than the immediate neighborhood:
- 31 (a) "Major" as it modifies transit corridors, stops, transfer stations and new transportation  
32 facilities means those facilities which are most important to the functioning of the system  
33 or which provide a high level, volume or frequency of service;
- 34 (b) "Major" as it modifies industrial, institutional and retail development means such  
35 developments which are larger than average, serve more than neighborhood needs or  
36 which have traffic impacts on more than the immediate neighborhood;
- 37 (c) Application of the term "major" will vary from area to area depending upon the scale of  
38 transportation improvements, transit facilities and development which occur in the area.  
39 A facility considered to be major in a smaller or less densely developed area may,  
40 because of the relative significance and impact of the facility or development, not be  
41 considered a major facility in a larger or more densely developed area with larger or more  
42 intense development or facilities.
- 43 (17) "Major transit stop" means:

- 1 (a) Existing and planned light rail stations and transit transfer stations, except for temporary  
2 facilities; Other planned stops designated as major transit stops in a transportation system  
3 plan and existing stops which:
- 4 (A) Have or are planned for an above average frequency of scheduled, fixed-route  
5 service when compared to region wide service. In urban areas of 1,000,000 or  
6 more population major transit stops are generally located along routes that have  
7 or are planned for 20 minute service during the peak hour; and
- 8 (B) Are located in a transit oriented development or within 1/4 mile of an area  
9 planned and zoned for:
- 10 (i) Medium or high density residential development; or  
11 (ii) Intensive commercial or institutional uses within 1/4 mile of subsection  
12 (i); or  
13 (iii) Uses likely to generate a relatively high level of transit ridership.
- 14 (18) "Metropolitan area" means the local governments that are responsible for adopting local or  
15 regional transportation system plans within a metropolitan planning organization (MPO)  
16 boundary. This includes cities, counties, and, in the Portland Metropolitan area, Metro.
- 17 (19) "Metropolitan Planning Organization (MPO)" means an organization located within the State of  
18 Oregon and designated by the Governor to coordinate transportation planning in an urbanized  
19 area of the state including such designations made subsequent to the adoption of this rule. The  
20 Longview-Kelso-Rainier and Walla Walla Valley MPOs are not considered MPOs for the  
21 purposes of this division.
- 22 (20) "Minor transportation improvements" include, but are not limited to, signalization, addition of  
23 turn lanes or merge/deceleration lanes on arterial or collector streets, provision of local streets,  
24 transportation system management measures, modification of existing interchange facilities  
25 within public right of way and design modifications located within an approved corridor. Minor  
26 transportation improvements may or may not be listed as planned projects in a TSP where the  
27 improvement is otherwise consistent with the TSP. Minor transportation improvements do not  
28 include new interchanges; new approach roads within the influence area of an interchange; new  
29 intersections on limited access roadways, highways or expressways; new collector or arterial  
30 streets, road realignments or addition of travel lanes.
- 31 (21) "ODOT" means the Oregon Department of Transportation.
- 32 (22) "Parking mandates" means requirements to include a minimum number of off-street parking  
33 spaces as a condition of development or redevelopment.
- 34 (23) "Parking maximums" means limits on the number of off-street parking spaces that can be  
35 included in a development.
- 36 (24) "Parking Spaces" means on and off street spaces designated for automobile parking ~~in areas~~  
37 ~~planned for industrial, commercial, institutional or public uses. The following are not considered~~  
38 ~~parking spaces for the purposes of OAR 660-012-0045(5)(c): park and ride lots, handicapped~~  
39 ~~parking, and parking spaces for carpools and vanpools, other than parking spaces reserved for~~  
40 ~~carpools, vanpools, or people with disabilities.~~
- 41 (25) "Pedestrian connection" means a continuous, unobstructed, reasonably direct route between two  
42 points that is intended and suitable for pedestrian use. Pedestrian connections include but are not  
43 limited to sidewalks, walkways, accessways, stairways and pedestrian bridges. On developed  
44 parcels, pedestrian connections are generally hard surfaced. In parks and natural areas, pedestrian

- 1 connections may be soft-surfaced pathways. On undeveloped parcels and parcels intended for  
2 redevelopment, pedestrian connections may also include rights of way or easements for future  
3 pedestrian improvements.
- 4 (26) "Pedestrian district" means a comprehensive plan designation or implementing land use  
5 regulations, such as an overlay zone, that establish requirements to provide a safe and convenient  
6 pedestrian environment in an area planned for a mix of uses likely to support a relatively high  
7 level of pedestrian activity. Such areas include but are not limited to:
- 8 (a) Lands planned for a mix of commercial or institutional uses near lands planned for  
9 medium to high density housing; or
- 10 (b) Areas with a concentration of employment and retail activity; and
- 11 (c) Which have or could develop a network of streets and accessways which provide  
12 convenient pedestrian circulation.
- 13 (27) "Pedestrian plaza" means a small semi-enclosed area usually adjoining a sidewalk or a transit stop  
14 which provides a place for pedestrians to sit, stand or rest. They are usually paved with concrete,  
15 pavers, bricks or similar material and include seating, pedestrian scale lighting and similar  
16 pedestrian improvements. Low walls or planters and landscaping are usually provided to create a  
17 semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and vehicle  
18 maneuvering areas. Plazas are generally located at a transit stop, building entrance or an  
19 intersection and connect directly to adjacent sidewalks, walkways, transit stops and buildings. A  
20 plaza including 150-250 square feet would be considered "small."
- 21 (28) "Pedestrian scale" means site and building design elements that are dimensionally less than those  
22 intended to accommodate automobile traffic, flow and buffering. Examples include ornamental  
23 lighting of limited height; bricks, pavers or other modules of paving with small dimensions; a  
24 variety of planting and landscaping materials; arcades or awnings that reduce the height of walls;  
25 and signage and signpost details that can only be perceived from a short distance.
- 26 (29) "Planning Period" means the twenty-year period beginning with the date of adoption of a TSP to  
27 meet the requirements of this rule.
- 28 (30) "Preliminary Design" means an engineering design which specifies in detail the location and  
29 alignment of a planned transportation facility or improvement.
- 30 (31) "Priority Transit Corridor" means a corridor which has a high existing or planned level of transit  
31 service relative to other transit service in the community, including be service frequency and span  
32 of service. The corridor may be described as a series of stations when served by high capacity  
33 transit services with widely spaced stations.
- 34 (32) "Reasonably direct" means either a route that does not deviate unnecessarily from a straight line  
35 or a route that does not involve a significant amount of out-of-direction travel for likely users.
- 36 (33) "Refinement Plan" means an amendment to the transportation system plan, which resolves, at a  
37 systems level, determinations on function, mode or general location which were deferred during  
38 transportation system planning because detailed information needed to make those determinations  
39 could not reasonably be obtained during that process.
- 40 (34) "Regional Transportation Plan" or "RTP" means the long-range transportation plan prepared and  
41 adopted by a metropolitan planning organization for a metropolitan area as provided for in federal  
42 law.
- 43 (35) "Roads" means streets, roads and highways.



- 1 (36) "Rural community" means areas defined as resort communities and rural communities in  
2 accordance with OAR 660-022-0010(6) and (7). For the purposes of this division, the area need  
3 only meet the definitions contained in the Unincorporated Communities Rule although the area  
4 may not have been designated as an unincorporated community in accordance with OAR 660-  
5 022-0020.
- 6 (37) "Shared parking" means parking spaces used to meet the parking mandates for two or more uses,  
7 structures, or parcels of land, to the extent that the owners or operators show the overall demand  
8 for parking spaces can be met by the shared parking.
- 9 (38) "Transit-Oriented Development (TOD)" means a mix of residential, retail and office uses and a  
10 supporting network of roads, bicycle and pedestrian ways focused on a major transit stop  
11 designed to support a high level of transit use. The key features of transit oriented development  
12 include:
- 13 (a) A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian  
14 and bicycle travel from the surrounding area;
- 15 (b) High density of residential development proximate to the transit stop sufficient to support  
16 transit operation and neighborhood commercial uses within the TOD;
- 17 (c) A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian  
18 access within the TOD and high levels of transit use.
- 19 (39) "Transportation Facilities" means any physical facility that moves or assist in the movement of  
20 people or goods including facilities identified in OAR 660-012-0020 but excluding electricity,  
21 sewage and water systems.
- 22 (40) "Transportation System Management Measures" means techniques for increasing the efficiency,  
23 safety, capacity or level of service of a transportation facility without increasing its size.  
24 Examples include, but are not limited to, traffic signal improvements, traffic control devices  
25 including installing medians and parking removal, channelization, access management, ramp  
26 metering, and restriping of high occupancy vehicle (HOV) lanes.
- 27 (41) "Transportation Needs" means estimates of the movement of people and goods consistent with  
28 acknowledged comprehensive plan and the requirements of this rule. Needs are typically based on  
29 projections of future travel demand resulting from a continuation of current trends as modified by  
30 policy objectives, including those expressed in Goal 12 and this rule, especially those for  
31 avoiding principal reliance on any one mode of transportation.
- 32 (42) "Transportation Needs, Local" means needs for movement of people and goods within  
33 communities and portions of counties and the need to provide access to local destinations.
- 34 (43) "Transportation Needs, Regional" means needs for movement of people and goods between and  
35 through communities and accessibility to regional destinations within a metropolitan area, county  
36 or associated group of counties.
- 37 (44) "Transportation Needs, State" means needs for movement of people and goods between and  
38 through regions of the state and between the state and other states.
- 39 (45) "Transportation Project Development" means implementing the transportation system plan (TSP)  
40 by determining the precise location, alignment, and preliminary design of improvements included  
41 in the TSP based on site-specific engineering and environmental studies.
- 42 (46) "Transportation Service" means a service for moving people and goods, such as intercity bus  
43 service and passenger rail service.

- 1 (47) "Transportation System Plan (TSP)" means a plan for one or more transportation facilities that are  
 2 planned, developed, operated and maintained in a coordinated manner to supply continuity of  
 3 movement between modes, and within and between geographic and jurisdictional areas.
- 4 (48) "Urban Area" means lands within an urban growth boundary, two or more contiguous urban  
 5 growth boundaries, and urban unincorporated communities as defined by OAR 660-022-0010(9).  
 6 For the purposes of this division, the area need only meet the definition contained in the  
 7 Unincorporated Communities Rule although the area may not have been designated as an  
 8 unincorporated community in accordance with 660-022-0020.
- 9 (49) "Unbundled parking" means a requirement that parking spaces for each unit in a development be  
 10 leased or sold separately from the unit itself. That requirement must include requirements for the  
 11 parking space(s) to be rented or sold at market rates for comparable local off-street parking, and  
 12 for the renter of the unit to be able to opt out of renting or buying the parking space(s);
- 13 (50) "Urban Fringe" means:  
 14 (a) Areas outside the urban growth boundary that are within 5 miles of the urban growth  
 15 boundary of an MPO area; and  
 16 (b) Areas outside the urban growth boundary within 2 miles of the urban growth boundary of  
 17 an urban area containing a population greater than 25,000.
- 18 (51) Vehicle Miles of Travel (VMT): means automobile vehicle miles of travel. Automobiles, for  
 19 purposes of this definition, include automobiles, light trucks, and other similar vehicles used for  
 20 movement of people. The definition does not include buses, heavy trucks and trips that involve  
 21 commercial movement of goods. VMT includes trips with an origin and a destination within the  
 22 MPO boundary and excludes pass through trips (i.e., trips with a beginning and end point outside  
 23 of the MPO) and external trips (i.e., trips with a beginning or end point outside of the MPO  
 24 boundary). VMT is estimated prospectively through the use of metropolitan area transportation  
 25 models.
- 26 (52) "Walkway" means a hard surfaced area intended and suitable for use by pedestrians, including  
 27 sidewalks and surfaced portions of accessways.

28 **0015: Preparation and Coordination of Transportation System Plans**

29 We propose to alter this existing rule. The existing rule gives overarching direction to local governments  
 30 in how to prepare and coordinate development of local and regional transportation system plans. We  
 31 propose to delete some parts of this rule pertaining only to metropolitan areas. This rule will apply to  
 32 local governments outside of metropolitan areas. New rules will direct how local governments in  
 33 metropolitan areas prepare and coordinate development of local transportation system plans.

34 There have been no substantive changes from the October draft amended rule.

- 35 (1) ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program  
 36 for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-  
 37 0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of  
 38 transportation facilities and services adequate to meet identified state transportation needs:
- 39 (a) The state TSP shall include the state transportation policy plan, modal systems plans, and  
 40 transportation facility plans as set forth in OAR chapter 731, division 15;
- 41 (b) State transportation project plans shall be compatible with acknowledged comprehensive  
 42 plans as provided for in OAR chapter 731, division 15. Disagreements between ODOT

1 and affected local governments shall be resolved in the manner established in that  
2 division.

3 (2) ~~MPOs and counties~~ Counties shall prepare and amend regional TSPs in compliance with this  
4 division. ~~MPOs shall prepare regional TSPs for facilities of regional significance within their~~  
5 ~~jurisdiction.~~ Counties shall prepare regional TSPs for all other areas and facilities:

6 (a) Regional TSPs shall establish a system of transportation facilities and services adequate  
7 to meet identified regional transportation needs and shall be consistent with adopted  
8 elements of the state TSP;

9 (b) Where elements of the state TSP have not been adopted, the ~~MPO or~~ county shall  
10 coordinate the preparation of the regional TSP with ODOT to assure that state  
11 transportation needs are accommodated;

12 (c) ~~Regional TSPs prepared by MPOs other than metropolitan service districts shall be~~  
13 ~~adopted by the counties and cities within the jurisdiction of the MPO. Metropolitan~~  
14 ~~service districts shall adopt a regional TSP for areas within their jurisdiction;~~

15 (d) (c) Regional TSPs prepared by counties shall be adopted by the county.

16 (3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning  
17 jurisdiction in compliance with this division:

18 (a) Local TSPs shall establish a system of transportation facilities and services adequate to  
19 meet identified local transportation needs and shall be consistent with regional TSPs and  
20 adopted elements of the state TSP;

21 (b) Where the regional TSP or elements of the state TSP have not been adopted, the city or  
22 county shall coordinate the preparation of the local TSP with the regional transportation  
23 planning body and ODOT to assure that regional and state transportation needs are  
24 accommodated.

25 (4) Cities and counties shall adopt regional and local TSPs required by this division as part of their  
26 comprehensive plans. Transportation financing programs required by OAR 660-012-0040 may be  
27 adopted as a supporting document to the comprehensive plan.

28 (5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local  
29 governments, special districts, and private providers of transportation services.

30 (6) Mass transit, transportation, airport and port districts shall participate in the development of TSPs  
31 for those transportation facilities and services they provide. These districts shall prepare and  
32 adopt plans for transportation facilities and services they provide. Such plans shall be consistent  
33 with and adequate to carry out relevant portions of applicable regional and local TSPs.  
34 Cooperative agreements executed under ORS 197.185(2) shall include the requirement that mass  
35 transit, transportation, airport and port districts adopt a plan consistent with the requirements of  
36 this section.

37 (7) Where conflicts are identified between proposed regional TSPs and acknowledged  
38 comprehensive plans, representatives of affected local governments shall meet to discuss means  
39 to resolve the conflicts. These may include:

40 (a) Changing the draft TSP to eliminate the conflicts; or

41 (b) Amending acknowledged comprehensive plan provision to eliminate the conflicts;

42 (c) ~~For MPOs which are not metropolitan service districts, if conflicts persist between~~  
43 ~~regional TSPs and acknowledged comprehensive plans after efforts to achieve~~

1 compatibility, an affected local government may petition the Commission to resolve the  
2 dispute.

3 **0016: Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas**

4 Staff proposes to delete this rule. The rule directs local governments to coordinate local transportation  
5 planning with regional transportation plans (RTPs) required to be completed by Metropolitan Planning  
6 Organizations (MPOs) under federal law. In practice, this coordination process has not worked well.

7 We expect to use some of the elements in this rule in our updated rules in order to encourage regional  
8 planning efforts. Updated local transportation planning requirements in metropolitan areas will require  
9 advanced local actions, including the development of financially-constrained local plans, that will inform  
10 federally-required RTPs. In the Portland Metropolitan Area, many of these regional planning  
11 requirements have been retained in draft rule 660-012-0102. Additionally, metropolitan areas will be  
12 required to undertake regional scenario planning, which is required in the Metropolitan Greenhouse Gas  
13 Reduction Rules (OAR Chapter 660, Division 44).

14 There have been no substantive changes from the October draft amended rule.

15 ~~(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation  
16 system plans required by this division in coordination with regional transportation plans (RTPs)  
17 prepared by MPOs required by federal law. Insofar as possible, regional transportation system  
18 plans for metropolitan areas shall be accomplished through a single coordinated process that  
19 complies with the applicable requirements of federal law and this division. Nothing in this rule is  
20 intended to make adoption or amendment of a regional transportation plan by a metropolitan  
21 planning organization a land use decision under Oregon law.~~

22 ~~(2) When an MPO adopts or amends a regional transportation plan that relates to compliance with  
23 this division, the affected local governments shall review the adopted plan or amendment and  
24 either:~~

25 ~~(a) Make a finding that the proposed regional transportation plan amendment or update is  
26 consistent with the applicable provisions of adopted regional and local transportation  
27 system plan and comprehensive plan and compliant with applicable provisions of this  
28 division; or~~

29 ~~(b) Adopt amendments to the relevant regional or local transportation system plan that make  
30 the regional transportation plan and the applicable transportation system plans consistent  
31 with one another and compliant with applicable provisions of this division. Necessary  
32 plan amendments or updates shall be prepared and adopted in coordination with the  
33 federally required plan update or amendment. Such amendments shall be initiated no  
34 later than 30 days from the adoption of the RTP amendment or update and shall be  
35 adopted no later than one year from the adoption of the RTP amendment or update or  
36 according to a work plan approved by the commission. A plan amendment is "initiated"  
37 for purposes of this subsection where the affected local government files a post-  
38 acknowledgement plan amendment notice with the department as provided in OAR  
39 chapter 660, division 18.~~

40 ~~(c) In the Portland Metropolitan area, compliance with this section shall be accomplished by  
41 Metro through adoption of required findings or an amendment to the regional  
42 transportation system plan.~~

- 1 ~~(3) — Adoption or amendment of a regional transportation plan relates to compliance with this division~~  
2 ~~for purposes of section (2) if it does one or more of the following:~~
- 3 ~~(a) — Changes plan policies;~~  
4 ~~(b) — Adds or deletes a project from the list of planned transportation facilities, services or~~  
5 ~~improvements or from the financially constrained project list required by federal law;~~  
6 ~~(c) — Modifies the general location of a planned transportation facility or improvement;~~  
7 ~~(d) — Changes the functional classification of a transportation facility; or~~  
8 ~~(e) — Changes the planning period or adopts or modifies the population or employment forecast~~  
9 ~~or allocation upon which the plan is based.~~
- 10 ~~(4) — The following amendments to a regional transportation plan do not relate to compliance with this~~  
11 ~~division for purposes of section (2):~~
- 12 ~~(a) — Adoption of an air quality conformity determination;~~  
13 ~~(b) — Changes to a federal revenue projection;~~  
14 ~~(c) — Changes to estimated cost of a planned transportation project; or~~  
15 ~~(d) — Deletion of a project from the list of planned projects where the project has been~~  
16 ~~constructed or completed.~~
- 17 ~~(5) — Adoption or amendment of a regional transportation plan that extends the planning period beyond~~  
18 ~~that specified in the applicable acknowledged comprehensive plan or regional transportation~~  
19 ~~system plan is consistent with the requirements of this rule where the following conditions are~~  
20 ~~met:~~
- 21 ~~(a) — The future year population forecast is consistent with those issued or adopted under ORS~~  
22 ~~195.033 or 195.036;~~
- 23 ~~(b) — Land needed to accommodate future urban density population and employment and other~~  
24 ~~urban uses is identified in a manner consistent with Goal 14 and relevant rules;~~
- 25 ~~(c) — Urban density population and employment are allocated to designated centers and other~~  
26 ~~identified areas to provide for implementation of the metropolitan area's integrated land~~  
27 ~~use and transportation plan or strategy; and~~
- 28 ~~(d) — Urban density population and employment or other urban uses are allocated to areas~~  
29 ~~outside of an acknowledged urban growth boundary only where:~~
- 30 ~~(A) — The allocation is done in conjunction with consideration by local governments of~~  
31 ~~possible urban growth boundary amendments consistent with Goal 14 and~~  
32 ~~relevant rules, and~~
- 33 ~~(B) — The RTP clearly identifies the proposed UGB amendments and any related~~  
34 ~~projects as illustrative and subject to further review and approval by the affected~~  
35 ~~local governments.~~

1 **0035: Evaluation and Selection of Transportation System Alternatives**

2 We propose to alter this existing rule. The existing rule directs how local governments evaluate and  
3 select transportation alternatives. We propose to delete some parts of this rule pertaining only to local  
4 governments in metropolitan areas. New rules in OAR 660-012-0165 will direct how local governments  
5 in metropolitan areas will evaluate and select transportation alternatives.

6 There have been no substantive changes from the October draft amended rule.

- 7 (1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can  
8 reasonably be expected to meet the identified transportation needs in a safe manner and at a  
9 reasonable cost with available technology. The following shall be evaluated as components of  
10 system alternatives:
- 11 (a) Improvements to existing facilities or services;
  - 12 (b) New facilities and services, including different modes or combinations of modes that  
13 could reasonably meet identified transportation needs;
  - 14 (c) Transportation system management measures;
  - 15 (d) Demand management measures; and
  - 16 (e) A no-build system alternative required by the National Environmental Policy Act of 1969  
17 or other laws.

18 ~~(2) Local governments in MPO areas of larger than 1,000,000 population shall, and other~~  
19 ~~governments may also, evaluate alternative land use designations, densities, and design standards~~  
20 ~~to meet local and regional transportation needs. Local governments preparing such a strategy~~  
21 ~~shall consider:~~

- 22 ~~(a) Increasing residential densities and establishing minimum residential densities within one~~  
23 ~~quarter mile of transit lines, major regional employment areas, and major regional retail~~  
24 ~~shopping areas;~~
- 25 ~~(b) Increasing allowed densities in new commercial office and retail developments in~~  
26 ~~designated community centers;~~
- 27 ~~(c) Designating lands for neighborhood shopping centers within convenient walking and~~  
28 ~~cycling distance of residential areas; and~~
- 29 ~~(d) Designating land uses to provide a better balance between jobs and housing considering:~~
  - 30 ~~(A) The total number of jobs and total of number of housing units expected in the~~  
31 ~~area or subarea;~~
  - 32 ~~(B) The availability of affordable housing in the area or subarea; and~~
  - 33 ~~(C) Provision of housing opportunities in close proximity to employment areas.~~

34 ~~(3)~~(2) The following standards shall be used to evaluate and select alternatives:

- 35 (a) The transportation system shall support urban and rural development by providing types  
36 and levels of transportation facilities and services appropriate to serve the land uses  
37 identified in the acknowledged comprehensive plan;

- 1 (b) The transportation system shall be consistent with state and federal standards for
- 2 protection of air, land and water quality including the State Implementation Plan under
- 3 the Federal Clean Air Act and the State Water Quality Management Plan;
- 4 (c) The transportation system shall minimize adverse economic, social, environmental and
- 5 energy consequences;
- 6 (d) The transportation system shall minimize conflicts and facilitate connections between
- 7 modes of transportation; and
- 8 (e) The transportation system shall avoid principal reliance on any one mode of
- 9 transportation by increasing transportation choices to reduce principal reliance on the
- 10 automobile. ~~In MPO areas this shall be accomplished by selecting transportation~~
- 11 ~~alternatives which meet the requirements in section (4) of this rule.~~

12 ~~(4) In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for~~  
 13 ~~increasing transportation choices and reducing reliance on the automobile. Adopted standards are~~  
 14 ~~intended as means of measuring progress of metropolitan areas towards developing and~~  
 15 ~~implementing transportation systems and land use plans that increase transportation choices and~~  
 16 ~~reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish~~  
 17 ~~reduced reliance by changing land use patterns and transportation systems so that walking,~~  
 18 ~~cycling, and use of transit are highly convenient and so that, on balance, people need to and are~~  
 19 ~~likely to drive less than they do today.~~

20 ~~(5) MPO areas shall adopt standards to demonstrate progress towards increasing transportation~~  
 21 ~~choices and reducing automobile reliance as provided for in this rule:~~

22 ~~(a) The commission shall approve standards by order upon demonstration by the~~  
 23 ~~metropolitan area that:~~

24 ~~(A) Achieving the standard will result in a reduction in reliance on automobiles;~~

25 ~~(B) Achieving the standard will accomplish a significant increase in the availability~~  
 26 ~~or convenience of alternative modes of transportation;~~

27 ~~(C) Achieving the standard is likely to result in a significant increase in the share of~~  
 28 ~~trips made by alternative modes, including walking, bicycling, ridesharing and~~  
 29 ~~transit;~~

30 ~~(D) VMT per capita is unlikely to increase by more than five percent; and~~

31 ~~(E) The standard is measurable and reasonably related to achieving the goal of~~  
 32 ~~increasing transportation choices and reducing reliance on the automobile as~~  
 33 ~~described in OAR 660-012-0000.~~

34 ~~(b) In reviewing proposed standards for compliance with subsection (a), the commission~~  
 35 ~~shall give credit to regional and local plans, programs, and actions implemented since~~  
 36 ~~1990 that have already contributed to achieving the objectives specified in paragraphs~~  
 37 ~~(A) (E) above;~~

38 ~~(c) If a plan using a standard, approved pursuant to this rule, is expected to result in an~~  
 39 ~~increase in VMT per capita, then the cities and counties in the metropolitan area shall~~  
 40 ~~prepare and adopt an integrated land use and transportation plan including the elements~~  
 41 ~~listed in paragraphs (A) (E) below. Such a plan shall be prepared in coordination with~~  
 42 ~~the MPO and shall be adopted within three years of the approval of the standard.~~

- 1                   (A) ~~Changes to land use plan designations, densities, and design standards listed in~~  
2                   subsections (2)(a)–(d);
- 3                   (B) ~~A transportation demand management plan that includes significant new~~  
4                   transportation demand management measures;
- 5                   (C) ~~A public transit plan that includes a significant expansion in transit service;~~
- 6                   (D) ~~Policies to review and manage major roadway improvements to ensure that their~~  
7                   effects are consistent with achieving the adopted strategy for reduced reliance on  
8                   the automobile, including policies that provide for the following:
- 9                   (i) ~~An assessment of whether improvements would result in development or~~  
10                  travel that is inconsistent with what is expected in the plan;
- 11                  (ii) ~~Consideration of alternative measures to meet transportation needs;~~
- 12                  (iii) ~~Adoption of measures to limit possible unintended effects on travel and~~  
13                  land use patterns including access management, limitations on  
14                  subsequent plan amendments, phasing of improvements, etc.; and
- 15                  (iv) ~~For purposes of this section a "major roadway expansion" includes new~~  
16                  arterial roads or streets and highways, the addition of travel lanes, and  
17                  construction of interchanges to a limited access highway
- 18                  (E) ~~Plan and ordinance provisions that meet all other applicable requirements of this~~  
19                  division.
- 20           (d) ~~Standards may include but are not limited to:~~
- 21                  (A) ~~Modal share of alternative modes, including walking, bicycling, and transit trips;~~
- 22                  (B) ~~Vehicle hours of travel per capita;~~
- 23                  (C) ~~Vehicle trips per capita;~~
- 24                  (D) ~~Measures of accessibility by alternative modes (i.e. walking, bicycling and~~  
25                  transit); or
- 26                  (E) ~~The Oregon Benchmark for a reduction in peak hour commuting by single~~  
27                  occupant vehicles.
- 28           (e) ~~Metropolitan areas shall adopt TSP policies to evaluate progress towards achieving the~~  
29                  standard or standards adopted and approved pursuant to this rule. Such evaluation shall  
30                  occur at regular intervals corresponding with federally required updates of the regional  
31                  transportation plan. This shall include monitoring and reporting of VMT per capita.
- 32           (6) ~~A metropolitan area may also accomplish compliance with requirements of subsection (3)(e),~~  
33                  sections (4) and (5) by demonstrating to the commission that adopted plans and measures are  
34                  likely to achieve a five percent reduction in VMT per capita over the 20-year planning period.  
35                  The commission shall consider and act on metropolitan area requests under this section by order.  
36                  A metropolitan area that receives approval under this section shall adopt interim benchmarks for  
37                  VMT reduction and shall evaluate progress in achieving VMT reduction at each update of the  
38                  regional transportation system plan.
- 39           (7) ~~Regional and local TSPs shall include benchmarks to assure satisfactory progress towards~~  
40                  meeting the approved standard or standards adopted pursuant to this rule at regular intervals over



1 the planning period. MPOs and local governments shall evaluate progress in meeting benchmarks  
2 at each update of the regional transportation plan. Where benchmarks are not met, the relevant  
3 TSP shall be amended to include new or additional efforts adequate to meet the requirements of  
4 this rule.

5 ~~(8)~~ The commission shall, at regular intervals, evaluate the results of efforts to achieve the reduction  
6 in VMT and the effectiveness of approved plans and standards in achieving the objective of  
7 increasing transportation choices and reducing reliance on the automobile.

8 ~~(9)~~(3) Where existing and committed transportation facilities and services have adequate capacity to  
9 support the land uses in the acknowledged comprehensive plan, the local government shall not be  
10 required to evaluate alternatives as provided in this rule.

11 ~~(10)~~(4) Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and  
12 located in an urban fringe may be included in a TSP only if the ~~improvement~~ project identified in  
13 the transportation system plan as described in section ~~(12)~~(6) of this rule, will not significantly  
14 reduce peak hour travel time for the route as determined pursuant to section ~~(11)~~(5) of this rule, or  
15 the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose  
16 of the improvement project:

17 (a) Improvements to transportation facilities and services within the urban growth boundary;

18 (b) Transportation system management measures that do not significantly increase capacity;  
19 or

20 (c) Transportation demand management measures. The jurisdiction needs only to consider  
21 alternatives that are safe and effective, consistent with applicable standards and that can  
22 be implemented at a reasonable cost using available technology.

23 ~~(11)~~(5) An ~~improvement~~ project significantly reduces peak hour travel time when, based on recent data,  
24 the time to travel the route is reduced more than 15 percent during weekday peak hour conditions  
25 over the length of the route located within the urban fringe. For purposes of measuring travel  
26 time, a route shall be identified by the predominant traffic flows in the project area.

27 ~~(12)~~(6) A "transportation improvement project" described in section ~~(10)~~(4) of this rule:

28 (a) Is intended to solve all of the reasonably foreseeable transportation problems within a  
29 general geographic location, within the planning period; and

30 (b) Has utility as an independent transportation project.

1 **0045: Implementation of the Transportation System Plan**

2 We propose to alter this existing rule. The existing rule directs how local governments are to implement  
3 the local transportation system plan. We propose to delete one section of this rule pertaining only to  
4 metropolitan areas. New rules, applicable within metropolitan areas, will replace and update the  
5 requirements within this section.

6 There have been no substantive changes from the October draft amended rule.

7 (1) Each local government shall amend its land use regulations to implement the TSP.

8 (a) The following transportation facilities, services and improvements need not be subject to  
9 land use regulations except as necessary to implement the TSP and, under ordinary  
10 circumstances do not have a significant impact on land use:

11 (A) Operation, maintenance, and repair of existing transportation facilities identified  
12 in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and  
13 major regional pipelines and terminals;

14 (B) Dedication of right-of-way, authorization of construction and the construction of  
15 facilities and improvements, where the improvements are consistent with clear  
16 and objective dimensional standards;

17 (C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k),  
18 consistent with the provisions of OAR 660-012-0065; and

19 (D) Changes in the frequency of transit, rail and airport services.

20 (b) To the extent, if any, that a transportation facility, service or improvement concerns the  
21 application of a comprehensive plan provision or land use regulation, it may be allowed  
22 without further land use review if it is permitted outright or if it is subject to standards  
23 that do not require interpretation or the exercise of factual, policy or legal judgment;

24 (c) In the event that a transportation facility, service or improvement is determined to have a  
25 significant impact on land use or to concern the application of a comprehensive plan or  
26 land use regulation and to be subject to standards that require interpretation or the  
27 exercise of factual, policy or legal judgment, the local government shall provide a review  
28 and approval process that is consistent with OAR 660-012-0050. To facilitate  
29 implementation of the TSP, each local government shall amend its land use regulations to  
30 provide for consolidated review of land use decisions required to permit a transportation  
31 project.

32 (2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with  
33 applicable federal and state requirements, to protect transportation facilities, corridors and sites  
34 for their identified functions. Such regulations shall include:

35 (a) Access control measures, for example, driveway and public road spacing, median control  
36 and signal spacing standards, which are consistent with the functional classification of  
37 roads and consistent with limiting development on rural lands to rural uses and densities;

38 (b) Standards to protect future operation of roads, transitways and major transit corridors;

39 (c) Measures to protect public use airports by controlling land uses within airport noise  
40 corridors and imaginary surfaces, and by limiting physical hazards to air navigation;

- 1 (d) A process for coordinated review of future land use decisions affecting transportation  
2 facilities, corridors or sites;
- 3 (e) A process to apply conditions to development proposals in order to minimize impacts and  
4 protect transportation facilities, corridors or sites;
- 5 (f) Regulations to provide notice to public agencies providing transportation facilities and  
6 services, MPOs, and ODOT of:
- 7 (A) Land use applications that require public hearings;
- 8 (B) Subdivision and partition applications;
- 9 (C) Other applications which affect private access to roads; and
- 10 (D) Other applications within airport noise corridors and imaginary surfaces which  
11 affect airport operations; and
- 12 (g) Regulations assuring that amendments to land use designations, densities, and design  
13 standards are consistent with the functions, capacities and performance standards of  
14 facilities identified in the TSP.
- 15 (3) Local governments shall adopt land use or subdivision regulations for urban areas and rural  
16 communities as set forth below. The purposes of this section are to provide for safe and  
17 convenient pedestrian, bicycle and vehicular circulation consistent with access management  
18 standards and the function of affected streets, to ensure that new development provides on-site  
19 streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in  
20 areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids  
21 wherever possible levels of automobile traffic which might interfere with or discourage  
22 pedestrian or bicycle travel.
- 23 (a) Bicycle parking facilities as part of new multi-family residential developments of four  
24 units or more, new retail, office and institutional developments, and all transit transfer  
25 stations and park-and-ride lots;
- 26 (b) On-site facilities shall be provided which accommodate safe and convenient pedestrian  
27 and bicycle access from within new subdivisions, multi-family developments, planned  
28 developments, shopping centers, and commercial districts to adjacent residential areas  
29 and transit stops, and to neighborhood activity centers within one-half mile of the  
30 development. Single-family residential developments shall generally include streets and  
31 accessways. Pedestrian circulation through parking lots should generally be provided in  
32 the form of accessways.
- 33 (A) "Neighborhood activity centers" includes, but is not limited to, existing or  
34 planned schools, parks, shopping areas, transit stops or employment centers;
- 35 (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall  
36 be required along arterials, collectors and most local streets in urban areas, except  
37 that sidewalks are not required along controlled access roadways, such as  
38 freeways;
- 39 (C) Cul-de-sacs and other dead-end streets may be used as part of a development  
40 plan, consistent with the purposes set forth in this section;
- 41 (D) Local governments shall establish their own standards or criteria for providing  
42 streets and accessways consistent with the purposes of this section. Such

- 1 measures may include but are not limited to: standards for spacing of streets or  
2 accessways; and standards for excessive out-of-direction travel;
- 3 (E) Streets and accessways need not be required where one or more of the following  
4 conditions exist:
- 5 (i) Physical or topographic conditions make a street or accessway  
6 connection impracticable. Such conditions include but are not limited to  
7 freeways, railroads, steep slopes, wetlands or other bodies of water  
8 where a connection could not reasonably be provided;
- 9 (ii) Buildings or other existing development on adjacent lands physically  
10 preclude a connection now or in the future considering the potential for  
11 redevelopment; or
- 12 (iii) Where streets or accessways would violate provisions of leases,  
13 easements, covenants, restrictions or other agreements existing as of May  
14 1, 1995, which preclude a required street or accessway connection.
- 15 (c) Where off-site road improvements are otherwise required as a condition of development  
16 approval, they shall include facilities accommodating convenient pedestrian and bicycle  
17 travel, including bicycle ways along arterials and major collectors;
- 18 (d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian  
19 routes, facilities and improvements which:
- 20 (A) Are reasonably free from hazards, particularly types or levels of automobile  
21 traffic which would interfere with or discourage pedestrian or cycle travel for  
22 short trips;
- 23 (B) Provide a reasonably direct route of travel between destinations such as between  
24 a transit stop and a store; and
- 25 (C) Meet travel needs of cyclists and pedestrians considering destination and length  
26 of trip; and considering that the ~~optimum~~ most common trip length of pedestrians  
27 is generally ~~1/4 to~~ under 1/2 mile.
- 28 (e) Internal pedestrian circulation within new office parks and commercial developments  
29 shall be provided through clustering of buildings, construction of accessways, walkways  
30 and similar techniques.
- 31 (4) To support transit in urban areas containing a population greater than 25,000, where the area is  
32 already served by a public transit system or where a determination has been made that a public  
33 transit system is feasible, local governments shall adopt land use and subdivision regulations as  
34 provided in (a)–(g) below:
- 35 (a) Transit routes and transit facilities shall be designed to support transit use through  
36 provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking  
37 restrictions and similar facilities, as appropriate;
- 38 (b) New retail, office and institutional buildings at or near major transit stops shall provide  
39 for convenient pedestrian access to transit through the measures listed in paragraphs (A)  
40 and (B) below.
- 41 (A) Walkways shall be provided connecting building entrances and streets adjoining  
42 the site;

- 1 (B) Pedestrian connections to adjoining properties shall be provided except where  
2 such a connection is impracticable as provided for in OAR 660-012-  
3 0045(3)(b)(E). Pedestrian connections shall connect the on-site circulation  
4 system to existing or proposed streets, walkways, and driveways that abut the  
5 property. Where adjacent properties are undeveloped or have potential for  
6 redevelopment, streets, accessways and walkways on site shall be laid out or  
7 stubbed to allow for extension to the adjoining property;
- 8 (C) In addition to paragraphs (A) and (B) above, on sites at major transit stops  
9 provide the following:
- 10 (i) Either locate buildings within 20 feet of the transit stop, a transit street or  
11 an intersecting street or provide a pedestrian plaza at the transit stop or a  
12 street intersection;
- 13 (ii) A reasonably direct pedestrian connection between the transit stop and  
14 building entrances on the site;
- 15 (iii) A transit passenger landing pad accessible to ~~disabled persons~~ people  
16 with disabilities;
- 17 (iv) An easement or dedication for a passenger shelter if requested by the  
18 transit provider; and
- 19 (v) Lighting at the transit stop.
- 20 (c) Local governments may implement (4)(b)(A) and (B) above through the designation of  
21 pedestrian districts and adoption of appropriate implementing measures regulating  
22 development within pedestrian districts. Pedestrian districts must comply with the  
23 requirement of (4)(b)(C) above;
- 24 (d) Designated employee parking areas in new developments shall provide preferential  
25 parking for carpools and vanpools;
- 26 (e) Existing development shall be allowed to redevelop a portion of existing parking areas  
27 for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride  
28 stations, transit-oriented developments, and similar facilities, where appropriate;
- 29 (f) Road systems for new development shall be provided that can be adequately served by  
30 transit, including provision of pedestrian access to existing and identified future transit  
31 routes. This shall include, where appropriate, separate accessways to minimize travel  
32 distances;
- 33 (g) Along existing or planned transit routes, designation of types and densities of land uses  
34 adequate to support transit.
- 35 ~~(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce~~  
36 ~~reliance on the automobile which:~~
- 37 ~~(a) Allow transit oriented developments (TODs) on lands along transit routes;~~
- 38 ~~(b) Implements a demand management program to meet the measurable standards set in the~~  
39 ~~TSP in response to OAR 660-012-0035(4);~~
- 40 ~~(c) Implements a parking plan which:~~

- 1 (A) — Achieves a 10 percent reduction in the number of parking spaces per capita in the  
2 MPO area over the planning period. This may be accomplished through a  
3 combination of restrictions on development of new parking spaces and  
4 requirements that existing parking spaces be redeveloped to other uses;
- 5 (B) — Aids in achieving the measurable standards set in the TSP in response to OAR  
6 660-012-0035(4);
- 7 (C) — Includes land use and subdivision regulations setting minimum and maximum  
8 parking requirements in appropriate locations, such as downtowns, designated  
9 regional or community centers, and transit-oriented developments; and
- 10 (D) — Is consistent with demand management programs, transit-oriented development  
11 requirements and planned transit service.
- 12 (d) — As an alternative to (c) above, local governments in an MPO may instead revise  
13 ordinance requirements for parking as follows:
- 14 (A) — Reduce minimum off-street parking requirements for all non-residential uses  
15 from 1990 levels;
- 16 (B) — Allow provision of on-street parking, long-term lease parking, and shared  
17 parking to meet minimum off-street parking requirements;
- 18 (C) — Establish off-street parking maximums in appropriate locations, such as  
19 downtowns, designated regional or community centers, and transit-oriented  
20 developments;
- 21 (D) — Exempt structured parking and on-street parking from parking maximums;
- 22 (E) — Require that parking lots over 3 acres in size provide street-like features along  
23 major driveways (including curbs, sidewalks, and street trees or planting strips);  
24 and
- 25 (F) — Provide for designation of residential parking districts.
- 26 (e) — Require all major industrial, institutional, retail and office developments to provide either  
27 a transit stop on site or connection to a transit stop along a transit trunk route when the  
28 transit operator requires such an improvement.
- 29 ~~(6)~~(5) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d),  
30 local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet  
31 local travel needs in developed areas. Appropriate improvements should provide for more direct,  
32 convenient and safer bicycle or pedestrian travel within and between residential areas and  
33 neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include,  
34 for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways  
35 between buildings, and providing direct access between adjacent uses.
- 36 ~~(7)~~(6) Local governments shall establish standards for local streets and accessways that minimize  
37 pavement width and total right-of-way consistent with the operational needs of the facility. The  
38 intent of this requirement is that local governments consider and reduce excessive standards for  
39 local streets and accessways in order to reduce the cost of construction, provide for more efficient  
40 use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic  
41 volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Not  
42 withstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement  
43 need not be adopted as land use regulations.

1 **0060: Plan and Land Use Regulation Amendments**

2 This rule guides cities and counties when they change the acknowledged comprehensive plan after  
3 adoption of a transportation system plan. The rule provides for consideration of transportation system  
4 needs in response to the proposed changes.

5 Substantive changes to this rule are outside of the scope of the Climate-Friendly and Equitable  
6 Communities Rulemaking.

7 This rule will continue to apply statewide, both inside and outside metropolitan areas. We are proposing  
8 some minor changes to reflect changes in how performance standards work within metropolitan areas.

9 There have been no substantive changes from the October draft amended rule.

- 10 (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use  
11 regulation (including a zoning map) would significantly affect an existing or planned  
12 transportation facility, then the local government must put in place measures as provided in  
13 section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule.  
14 A plan or land use regulation amendment significantly affects a transportation facility if it would:
- 15 (a) Change the functional classification of an existing or planned transportation facility  
16 (exclusive of correction of map errors in an adopted plan);
  - 17 (b) Change standards implementing a functional classification system; or
  - 18 (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a  
19 local government is evaluating a performance based on projected levels of motor vehicle  
20 traffic, then the results must be based on projected conditions measured at the end of the  
21 planning period identified in the adopted TSP. As part of evaluating projected conditions,  
22 the amount of traffic projected to be generated within the area of the amendment may be  
23 reduced if the amendment includes an enforceable, ongoing requirement that would  
24 demonstrably limit traffic generation, including, but not limited to, transportation demand  
25 management. This reduction may diminish or completely eliminate the significant effect  
26 of the amendment.
- 27 (A) Types or levels of travel or access that are inconsistent with the functional  
28 classification of an existing or planned transportation facility;
  - 29 (B) Degrade the performance of an existing or planned transportation facility such  
30 that it would not meet the performance standards identified in the TSP or  
31 comprehensive plan; or
  - 32 (C) Degrade the performance of an existing or planned transportation facility that is  
33 otherwise projected to not meet the performance standards identified in the TSP  
34 or comprehensive plan.
- 35 (2) If a local government determines that there would be a significant effect, then the local  
36 government must ensure that allowed land uses are consistent with the ~~identified function,~~  
37 ~~capacity, and~~ performance standards of the facility measured or projected at the end of the  
38 planning period identified in the adopted TSP through one or a combination of the remedies listed  
39 in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of  
40 this section or qualifies for partial mitigation in section (11) of this rule. A local government  
41 using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment  
42 recognizes that additional motor vehicle traffic congestion may result and that other facility

1 providers would not be expected to provide additional capacity for motor vehicles in response to  
2 this congestion.

3 (a) Adopting measures that demonstrate allowed land uses are consistent with the ~~planned~~  
4 ~~function, capacity, and~~ performance standards of the transportation facility.

5 (b) Amending the TSP or comprehensive plan to provide transportation facilities,  
6 improvements or services adequate to support the proposed land uses consistent with the  
7 requirements of this division; ~~s.~~ Such amendments shall include a funding plan or  
8 mechanism consistent with section (4) or include an amendment to the transportation  
9 finance plan so that the facility, improvement, or service will be provided by the end of  
10 the planning period.

11 (c) Amending the TSP to modify the ~~planned function, capacity or~~ performance standards of  
12 the transportation facility.

13 (d) Providing other measures as a condition of development or through a development  
14 agreement or similar funding method, including, but not limited to, transportation system  
15 management measures or minor transportation improvements. Local governments shall,  
16 as part of the amendment, specify when measures or improvements provided pursuant to  
17 this subsection will be provided.

18 (e) Providing improvements that would benefit modes other than the significantly affected  
19 mode, improvements to facilities other than the significantly affected facility, or  
20 improvements at other locations, if:

21 (A) The provider of the significantly affected facility provides a written statement  
22 that the system-wide benefits are sufficient to balance the significant effect, even  
23 though the improvements would not result in consistency for all performance  
24 standards;

25 (B) The providers of facilities being improved at other locations provide written  
26 statements of approval; and

27 (C) The local jurisdictions where facilities are being improved provide written  
28 statements of approval.

29 (3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment  
30 that would significantly affect an existing transportation facility without assuring that the allowed  
31 land uses are consistent with the ~~function, capacity and~~ performance standards of the facility  
32 where:

33 (a) In the absence of the amendment, planned transportation facilities, improvements and  
34 services as set forth in section (4) of this rule would not be adequate to achieve  
35 consistency with the ~~identified function, capacity or~~ performance standard for that facility  
36 by the end of the planning period identified in the adopted TSP;

37 (b) Development resulting from the amendment will, at a minimum, mitigate the impacts of  
38 the amendment in a manner that avoids further degradation to the performance of the  
39 facility by the time of the development through one or a combination of transportation  
40 improvements or measures;

41 (c) The amendment does not involve property located in an interchange area as defined in  
42 paragraph (4)(d)(C); and



- 1 (d) For affected state highways, ODOT provides a written statement that the proposed  
2 funding and timing for the identified mitigation improvements or measures are, at a  
3 minimum, sufficient to avoid further degradation to the performance of the affected state  
4 highway. However, if a local government provides the appropriate ODOT regional office  
5 with written notice of a proposed amendment in a manner that provides ODOT  
6 reasonable opportunity to submit a written statement into the record of the local  
7 government proceeding, and ODOT does not provide a written statement, then the local  
8 government may proceed with applying subsections (a) through (c) of this section.
- 9 (4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected  
10 transportation facility and service providers and other affected local governments.
- 11 (a) In determining whether an amendment has a significant effect on an existing or planned  
12 transportation facility under subsection (1)(c) of this rule, local governments shall rely on  
13 existing transportation facilities and services and on the planned transportation facilities,  
14 improvements and services set forth in subsections (b) and (c) below.
- 15 (b) Outside of interstate interchange areas, the following are considered planned facilities,  
16 improvements and services:
- 17 (A) Transportation facilities, improvements or services that are funded for  
18 construction or implementation in the Statewide Transportation Improvement  
19 Program or a locally or regionally adopted transportation improvement program  
20 or capital improvement plan or program of a transportation service provider.
- 21 (B) Transportation facilities, improvements or services that are authorized in a local  
22 transportation system plan and for which a funding plan or mechanism is in place  
23 or approved. These include, but are not limited to, transportation facilities,  
24 improvements or services for which: transportation systems development charge  
25 revenues are being collected; a local improvement district or reimbursement  
26 district has been established or will be established prior to development; a  
27 development agreement has been adopted; or conditions of approval to fund the  
28 improvement have been adopted.
- 29 (C) Transportation facilities, improvements or services in a metropolitan planning  
30 organization (MPO) area that are part of the area's federally-approved, financially  
31 constrained regional transportation system plan.
- 32 (D) Improvements to state highways that are included as planned improvements in a  
33 regional or local transportation system plan or comprehensive plan when ODOT  
34 provides a written statement that the improvements are reasonably likely to be  
35 provided by the end of the planning period.
- 36 (E) Improvements to regional and local roads, streets or other transportation facilities  
37 or services that are included as planned improvements in a regional or local  
38 transportation system plan or comprehensive plan when the local government(s)  
39 or transportation service provider(s) responsible for the facility, improvement or  
40 service provides a written statement that the facility, improvement or service is  
41 reasonably likely to be provided by the end of the planning period.

- 1 (c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are  
2 considered planned facilities, improvements and services, except where:
- 3 (A) ODOT provides a written statement that the proposed funding and timing of  
4 mitigation measures are sufficient to avoid a significant adverse impact on the  
5 Interstate Highway system, then local governments may also rely on the  
6 improvements identified in paragraphs (b)(D) and (E) of this section; or
- 7 (B) There is an adopted interchange area management plan, then local governments  
8 may also rely on the improvements identified in that plan and which are also  
9 identified in paragraphs (b)(D) and (E) of this section.
- 10 (d) As used in this section and section (3):
- 11 (A) Planned interchange means new interchanges and relocation of existing  
12 interchanges that are authorized in an adopted transportation system plan or  
13 comprehensive plan;
- 14 (B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and
- 15 (C) Interstate interchange area means:
- 16 (i) Property within one-quarter mile of the ramp terminal intersection of an  
17 existing or planned interchange on an Interstate Highway; or
- 18 (ii) The interchange area as defined in the Interchange Area Management  
19 Plan adopted as an amendment to the Oregon Highway Plan.
- 20 (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D),  
21 (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility  
22 provider, as appropriate, shall be conclusive in determining whether a transportation  
23 facility, improvement or service is a planned transportation facility, improvement or  
24 service. In the absence of a written statement, a local government can only rely upon  
25 planned transportation facilities, improvements and services identified in paragraphs  
26 (b)(A)-(C) to determine whether there is a significant effect that requires application of  
27 the remedies in section (2).
- 28 (5) The presence of a transportation facility or improvement shall not be a basis for an exception to  
29 allow residential, commercial, institutional or industrial development on rural lands under this  
30 division or OAR 660-004-0022 and 660-004-0028.
- 31 (6) ~~If a local government is~~ determining whether proposed land uses would affect or be consistent  
32 with planned transportation facilities as provided in sections (1) and (2); using a performance  
33 standard based on projected levels of motor vehicle traffic, then the local governments shall give  
34 full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-  
35 friendly centers, and neighborhoods as provided in subsections (a)–(d) below;
- 36 (a) Absent adopted local standards or detailed information about the vehicle trip reduction  
37 benefits of mixed-use, pedestrian-friendly development, local governments shall assume  
38 that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will  
39 generate 10% fewer daily and peak hour trips than are specified in available published  
40 estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip  
41 Generation Manual that do not specifically account for the effects of mixed-use,  
42 pedestrian-friendly development. The 10% reduction allowed for by this section shall be

- 1 available only if uses which rely solely on auto trips, such as gas stations, car washes,  
2 storage facilities, and motels are prohibited;
- 3 (b) Local governments shall use detailed or local information about the trip reduction  
4 benefits of mixed-use, pedestrian-friendly development where such information is  
5 available and presented to the local government. Local governments may, based on such  
6 information, allow reductions greater than the 10% reduction required in subsection (a)  
7 above;
- 8 (c) Where a local government assumes or estimates lower vehicle trip generation as provided  
9 in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or  
10 approval standards that subsequent development approvals support the development of a  
11 mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and  
12 pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3)  
13 and (4). The provision of on-site bike and pedestrian connectivity and access to transit  
14 may be accomplished through application of acknowledged ordinance provisions which  
15 comply with 660-012-0045(3) and (4) or through conditions of approval or findings  
16 adopted with the plan amendment that assure compliance with these rule requirements at  
17 the time of development approval; and
- 18 (d) The purpose of this section is to provide an incentive for the designation and  
19 implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering  
20 the regulatory barriers to plan amendments which accomplish this type of development.  
21 The actual trip reduction benefits of mixed-use, pedestrian-friendly development will  
22 vary from case to case and may be somewhat higher or lower than presumed pursuant to  
23 subsection (a) above. The Commission concludes that this assumption is warranted given  
24 general information about the expected effects of mixed-use, pedestrian-friendly  
25 development and its intent to encourage changes to plans and development patterns.  
26 Nothing in this section is intended to affect the application of provisions in local plans or  
27 ordinances which provide for the calculation or assessment of systems development  
28 charges or in preparing conformity determinations required under the federal Clean Air  
29 Act.
- 30 (7) Amendments to acknowledged comprehensive plans and land use regulations which meet all of  
31 the criteria listed in subsections (a)–(c) below shall include an amendment to the comprehensive  
32 plan, transportation system plan the adoption of a local street plan, access management plan,  
33 future street plan or other binding local transportation plan to provide for on-site alignment of  
34 streets or accessways with existing and planned arterial, collector, and local streets surrounding  
35 the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-  
36 0045(3):
- 37 (a) The plan or land use regulation amendment results in designation of two or more acres of  
38 land for commercial use;
- 39 (b) The local government has not adopted a TSP or local street plan which complies with  
40 OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with  
41 Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban  
42 Growth Management Functional Plan; and
- 43 (c) The proposed amendment would significantly affect a transportation facility as provided  
44 in section (1).

- 1 (8) A "mixed-use, pedestrian-friendly center or neighborhood" for the purposes of this rule, means:
- 2 (a) Any one of the following:
- 3 (A) An existing central business district or downtown;
- 4 (B) An area designated as a central city, regional center, town center or main street in
- 5 the Portland Metro 2040 Regional Growth Concept;
- 6 (C) An area designated in an acknowledged comprehensive plan as a transit oriented
- 7 development or a pedestrian district; or
- 8 (D) An area designated as a special transportation area as provided for in the Oregon
- 9 Highway Plan.
- 10 (b) An area other than those listed in subsection (a) above which includes or is planned to
- 11 include the following characteristics:
- 12 (A) A concentration of a variety of land uses in a well-defined area, including the
- 13 following:
- 14 (i) Medium to high density residential development (12 or more units per
- 15 acre);
- 16 (ii) Offices or office buildings;
- 17 (iii) Retail stores and services;
- 18 (iv) Restaurants; and
- 19 (v) Public open space or private open space which is available for public
- 20 use, such as a park or plaza.
- 21 (B) Generally include civic or cultural uses;
- 22 (C) A core commercial area where multi-story buildings are permitted;
- 23 (D) Buildings and building entrances oriented to streets;
- 24 (E) Street connections and crossings that make the center safe and conveniently
- 25 accessible from adjacent areas;
- 26 (F) A network of streets and, where appropriate, accessways and major driveways
- 27 that make it attractive and highly convenient for people to walk between uses
- 28 within the center or neighborhood, including streets and major driveways within
- 29 the center with wide sidewalks and other features, including pedestrian-oriented
- 30 street crossings, street trees, pedestrian-scale lighting and on-street parking;
- 31 (G) One or more transit stops (in urban areas with fixed route transit service); and
- 32 (H) Limit or do not allow low-intensity or land extensive uses, such as most
- 33 industrial uses, automobile sales and services, and drive-through services.
- 34 (9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a
- 35 zoning map does not significantly affect an existing or planned transportation facility if all of the
- 36 following requirements are met.

- 1 (a) The proposed zoning is consistent with the existing comprehensive plan map designation  
2 and the amendment does not change the comprehensive plan map;
- 3 (b) The local government has an acknowledged TSP and the proposed zoning is consistent  
4 with the TSP; and
- 5 (c) The area subject to the zoning map amendment was not exempted from this rule at the  
6 time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d),  
7 or the area was exempted from this rule but the local government has a subsequently  
8 acknowledged TSP amendment that accounted for urbanization of the area.
- 9 (10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional  
10 plan, a comprehensive plan or a land use regulation without applying performance standards  
11 related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel  
12 time if the amendment meets the requirements of subsection (a) of this section. This section does  
13 not exempt a proposed amendment from other transportation performance standards or policies  
14 that may apply including, but not limited to, safety for all modes, network connectivity for all  
15 modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency  
16 required by the development.
- 17 (a) A proposed amendment qualifies for this section if it:
- 18 (A) Is a map or text amendment affecting only land entirely within a multimodal  
19 mixed-use area (MMA); and
- 20 (B) Is consistent with the definition of an MMA and consistent with the function of  
21 the MMA as described in the findings designating the MMA.
- 22 (b) For the purpose of this rule, “multimodal mixed-use area” or “MMA” means an area:
- 23 (A) With a boundary adopted by a local government as provided in subsection (d) or  
24 (e) of this section and that has been acknowledged;
- 25 (B) Entirely within an urban growth boundary;
- 26 (C) With adopted plans and development regulations that allow the uses listed in  
27 paragraphs (8)(b)(A) through (C) of this rule and that require new development  
28 to be consistent with the characteristics listed in paragraphs (8)(b)(D) through  
29 (H) of this rule;
- 30 (D) With land use regulations that do not require the provision of off-street parking,  
31 or regulations that require lower levels of off-street parking than required in other  
32 areas and allow flexibility to meet the parking requirements (e.g. count on-street  
33 parking, allow long-term leases, allow shared parking); and
- 34 (E) Located in one or more of the categories below:
- 35 (i) At least one-quarter mile from any ramp terminal intersection of existing  
36 or planned interchanges;
- 37 (ii) Within the area of an adopted Interchange Area Management Plan  
38 (IAMP) and consistent with the IAMP; or
- 39 (iii) Within one-quarter mile of a ramp terminal intersection of an existing or  
40 planned interchange if the mainline facility provider has provided written

- 1 concurrence with the MMA designation as provided in subsection (c) of  
2 this section.
- 3 (c) When a mainline facility provider reviews an MMA designation as provided in  
4 subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in  
5 paragraph (A) of this subsection.
- 6 (A) The potential for operational or safety effects to the interchange area and the  
7 mainline highway, specifically considering:
- 8 (i) Whether the interchange area has a crash rate that is higher than the  
9 statewide crash rate for similar facilities;
- 10 (ii) Whether the interchange area is in the top ten percent of locations  
11 identified by the safety priority index system (SPIS) developed by  
12 ODOT; and
- 13 (iii) Whether existing or potential future traffic queues on the interchange exit  
14 ramps extend onto the mainline highway or the portion of the ramp  
15 needed to safely accommodate deceleration.
- 16 (B) If there are operational or safety effects as described in paragraph (A) of this  
17 subsection, the effects may be addressed by an agreement between the local  
18 government and the facility provider regarding traffic management plans  
19 favoring traffic movements away from the interchange, particularly those  
20 facilitating clearing traffic queues on the interchange exit ramps.
- 21 (d) A local government may designate an MMA by adopting an amendment to the  
22 comprehensive plan or land use regulations to delineate the boundary following an  
23 existing zone, multiple existing zones, an urban renewal area, other existing boundary, or  
24 establishing a new boundary. The designation must be accompanied by findings showing  
25 how the area meets the definition of an MMA. Designation of an MMA is not subject to  
26 the requirements in sections (1) and (2) of this rule.
- 27 (e) A local government may designate an MMA on an area where comprehensive plan map  
28 designations or land use regulations do not meet the definition, if all of the other elements  
29 meet the definition, by concurrently adopting comprehensive plan or land use regulation  
30 amendments necessary to meet the definition. Such amendments are not subject to  
31 performance standards related to motor vehicle traffic congestion, delay or travel time.
- 32 (11) A local government may approve an amendment with partial mitigation as provided in section (2)  
33 of this rule if the amendment complies with subsection (a) of this section, the amendment meets  
34 the balancing test in subsection (b) of this section, and the local government coordinates as  
35 provided in subsection (c) of this section.
- 36 (a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph  
37 (D) of this subsection.
- 38 (A) Create direct benefits in terms of industrial or traded-sector jobs created or  
39 retained by limiting uses to industrial or traded-sector industries.
- 40 (B) Not allow retail uses, except limited retail incidental to industrial or traded sector  
41 development, not to exceed five percent of the net developable area.
- 42 (C) For the purpose of this section:

- 1 (i) “Industrial” means employment activities generating income from the  
2 production, handling or distribution of goods including, but not limited  
3 to, manufacturing, assembly, fabrication, processing, storage, logistics,  
4 warehousing, importation, distribution and transshipment and research  
5 and development.
- 6 (ii) “Traded-sector” means industries in which member firms sell their goods  
7 or services into markets for which national or international competition  
8 exists.
- 9 ~~(D) Notwithstanding paragraphs (A) and (B) of this subsection, an amendment~~  
10 ~~complies with subsection (a) if all of the following conditions are met:~~
- 11 ~~(i) The amendment is within a city with a population less than 10,000 and~~  
12 ~~outside of a Metropolitan Planning Organization.~~
- 13 ~~(ii) The amendment would provide land for “Other Employment Use” or~~  
14 ~~“Prime Industrial Land” as those terms are defined in OAR 660-009-~~  
15 ~~0005.~~
- 16 ~~(iii) The amendment is located outside of the Willamette Valley as defined in~~  
17 ~~ORS 215.010.~~
- 18 ~~(E) The provisions of paragraph (D) of this subsection are repealed on January 1,~~  
19 ~~2017.~~
- 20 (b) A local government may accept partial mitigation only if the local government  
21 determines that the benefits outweigh the negative effects on local transportation facilities  
22 and the local government receives from the provider of any transportation facility that  
23 would be significantly affected written concurrence that the benefits outweigh the  
24 negative effects on their transportation facilities. If the amendment significantly affects a  
25 state highway, then ODOT must coordinate with the Oregon Business Development  
26 Department regarding the economic and job creation benefits of the proposed amendment  
27 as defined in subsection (a) of this section. The requirement to obtain concurrence from a  
28 provider is satisfied if the local government provides notice as required by subsection (c)  
29 of this section and the provider does not respond in writing (either concurring or non-  
30 concurring) within forty-five days.
- 31 (c) A local government that proposes to use this section must coordinate with Oregon  
32 Business Development Department, Department of Land Conservation and Development,  
33 area commission on transportation, metropolitan planning organization, and  
34 transportation providers and local governments directly impacted by the proposal to  
35 allow opportunities for comments on whether the proposed amendment meets the  
36 definition of economic development, how it would affect transportation facilities and the  
37 adequacy of proposed mitigation. Informal consultation is encouraged throughout the  
38 process starting with pre-application meetings. Coordination has the meaning given in  
39 ORS 197.015 and Goal 2 and must include notice at least 45 days before the first  
40 evidentiary hearing. Notice must include the following:
- 41 (A) Proposed amendment.
- 42 (B) Proposed mitigating actions from section (2) of this rule.
- 43 (C) Analysis and projections of the extent to which the proposed amendment in  
44 combination with proposed mitigating actions would fall short of being

1 consistent with the ~~function, capacity, and~~ performance standards of  
2 transportation facilities.

3 (D) Findings showing how the proposed amendment meets the requirements of  
4 subsection (a) of this section.

5 (E) Findings showing that the benefits of the proposed amendment outweigh the  
6 negative effects on transportation facilities.

## 7 **New Rules 0011-0012: Applicability and Effective Dates**

8 These rules are intended to help implement the new rules numbered 0100 and above, which will apply  
9 to urban areas inside metropolitan areas. The existing rules will continue to apply to areas outside of  
10 urban areas in metropolitan areas. These rules help make it clear what rules apply to which jurisdictions,  
11 and when those rules apply.

### 12 ***0011: Applicable Rules***

13 This rule provides for local governments in metropolitan areas to use the new rules in OAR 660-012-  
14 0100 and above. Local governments in other parts of the state will continue to use the existing rules,  
15 although cities outside metropolitan areas may opt into using the updated rules if they wish.

16 We are working with Metro and will be consulting with potentially affected local governments to  
17 determine how rules may apply in the Portland Metropolitan Area.

18 The following rules will continue to apply statewide, even in metropolitan areas:

19 OAR 660-012-0000, Purpose

20 OAR 660-012-0005, Definitions

21 OAR 660-012-0010, Transportation Planning

22 OAR 660-012-0060, Plan and Land Use Regulation Amendments

23 OAR 660-012-0065, Transportation Improvements on Rural Lands

24 OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land

25 The latter two rules only apply to rural lands statewide.

26 **Since the October draft, this rule has changed to clarify that OAR 660-012-0012 only applies within**  
27 **metropolitan areas.**

28 (1) OAR 660-012-0000, OAR 660-012-0005, OAR 660-012-0010, OAR 660-12-0011, OAR 660-  
29 012-0060, OAR 660-012-0065, and OAR 660-012-0070 apply statewide, where this division is  
30 applicable.

31 (2) OAR 660-012-0012 and OAR 660-012-0100 through OAR 660-012-0915 apply to the following  
32 local governments:

33 (a) Cities within metropolitan areas;

34 (b) Portions of counties within Urban Growth Boundaries of cities in metropolitan areas; and



- 1 (c) Metro.
- 2 (3) OAR 660-012-0010 through OAR 660-012-0055 apply to all local governments other than those
- 3 listed in section (2) of this rule, where this division is applicable.
- 4 (4) Cities that otherwise would be required to use rules as provided in section (3) of this rule, may
- 5 choose to instead adopt a transportation system plan meeting the rules that apply to jurisdictions
- 6 as provided in section (2) of this rule. Upon acknowledgement of such a transportation system
- 7 plan, the city shall continue to be subject to these rules in all respects.
- 8 (5) All cities are either subject to the rules in section (2) or section (3) of this rule, but not both.
- 9 (6) Counties may have different applicable rules in different parts of the county.

10 **0012: Effective Dates**

11 This rule lists the effective dates of some provisions of the Transportation Planning Rules. Most

12 provisions will take effect shortly after the commission adopts the rule amendments, but the

13 implementation of some provisions will be phased in over time.

14 There have been no substantive changes from the October draft amended rule. Staff expect to review

15 many provisions of this rule in several work groups. Adjustments to effective dates may be made to

16 balance urgent action with the ability to successfully implement provisions of the rules.

- 17 (1) The rules in this division adopted on [May XX, 2022], and amendments to rules in this division
- 18 adopted on that date, are effective [June XX, 2022], except as provided in this rule.
- 19 (2) A city or county adopting, amending, or updating a transportation system plan that is required to
- 20 meet the requirements as provided in OAR 660-012-0100 may instead use existing requirements
- 21 as provided in OAR 660-012-0015 if the city or county has submitted notice of the proposed
- 22 change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later
- 23 than December 31, 2022.
- 24 (3) Cities and counties must make their selection of approach to plan for reducing vehicle miles
- 25 traveled per capita as provided in OAR 660-012-0160(6) no later than December 31, 2022. Cities
- 26 and counties must notify the director of their selection prior to this date.
- 27 (4) The provisions of OAR 660-012-0170 requiring the adoption of multiple transportation
- 28 performance standards take effect on January 1, 2023.
- 29 (5) Cities and Counties shall designate climate friendly areas as provided in OAR 660-012-0310 and
- 30 adopt land use requirements for climate friendly areas and a climate friendly comprehensive plan
- 31 element as provided in OAR 660-012-0315 as follows:
- 32 (a) A city or county outside a metropolitan service district with a population of more than
- 33 5,000 but less than 10,000 within the urban growth boundary that is subject to the
- 34 requirements of OAR 660-012-0310(1) shall designate climate friendly areas as provided
- 35 in OAR 660-012-0315(3) by June 30, 2023. The city or county shall adopt land use
- 36 requirements for climate friendly areas and a climate friendly comprehensive plan
- 37 element by June 30, 2024, as provided in OAR 660-012-0315(4). The city or county may
- 38 choose to adopt development standards for climate friendly areas and a climate friendly
- 39 comprehensive plan element concurrent with designation of climate friendly areas by
- 40 June 30, 2023.

- 1 (b) A city or county outside a metropolitan service district with a population of 10,000 or  
2 more within the urban growth boundary that is subject to the requirements of OAR 660-  
3 012-0310(1) shall designate climate friendly areas as provided in OAR 660-012-0315(3)  
4 by June 30, 2023. The city or county shall adopt land use requirements for climate  
5 friendly areas and a climate friendly comprehensive plan element by June 30, 2024, as  
6 provided in OAR 660-012-0315(4). The city or county may choose to adopt development  
7 standards for climate friendly areas and a climate friendly comprehensive plan element  
8 concurrent with designation of climate friendly areas by June 30, 2023.
- 9 (c) Within the urban growth boundary of a metropolitan service district, the metropolitan  
10 service district shall amend the urban growth management functional plan (UGMFP) in  
11 conjunction with its next growth management analysis under ORS 197.296 and no later  
12 than December 31, 2024, to require local government adoption of Region 2040 centers  
13 and land use regulations as described in Title 6 of the UGMFP. Within the metropolitan  
14 service district, a county with planning jurisdiction in unincorporated areas provided with  
15 urban water, sanitary sewer, stormwater, and transportation services; or a city shall  
16 comply with the adopted requirements of the UGMFP by December 31, 2025.
- 17 (d) After June 30, 2023, a city or county outside a metropolitan service district with a  
18 population within an urban growth boundary exceeding 5,000 shall designate climate  
19 friendly areas as provided in OAR 660-012-0315 within two years of reaching a  
20 population exceeding 5,000.
- 21 (e) After June 30, 2023, a city or county outside a metropolitan service district with a  
22 population exceeding 10,000 within an urban growth boundary shall designate climate  
23 friendly areas as provided in OAR 660-012-0315. Cities and counties outside a  
24 metropolitan service district shall maintain sufficient lands within climate friendly areas  
25 as their population grows, as provided in OAR 660-012-0315. For cities also subject to  
26 OAR 660-008-0045, compliance with this requirement shall be demonstrated in each  
27 Housing Capacity Analysis following the initial designation of climate friendly areas.  
28 Land use requirements for climate friendly areas shall be established concurrent or prior  
29 to the adoption of the Housing Capacity Analysis as provided in OAR 660-012-0320.  
30 Counties subject to this rule shall coordinate with cities to address climate friendly area  
31 requirements within an urban growth boundary.
- 32 (6) Cities and counties must adopt comprehensive plan amendments and land use regulations meeting  
33 requirements as provided in OAR 660-012-0400 no later than March 31, 2023. Those cities and  
34 counties who fail to do so may not apply parking mandates after that date. Cities and counties  
35 required to adopt parking maximums under OAR 660-012-0415 must do so when updating their  
36 transportation system plan. Cities and counties that pass population thresholds in OAR 660-012-  
37 0410, OAR 660-012-0415 or OAR 660-012-0450 must adopt comprehensive plan amendments  
38 and land use regulations meeting requirements within 12 months of passing those population  
39 thresholds. If adopting an approach in OAR 660-012-0445, policies must take effect no later than  
40 June 30, 2023.
- 41 (7) Cities and counties choosing to report on the share of on-street parking spaces that are priced as  
42 provided in OAR 660-012-0450(1)(B) must:
- 43 (a) Demonstrate at least 5% of on-street parking spaces are priced by September 30, 2023;  
44 and
- 45 (b) Demonstrate at least 10% of on-street parking spaces are priced by September 30, 2025.

- 1 (8) Cities and counties must implement the requirements for electric vehicle charging as provided in  
2 OAR 660-012-0410 by March 31, 2023.
- 3 (9) Requirements as provided in OAR 660-012-0900 are modified as follows:
- 4 (a) The first reporting year for the reporting requirements as provided in OAR 660-012-0900  
5 is 2022, with reports due no later than May 31, 2023.
- 6 (b) Cities and counties otherwise required to complete a major report for the 2022 reporting  
7 year as provided in OAR 660-012-0900 may delay submission of the major report until  
8 the 2023 reporting year. A city or county electing to do so must submit a minor report for  
9 the 2022 reporting year and cite this provision in that report.

10 **New Rules 0100-0210: General Provisions**

11 This part of the Transportation Planning Rules will contain general provisions for how cities and counties  
12 in metropolitan areas conduct coordinated land use and transportation planning. These include updated  
13 rules for how cities and counties undertake transportation system plans within urban areas. There are  
14 significant changes and clarifications in how this process works, including how cities and counties ensure  
15 equitable participation in decision-making, and how plans are amended and updated over time.

16 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

17 ***0100: Transportation System Plans in Metropolitan Areas***

18 This rule provides the starting point for how cities in metropolitan areas will be required to adopt,  
19 amend, and implement local transportation system plans in urban areas. The rule lists all the required  
20 elements of a transportation system plan. The rule also provides for how cities will determine the base  
21 and horizon years of a local transportation system plan.

22 This rule has been renamed, but no substantive changes have been made to this rule since the October  
23 draft. The transportation system planning work group will review this rule.

- 24 (1) Cities shall develop and adopt an transportation system plan. A transportation system plan  
25 includes the following elements:
- 26 (a) The core transportation system plan elements as provided in section (2) of this rule;
- 27 (b) Transportation System Inventories as provided in OAR 660-012-0150;
- 28 (c) A pedestrian system element as provided in OAR 660-012-0500;
- 29 (d) A bicycle system element as provided in OAR 660-012-0600;
- 30 (e) A public transportation system element as provided in OAR 660-012-0700;
- 31 (f) A street and highway system element as provided in OAR 660-012-0800;
- 32 (g) Funding projections as provided in OAR 660-012-0205; and
- 33 (h) A financially-constrained project list as provided in OAR 660-012-0210.

- 1 (2) Transportation system plans must also include the following core elements:
- 2 (a) Major core elements to be updated with major updates to a transportation system plan as  
3 provided in OAR 660-012-0105:
- 4 (A) The base and planning horizon years for the plan as provided in section (3) of  
5 this rule;
- 6 (B) The land use assumptions used in development of the transportation system plan,  
7 as developed under OAR 660-012-0340;
- 8 (b) Minor core elements to be updated with major or minor updates to a transportation  
9 system plan as provided in OAR 660-012-0105:
- 10 (A) A list of all components of the plan, and the date of adoption or amendment of  
11 each;
- 12 (B) The policies in the city's comprehensive plan that apply to coordinated land use  
13 and transportation system planning;
- 14 (C) The goals and policies of the transportation system plan;
- 15 (D) Those areas designated by the city with concentrations of underserved  
16 populations as provided in OAR 660-012-0120;
- 17 (E) A record of the engagement, involvement, and decision-making processes used in  
18 development of the plan, as provided in OAR 660-012-0125, and an equity  
19 analysis as provided in OAR 660-012-0130.
- 20 (F) The dates of each report made to the director as provided in OAR 660-012-0900.  
21 These must include all reports made for the planning area, including city and  
22 county reports, if applicable.
- 23 (3) The base and horizon years of transportation system plans shall be determined as follows:
- 24 (a) The base year for a transportation system plan is the present or past year which is used  
25 for the development of plan elements. The base year must be the year of adoption of a  
26 major update to the Transportation System Update, or no earlier than five years prior.
- 27 (b) The horizon year for a transportation system plan is the future year for which the plan  
28 contains potential projects. The horizon year is a minimum of twenty years from the year  
29 of adoption of a major update to the transportation system plan.
- 30 (4) Cities must coordinate the development of transportation system plans with counties,  
31 transportation facility owners, and transportation service providers.
- 32 (5) Cities must develop transportation system plans and amendments to those plans consistent with  
33 the provisions of OAR 660-012-0105 through OAR 660-012-0140.
- 34 (6) Adoption or amendment of a transportation system plan shall constitute the land use decision  
35 regarding the need for transportation facilities, services, and major improvements; and their  
36 function, mode, and general location.
- 37 (7) Findings of compliance with applicable statewide planning goals and acknowledged  
38 comprehensive plan policies and land use regulations shall be developed in conjunction with the  
39 adoption or amendment of the transportation system plan.
- 40 (8) Cities in the Portland Metropolitan area must meet the requirements as provided in OAR 660-  
41 012-0102.

1 **0102: Transportation System Planning in the Portland Metropolitan Area**

2 This rule describes how transportation system planning works in the Portland Metropolitan Area,  
3 including local planning by cities and counties, and regional planning by Metro. Many of the regional  
4 planning requirements are from existing rules in OAR 660-012-0016.

5 This rule has a temporary rule number and will be renumbered in a future draft.

6 No substantive changes have been made to this rule since the October draft.

- 7 (1) This rule applies to cities and counties in the Portland Metropolitan Area, and Metro. In the  
8 Portland Metropolitan Area, cities and counties shall develop and adopt local transportation  
9 system plans, and Metro shall develop and adopt a regional transportation system plan as  
10 provided in this rule.
- 11 (2) Cities and counties shall amend comprehensive plans, land use regulations, and transportation  
12 system plans to be consistent with Metro’s regional transportation system plan. Consistent means  
13 city and county comprehensive plans and implementing ordinances, conform with the policies  
14 and projects in the regional transportation system plan.
- 15 (3) Metro shall prepare, adopt, amend, and update a regional transportation system plan in  
16 coordination the with regional transportation plan required by federal law. Insofar as possible, the  
17 regional transportation system plan shall be accomplished through a single coordinated process  
18 that complies with the applicable requirements of federal law and this division.
- 19 (a) When Metro adopts or amends the regional transportation plan to comply with this  
20 division as provided in this section, Metro shall review the adopted plan or amendment  
21 and either:
- 22 (A) Adopt findings that the proposed regional transportation plan amendment or  
23 update is consistent with the applicable provisions of adopted regional  
24 transportation system plan and compliant with applicable provisions of this  
25 division; or
- 26 (B) Adopt amendments to the regional transportation system plan that make the  
27 regional transportation plan consistent and compliant with applicable provisions  
28 of this division. Necessary plan amendments or updates shall be prepared and  
29 adopted in coordination with the federally-required plan update or amendment.  
30 Such amendments shall be initiated no later than 30 days from the adoption of the  
31 regional transportation plan amendment or update and shall be adopted no later  
32 than one year from the adoption of the regional transportation plan amendment or  
33 update or according to a work plan approved by the commission. A plan  
34 amendment is initiated for purposes of this subsection where the affected local  
35 government files a post-acknowledgement plan amendment notice with the  
36 department as provided in OAR 660-018-0020.
- 37 (b) Adoption or amendment of the regional transportation plan relates to compliance with  
38 this division for purposes of section (3) if it does one or more of the following:
- 39 (A) Changes plan policies;
- 40 (B) Adds or deletes a project from the list of planned transportation facilities,  
41 services or improvements or from the financially-constrained project list required  
42 by federal law;

- 1 (C) Modifies the general location of a planned transportation facility or  
2 improvement;
- 3 (D) Changes the functional classification of a transportation facility; or
- 4 (E) Changes the planning period or adopts or modifies the population or employment  
5 forecast or allocation upon which the plan is based.
- 6 (c) The following amendments to the regional transportation plan do not relate to compliance  
7 with this division for purposes of section (3):
- 8 (A) Adoption of an air quality conformity determination;
- 9 (B) Changes to a federal revenue projection;
- 10 (C) Changes to estimated cost of a planned transportation project; or
- 11 (D) Deletion of a project from the list of planned projects where the project has been  
12 constructed or completed.
- 13 (4) Notwithstanding any requirement in this division, Metro may adopt provisions into a regional  
14 functional plan that require cities and counties:
- 15 (a) To meet an additional requirement for transportation system planning where Metro finds  
16 that the additional requirement is necessary to meet regional planning objectives and  
17 supports the purposes of this division; and
- 18 (b) To meet an alternative requirement for transportation system planning in lieu of a  
19 requirement as provided in this division, where Metro finds that the alternative  
20 requirement meets the objectives of the original requirement, is necessary to meet  
21 regional planning objectives, and supports the purposes of this division.
- 22 (5) Notwithstanding requirements for transportation system planning areas as provided in OAR 660-  
23 012-0110:
- 24 (a) Metro shall work cooperatively with cities and counties to determine responsibility for  
25 planning areas in the urbanizable area. All lands within the Metro Urban Growth  
26 Boundary must be within the planning area of either a city or county. Where a county has  
27 responsibility for a planning area, the county must meet the requirements as provided for  
28 counties in OAR 660-012-0110;
- 29 (b) Counties planning for unincorporated areas with the urban growth boundary shall meet  
30 all applicable requirements based on the population of the planning area; and
- 31 (c) Counties and cities need not have the same planning horizon year.
- 32 (6) Notwithstanding requirements for transportation system inventories as provided in OAR 660-012-  
33 0150, Metro shall prescribe inventory requirements in transportation system plans for cities and  
34 counties in a regional functional plan.

1 **0105: Transportation System Plan Updates**

2 This rule describes how cities update their transportation system plans. The rule provides for either a  
3 major or minor update to plans. The existing rules were written when most places did not even have a  
4 transportation system plan, so there is little guidance about how they are to be kept up to date. The  
5 purpose of this rule is to clarify that process and make it simpler to adopt smaller updates in between  
6 larger updates.

7 No substantive changes have been made to this rule since the October draft. The transportation system  
8 planning work group will review this rule.

- 9 (1) Cities may adopt a major update to a transportation system plan as provided in section (2), or a  
10 minor update as provided in section (3).
- 11 (2) A major update to a transportation system plan is any update that:
- 12 (a) Includes a change to the horizon year of the plan;
- 13 (b) Any update where the adoption date is fewer than [five] years prior to January 1 of the  
14 planning horizon year of the acknowledged plan; or
- 15 (c) Includes a facility authorized as provided in OAR 660-012-0830.
- 16 (3) A city making a major update to a transportation system plan must:
- 17 (a) Include an update to the core transportation system plan elements as provided in OAR  
18 660-012-0100, and include all other applicable elements as provided in OAR 660-012-  
19 0100.
- 20 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the  
21 major update to the transportation system plan.
- 22 (c) Complete the review of any Vehicle Miles Traveled-Increasing facilities in the plan as  
23 provided in OAR 660-012-0830 prior to adoption in the transportation system plan.
- 24 (4) A minor update to a transportation system plan is any update which is not a major update as  
25 provided in section (2) of this rule. A city making a minor update to a transportation system plan  
26 must:
- 27 (a) Include, at minimum, an update to core transportation system plan elements as provided  
28 in OAR 660-012-0100.
- 29 (b) Follow the engagement requirements of OAR 660-012-0115 in the development of the  
30 minor update to the transportation system plan.
- 31 (5) Notwithstanding any other provision in this rule, cities having an acknowledged transportation  
32 system plan adopted as provided in OAR 660-012-0015 shall adopt a major update to the  
33 transportation system plan. Cities may use any part of existing acknowledged plans to meet the  
34 applicable requirements.
- 35 (6) Notwithstanding any other provision in this rule, cities that do not have an acknowledged  
36 transportation system plan shall adopt a new plan in the manner of adopting a major update to a  
37 transportation system plan. Cities may use any part of existing acknowledged plans to meet the  
38 applicable requirements.

1 **0110: Transportation System Planning Area**

2 This rule sets out requirements for the geographic scope of transportation system plans. The default  
3 assumption is that cities will plan for the entire urban area within the Urban Growth Boundary, including  
4 unincorporated areas. The rule includes provisions if counties opt to handle the planning within urban  
5 unincorporated areas.

6 No substantive changes have been made to this rule since the October draft. The transportation system  
7 planning work group will review this rule.

- 8 (1) The planning area for transportation system plans is the area encompassed by the acknowledged  
9 Urban Growth Boundary, including both incorporated and unincorporated areas. The  
10 unincorporated area within Urban Growth Boundaries is the urbanizable area.
- 11 (2) Cities are responsible for the development and adoption of transportation system plans for the  
12 entire planning area. Cities shall work cooperatively with counties to effectively plan for the  
13 urbanizable area.
- 14 (3) Counties are responsible for cooperatively working with cities on the development and adoption  
15 of transportation system plans including the urbanizable area.
- 16 (4) Cities and counties must jointly determine how transportation system planning will occur in the  
17 urbanizable area, including plan adoption, through intergovernmental agreement.
- 18 (5) In lieu of sections (2) and (3) of this rule, a county may choose to develop and adopt a separate  
19 transportation system plan for areas in the urbanizable area. The county and associated city must  
20 meet the requirements as provided in sections (4) and (7) of this rule.
- 21 (6) Counties planning for unincorporated urban areas as provided in this rule, and associated cities,  
22 must meet these requirements:
- 23 (a) Counties must meet the applicable requirements of this division as if they were a city,  
24 even when requirements only refer to cities.
- 25 (b) Both the city and county must meet all applicable requirements based on the population  
26 of the entire urban area.
- 27 (c) Both the city and the county must adopt transportation system plans with the same  
28 horizon year.
- 29 (7) Counties must plan areas outside Urban Growth Boundaries as rural, regardless of location within  
30 a metropolitan area. Counties planning for unincorporated communities within a metropolitan  
31 area must meet requirements as provided in OAR Chapter 660, Division 22.

32 **0115: Transportation System Planning Engagement**

33 This rule directs how cities must engage the public, and specifically underserved populations, in the  
34 development and approval of transportation system plans.

35 No substantive changes have been made to this rule since the October draft.

- 36 (1) Cities and counties must develop transportation system plans using methods of engaging the  
37 public and making decisions consistent with the statewide planning goals and provisions of the  
38 local comprehensive plan.



- 1 (2) Public engagement and decision making must place an increased emphasis on centering the  
 2 voices of underserved populations as provided in OAR 660-012-0120.
- 3 (3) Cities or counties engaged in a major update of the transportation system plan as provided in  
 4 OAR 660-012-0105, or an update of the future land use assumptions as provided in OAR 660-  
 5 012-0340, must make a special effort to ensure underserved populations, as provided in OAR  
 6 660-012-0120, are informed about the choices that need to be made in the planning process, given  
 7 a meaningful opportunity to inform the planning process, and to the extent possible, have an  
 8 equitable share of the decision-making power over key decisions.

9 **0120: Underserved Populations**

10 Oregon has a long history of discrimination throughout our laws, budgets, and planning processes and  
 11 decisions. The Climate-Friendly and Equitable Communities Rules Advisory Committee has helped  
 12 identify underserved populations to consider in this rulemaking, expanding on a list from the Governor’s  
 13 office. To rectify harms done in the past and in current practice, communities must prioritize these  
 14 populations in decision-making processes and outcomes.

15 This rule sets out a Definition of underserved populations for use in transportation and land use  
 16 planning consistent with the Equitable Outcomes Statement developed by the Rules Advisory  
 17 Committee. The rule also requires cities and counties to identify areas with concentrations of  
 18 underserved populations.

19 **Since the October draft, this rule has added “refugees” as an underserved population.**

- 20 (1) In order to implement provisions of this division, cities and counties must prioritize community-  
 21 led engagement and decision-making, with specific attention to the underserved populations listed  
 22 in section (2) of this rule.
- 23 (2) When updating or amending a transportation systems plan, cities and counties must identify  
 24 populations of people living in the community who need prioritized attention with regard to  
 25 transportation and land use planning due to historic and current marginalization. Underserved  
 26 populations include, but are not limited to:
- 27 (a) Black and African American people;
  - 28 (b) Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii  
 29 Native);
  - 30 (c) People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North  
 31 African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity  
 32 populations);
  - 33 (d) Immigrants, including undocumented immigrants and refugees;
  - 34 (e) People with limited English proficiency;
  - 35 (f) People with disabilities;
  - 36 (g) People experiencing homelessness;
  - 37 (h) Low-income and low-wealth community members;
  - 38 (i) Low- and moderate-income renters and homeowners;
  - 39 (j) Single parents;

- 1 (k) Lesbian, gay, bisexual, transgender, queer, intersex, asexual, or two-spirit community
- 2 members; and
- 3 (l) Youth and seniors.
- 4 (3) Cities and counties must identify geographic areas with above average concentrations of
- 5 underserved populations.

6 **0125: Decision-Making with Underserved Populations**

7 This rule directs how local governments center underserved populations in decision-making. The rule  
8 requires local governments to implement an involvement program with a range of activities to ensure  
9 equitable participation in decision-making and work toward equitable outcomes. The rule requires local  
10 governments to identify and engage with recognized tribes with ancestral lands in the city or county.  
11 The rule requires cities and counties to regularly assess and report on progress.

12 **Since the October draft, the rule has been clarified to note that “recognized tribes” means federally**  
13 **recognized.**

- 14 (1) Cities and counties must, as a part of an involvement program required as provided in OAR 660-  
15 015-0000(1), center the voices of underserved populations in processes at all levels of decision-  
16 making under this division. Actions that may accomplish this include, but are not limited to:
  - 17 (a) Regularly reporting on progress made under this rule as provided by section (3);
  - 18 (b) Conducting equity analyses as provided in OAR 660-012-0130;
  - 19 (c) Engaging in additional outreach activities with underserved populations and in areas with  
20 concentrations of underserved populations. Such outreach activities should include  
21 activities in multiple languages and formats, be accessible to people with disabilities, and  
22 be accessible to people without internet access, with limited transportation and child care  
23 options, and with schedule constraints around employment or other critical  
24 responsibilities;
  - 25 (d) Considering the effect on underserved populations when developing plans, including land  
26 use plans and plans for public investment; and
  - 27 (e) Developing decision-making factors that recognize historic and current inequities, and  
28 work to reduce them.
- 29 (2) Cities and counties must identify those federally recognized sovereign tribes whose ancestral  
30 lands include the area now within the city or county. The city or county must engage with  
31 affected tribes to notify them of coordinated land use and transportation planning activities and  
32 projects under this division. Cities and counties must engage in consultation with affected tribal  
33 governments if requested by tribal governments.
- 34 (3) Cities and counties must regularly assess and report on progress made under this rule by:
  - 35 (a) Reporting to the department annually as provided in OAR 660-012-0900;
  - 36 (b) Making regular reports to the planning commission and governing body of the city or  
37 county; and
  - 38 (c) Making regular public reports to the community.

1 **0130: Equity Analysis**

2 This rule gives cities and counties direction on how to complete an equity analysis. An equity analysis is  
3 required for a variety of actions throughout the division. The purpose of an equity analysis is to identify  
4 impacts of proposed projects and policies and potentially inequitable consequences or burdens on  
5 impacted communities.

6 **Since the October draft, this rule has changed to add a step in the equity analysis which requires**  
7 **assessing, acknowledging, and addressing current and past harm from racism.**

- 8 (1) Cities and counties must ensure that land use and transportation plans required in this division  
9 improve outcomes for underserved populations by using an equity analysis. An equity analysis is  
10 intended to determine benefits and burdens on underserved populations, as provided in OAR 660-  
11 012-0120.
- 12 (2) A city or county engaging in an equity analysis must:
- 13 (a) Engage with people in the community who are members of underserved populations as  
14 provided in OAR 660-012-0120 to develop key community outcomes;
  - 15 (b) Assess, document, acknowledge, and address where past policies and effects of climate  
16 change have harmed and are likely to perpetuate harm to underserved populations;
  - 17 (c) Assess, document, acknowledge and address where current and past racism has harmed  
18 and continues to harm underserved populations;
  - 19 (d) Recognize where and how intersectional discrimination compounds disadvantages;
  - 20 (e) Gather lived experience, qualitative, and quantitative information from the community on  
21 how the proposed change benefits or burdens underserved populations;
  - 22 (f) Analyze the proposed changes for impacts and alignment with desired key community  
23 outcomes;
  - 24 (g) Develop strategies to create greater equity or minimize unintended consequences;
  - 25 (h) Develop and track key indicators over time and continue to communicate with and  
26 involve the people in the community who are members of underserved populations; and
  - 27 (i) Report back and share the information learned from the analysis and unresolved issues  
28 with people in the community who are members of underserved populations.

29 **0140: Transportation System Refinement Plans**

30 This rule provides cities and counties with the opportunity to defer some decisions that would otherwise  
31 be made in a transportation system plan to a later refinement planning process. This rule is largely  
32 based on existing language within the Transportation Planning Rules, in OAR 660-012-0025.

33 No substantive changes have been made to this rule since the October draft.

- 34 (1) A city or county may, when adopting a major update to the transportation system plan as  
35 provided in OAR 660-012-0100, defer decisions regarding function, general location, and mode  
36 of a refinement plan if findings are adopted that:
- 37 (a) Identify the transportation need for which decisions regarding function, general location, or  
38 mode are being deferred;

- 1 (b) Demonstrate why information required to make final determinations regarding function,  
2 general location, or mode cannot reasonably be made available within the time allowed for  
3 preparation of the transportation system plan;
- 4 (c) Explain how deferral does not invalidate the assumptions upon which the transportation  
5 system plan is based or preclude implementation of the remainder of the transportation  
6 system plan;
- 7 (d) Describe the nature of the findings which will be needed to resolve issues deferred to a  
8 refinement plan; and
- 9 (e) Set a deadline for adoption of a refinement plan no more than five years after the adoption of  
10 the major update to the transportation system plan.
- 11 (2) A city or county may not defer decisions to a refinement plan for transportation facilities within a  
12 climate friendly area.
- 13 (3) Where a Corridor Environmental Impact Statement (EIS) is prepared pursuant to the requirements  
14 of the National Environmental Policy Act of 1969, the development of the refinement plan shall  
15 be coordinated with the preparation of the Corridor EIS. The refinement plan shall be adopted  
16 prior to the issuance of the Final EIS.

17 **0145: Temporary Projects**

18 This rule makes clear that certain temporary or pilot projects need not be included in the transportation  
19 system plan to be implemented. These are expected to be short-term trials or temporary fixes in  
20 advance of a plan update.

21 No substantive changes have been made to this rule since the October draft.

- 22 (1) Notwithstanding any other part of this division, an operator of a transportation facility may  
23 undertake a temporary project to change streets, roads, or highways consistent with this rule,  
24 without specific inclusion in a project list in a transportation system plan.
- 25 (2) Temporary projects may include:
  - 26 (a) Temporary projects to convert areas dedicated to existing on-street parking or general-  
27 purpose travel lanes to pedestrian facilities, areas, or plazas; bicycle facilities; or transit  
28 lanes.
  - 29 (b) Temporary projects to implement a pilot program to price facilities for motor vehicles on  
30 a street or highway. This rule does not restrain any parking pricing or parking  
31 management activities.
  - 32 (c) Temporary transportation projects to provide basic transportation network connectivity  
33 and function after a major emergency impacting the transportation system to a significant  
34 degree.
- 35 (3) Temporary projects as provided in this rule may be in place for up to two years, or three years  
36 within a climate friendly area. Projects extending past this duration must be adopted into the  
37 transportation system plan.

1 **0150: Transportation System Inventories**

2 This rule includes general requirements for inventories of existing facilities and services in  
3 transportation system plans. The specific requirements for each mode of transportation are in separate  
4 rules, as noted in this rule. There are basic levels of inventories required, and larger cities will be  
5 required to do more advanced inventories.

6 No substantive changes have been made to this rule since the October draft. The transportation system  
7 planning work group will review this rule.

- 8 (1) This rule applies to transportation inventories as provided in OAR 660-012-0505, OAR 660-012-  
9 0605, OAR 660-012-0705, and OAR 660-012-0805.
- 10 (2) Cities and counties shall coordinate with other transportation facility and service providers,  
11 including, but not limited to state agencies, other cities and counties, and public transportation  
12 system operators to develop the transportation system inventory.
- 13 (3) Inventories must include all publicly accessible transportation facilities and services within the  
14 planning area, regardless of ownership or maintenance responsibility. Inventories must note  
15 ownership or maintenance responsibility for all facilities.
- 16 (4) Inventories must include a planning-level assessment of existing transportation facilities and  
17 services. Inventories must clearly identify the function of a facility or service, primary users of  
18 the facility or service, and the planned land use context of differing segments of the facility.
- 19 (A) Function includes the classification of the facility or services, its primary uses, and  
20 whether it primarily serves local, regional, pass-through, or freight traffic.
- 21 (B) Primary users of the facility includes whether users are primarily on foot, bicycle, transit,  
22 freight, or personal vehicle.
- 23 (C) Land use context includes determining what types of planned land uses surround the  
24 facility.

25 **0155: Transportation Modeling and Analysis**

26 This rule sets requirements for how cities and counties use transportation modeling and analysis to  
27 make land use decisions.

28 No substantive changes have been made to this rule since the October draft.

- 29 (1) If a city or county is relying on transportation models or mathematical analysis of the  
30 transportation system to make a land use decision, then the city or county shall do so consistent  
31 with this rule.
- 32 (2) The model or analysis must account for changes in vehicle miles traveled that would result from  
33 any transportation projects proposed as a part of the land use decision, including latent and  
34 induced travel of additional roadway capacity.
- 35 (3) The assumptions and inputs used with the modeling or analysis must be consistent with  
36 acknowledged plans.
- 37 (4) The land use decision will not affect vehicle miles traveled per capita or will decrease vehicle  
38 miles traveled per capita.

1 **0160: Vehicle Miles Traveled Reduction Targets**

2 This rule requires cities and counties to use vehicle miles travelled as a proxy for greenhouse gas  
3 pollution for cities and counties that do not yet have an approved regional scenario plan. The rule  
4 applies when adopting a TSP and requires the city or county to adopt a TSP that is projected to reduce  
5 vehicle miles travelled. Vehicle miles traveled per capita is defined as any light duty vehicle trip  
6 originating from either a city or metropolitan region.

7 **Since the October draft, this rule has changed to be more specific about future vehicle miles per**  
8 **capita, the include Metro where applicable, and to be clear that a plan must include a project list that**  
9 **meets the applicable vehicle miles per capita target.** The transportation system planning work group  
10 will review this rule.

- 11 (1) When a city, county, or Metro is making a major update to a transportation system plan as  
12 provided in OAR 660-012-0105, they shall project vehicle miles traveled per capita at the horizon  
13 year.
- 14 (2) The city, county, or Metro must prepare separate projection using two different lists of future  
15 projects:
- 16 (a) A projection that estimates changes in future vehicle miles traveled per capita from the  
17 base year that would result from projects on the financially-constrained project list as  
18 provided in OAR 660-012-0210, including latent and induced travel of additional  
19 roadway capacity; and
- 20 (b) A projection that estimates changes in future vehicle miles traveled per capita from the  
21 base year that would result from projects on the illustrative project list as provided in  
22 OAR 660-012-0200, including latent and induced travel of additional roadway capacity.
- 23 (3) The projections must be based on:
- 24 (a) land use and transportation policies in an acknowledged comprehensive plan and in the  
25 proposed transportation system plan;
- 26 (b) local actions consistent with the adopted performance targets as provided under OAR  
27 660-12-0915, and regional outcomes under OAR 660-044-0120;
- 28 (c) forecast land use patterns that meet OAR 660-012-0340; and
- 29 (d) state and federal actions included in a land use and transportation scenario plan approved  
30 as provided in OAR 660-044-0120, or included in the Statewide Transportation Strategy  
31 as adopted by the Oregon Transportation Commission, including the following state-led  
32 actions that affect auto operating costs:
- 33 (A) state-led pricing policies, and energy prices; and
- 34 (B) vehicle and fuel technology, including vehicle mix, vehicle fuel efficiency, fuel  
35 mix, and fuel carbon intensity.
- 36 (4) Cities, counties, and Metro may only adopt a transportation system plan if the projected vehicle  
37 miles traveled per capita at the horizon year using the financially-constrained project list is lower  
38 than estimated vehicle miles travelled per capita in the base year.
- 39 (5) If a city, county, or Metro has an adopted regional scenario plan approved under OAR 660-044-  
40 0050 or OAR 660-044-120, then the transportation system plan must include projected vehicle  
41 miles traveled per capita at the horizon year that is lower than the estimated vehicle miles traveled  
42 per capita at the base year by an amount that is consistent with the regional scenario plan.

- 1 (6) If a city, county, or Metro does not have an adopted regional scenario plan approved under OAR  
 2 660-044-0050 or OAR 660-044-0120, then the city or county may only adopt a transportation  
 3 system plan that meets one of the following options:
- 4 (a) The transportation system plan includes a financially constrained or illustrative project  
 5 list that would result in projected vehicle miles traveled per capita at the horizon year that  
 6 is lower than the estimated vehicle miles traveled per capita in 2005 by the percentage  
 7 that is the target for reducing greenhouse gas emissions provided in OAR 660-044-0020  
 8 or 660-044-0025; or
- 9 (b) The transportation system plan is adopted as part of a regionally coordinated  
 10 transportation planning process that includes:
- 11 (A) A regional transportation plan that includes a projection for regional vehicle  
 12 miles traveled per capita at the horizon year that is lower than the estimated  
 13 vehicle miles traveled per capita in 2005 by the percentage that is the target for  
 14 reducing greenhouse gas emissions provided in OAR 660-044-0020 or 660-044-  
 15 0025; and
- 16 (B) All the cities and counties in the metropolitan area are adopting local  
 17 transportation system plans consistent with the regional transportation plan.

18 **0165: Evaluation and Selection of Transportation System Alternatives**

19 This rule provides criteria for cities and counties to use when evaluating and selecting between  
 20 transportation system alternatives in a transportation system plan.

21 No substantive changes have been made to this rule since the October draft. The transportation system  
 22 planning work group will review this rule.

- 23 (1) The transportation system plan shall be based upon evaluation of potential impacts of system  
 24 alternatives that can reasonably be expected to meet the identified transportation needs in a safe  
 25 manner and at a reasonable cost with available technology. The following shall be evaluated as  
 26 components of system alternatives:
- 27 (a) Improvements to existing facilities or services;
- 28 (b) New facilities and services, including different modes or combinations of modes that  
 29 could reasonably meet identified transportation needs;
- 30 (c) Transportation system management strategies;
- 31 (d) Demand management strategies; and
- 32 (e) A no-build system alternative required by the National Environmental Policy Act of 1969  
 33 or other laws.
- 34 (2) The following standards shall be used to evaluate and select alternatives:
- 35 (a) The transportation system shall support development by providing types and levels of  
 36 transportation facilities and services appropriate to serve the land uses identified in the  
 37 acknowledged comprehensive plan;

- 1 (b) The transportation system shall be consistent with state and federal standards for  
 2 protection of air, land and water quality including the State Implementation Plan under  
 3 the Federal Clean Air Act and the State Water Quality Management Plan;
- 4 (c) The transportation system shall minimize adverse economic, social, environmental and  
 5 energy consequences;
- 6 (d) The transportation system shall minimize conflicts and facilitate connections between  
 7 modes of transportation; and
- 8 (e) The transportation system shall avoid principal reliance on any one mode of  
 9 transportation by increasing transportation choices to avoid principal reliance on the  
 10 automobile.
- 11 (3) Cities and counties must design transportation system plans to achieve transportation  
 12 performance targets as provided in OAR 660-012-0915 for increasing transportation choices,  
 13 avoid principal reliance on the automobile, and reducing transportation-related climate pollution.

14 **0170: Transportation Performance Standards**

15 This rule provides a framework for how decisions are made using transportation performance standards.  
 16 These include decisions made about transportation system planning, reviewing comprehensive plan and  
 17 land use regulation amendments, and in the local review of development proposals.

18 Currently many, but not all, decisions have relied heavily on performance standards related to motor  
 19 vehicle congestion. This rule ensures that decisions take all modes and a wider variety of values into  
 20 account. These values include equity, reducing climate pollution, safety, accessibility, reliability, and  
 21 mobility.

22 No substantive changes have been made to this rule since the October draft. The performance  
 23 standards work group will review this rule.

- 24 (1) This rule applies to performance standards that cities and counties use to review comprehensive  
 25 plan and land use regulation amendments as provided in OAR 660-012-0060, and to review an  
 26 application for development as provided in acknowledged local comprehensive plans and land  
 27 use regulations. This rule applies to performance standards that Metro uses to review functional  
 28 plan amendments as provided in OAR 660-012-0060.
- 29 (2) Cities and counties shall adopt performance standards as an element of a local transportation  
 30 system plan. The performance standards must be consistent with the acknowledged local  
 31 comprehensive plan. The performance standards must support meeting the targets for  
 32 performance measures provided in OAR 660-012-0910. The transportation system plan must  
 33 include the elements listed below.
- 34 (a) What characteristics of the transportation system will be measured, estimated or  
 35 projected, and the methods to calculate performance.
- 36 (b) Thresholds to determine whether the measured, estimated, or projected performance  
 37 meets the performance standard. Thresholds may vary by facility type, location, or other  
 38 factors.
- 39 (c) Findings for how the performance standard supports meeting the targets for performance  
 40 measures provided in OAR 660-012-0910.



- 1 (3) Cities, counties, Metro, and state agencies shall adopt two or more performance standards. At  
 2 least one of the performance standards must support increasing transportation choices and  
 3 avoiding principal reliance on the automobile. The transportation system plan must clearly state  
 4 how to apply the multiple performance standards to a proposal that meets some, but not all, of the  
 5 performance standards. The performance standards must evaluate at least two of the following  
 6 objectives for the transportation system, for any or all modes of transportation:
- 7 (a) Reducing climate pollution;
  - 8 (b) Equity;
  - 9 (c) Safety;
  - 10 (d) Network connectivity;
  - 11 (e) Accessibility;
  - 12 (f) Efficiency;
  - 13 (g) Reliability; and
  - 14 (h) Mobility.

15 **0180: Transportation Prioritization Framework**

16 This rule sets the context for prioritizing projects in local transportation system plans; and how cities,  
 17 counties, Metro, and state agencies make decisions about investments in the transportation system. The  
 18 prioritization framework places an emphasis on reducing pollution, increasing equitable outcomes,  
 19 safety, and accessibility.

20 **Since the October draft, this rule has been changed to clarify that reducing per capita vehicle miles**  
 21 **traveled means meeting greenhouse gas reduction targets.** The transportation system planning work  
 22 group will review this rule.

- 23 (1) Cities, counties, Metro, and state agencies shall use the framework in this rule to make decisions  
 24 about prioritization of transportation facilities and services when making decisions as provided in  
 25 this division. Cities, counties, Metro, and state agencies must consider the following:
- 26 (a) Prioritization factors as provided in section (2);
  - 27 (b) Classification of facilities or segments as provided in section (3);
  - 28 (c) The planned land use context as provided in section (4); and
  - 29 (d) Expected primary users as provided in section (5).
- 30 (2) Cities, counties, Metro, and state agencies shall use the following factors to prioritize  
 31 transportation facilities and services. Transportation facilities and services supporting each of  
 32 these factors must be prioritized.
- 33 (a) Meeting greenhouse gas reduction targets, including:
    - 34 (A) Reducing per-capita vehicle miles traveled to meet greenhouse gas reduction
    - 35 targets as provided in OAR 660-044-0020 and 660-044-0025;
    - 36 (B) Supporting compact, pedestrian-friendly patterns of development in urban areas,
    - 37 particularly in Climate-Friendly Areas;
    - 38 (C) Reducing single-occupant vehicle travel as a share of overall travel; and

- 1 (D) Meeting performance targets as provided in OAR 660-012-0910.
- 2 (b) Improving equitable outcomes for underserved populations as provided in OAR 660-012-  
3 0120;
- 4 (c) Improving safety, particularly reducing or eliminating fatalities and serious injuries;
- 5 (d) Improving access for people with disabilities;
- 6 (e) Improving access to destinations, particularly key destinations as provided in OAR 660-  
7 012-0360;
- 8 (f) Completing the multimodal transportation network, including filling gaps and making  
9 connections; and
- 10 (g) Supporting the economies of the community, region, and state.
- 11 (3) Cities, counties, Metro, and state agencies shall consider the functional classification of planned  
12 or existing transportation facilities or segments when making decisions about appropriate  
13 transportation facilities and services. Cities, counties, Metro, and state agencies may establish  
14 different functional classifications for each mode on any facility or segment that they own and  
15 operate.
- 16 (4) Cities, counties, Metro, and state agencies shall consider the planned land use context around an  
17 existing or planned transportation facility or segment when making decisions about appropriate  
18 transportation facilities and services. In particular:
- 19 (a) Within Climate-Friendly Areas, cities, counties, Metro, and state agencies shall prioritize  
20 pedestrian, bicycle, and public transportation facilities and services. Cities, counties,  
21 Metro, and state agencies must ensure facilities are planned for these modes to experience  
22 reliable, low-stress travel within Climate-Friendly Areas with minimal interference from  
23 motor vehicle traffic.
- 24 (b) In areas with concentrations of underserved populations, cities, counties, Metro, and state  
25 agencies shall prioritize projects addressing historic and current marginalization.  
26 Proposed projects in these areas must work to rectify previous harms inflicted and  
27 prevent future harms from occurring. These areas may have been subject to harms from  
28 disinvestment or malinvestment, including transportation system investments. Harms  
29 include but are not limited to displacement and increased exposure to pollutants.
- 30 (5) Cities, counties, Metro, and state agencies shall consider the expected primary users of an  
31 existing or planned transportation facility or segment when making decisions about appropriate  
32 transportation facilities and services. In particular:
- 33 (a) In areas near schools or other locations with expected concentrations of children, or areas  
34 with expected concentrations of elderly people or people with disabilities, cities, counties,  
35 Metro, and state agencies must prioritize safe, protected, and continuous pedestrian and  
36 bicycle networks connecting to key destinations, including transit stops.
- 37 (b) In industrial areas, and along routes accessing key freight terminals, cities, counties,  
38 Metro, and state agencies must consider the needs of freight users. Pedestrian, bicycle,  
39 and public transportation system connections must be provided in industrial areas at a  
40 level that provides safe access for workers.

1 **0200: Combined and Illustrative Project Lists**

2 This rule describes how cities and counties take the combined list of projects developed in the modal  
3 elements of the transportation system plan, develop multimodal projects, and produce a combined  
4 project list. The rule requires cities and counties to use the combined project list to develop an  
5 illustrative project list. The Illustrative project list must include a set of projects that would meet targets  
6 for reductions in per capita vehicle miles traveled.

7 **Since the October draft, this rule has changed to clarify the process of creating a combined project list.**  
8 The transportation system planning work group will review this rule.

- 9 (1) Cities and counties shall create a combined project list by combining:
- 10 (a) The pedestrian project list developed as provided in OAR 660-012-0520;
  - 11 (b) The bicycle project list developed as provided in OAR 660-012-0620;
  - 12 (c) The public transportation project list developed as provided in OAR 660-012-0720; and
  - 13 (d) The streets and highways project list developed as provided in OAR 660-012-0820.
- 14 (2) Cities and counties shall review the project lists to determine if there are opportunities to combine  
15 proposed projects from multiple single-mode lists into a single multimodal project, and then add  
16 that project to combined project list.
- 17 (3) Cities and counties shall review the combined project list and remove projects as necessary to  
18 meet the requirements of this section to develop the illustrative project list.
- 19 (a) There is no limit to the number of projects which may be included on the illustrative  
20 project list.
  - 21 (b) The city or county must ensure the illustrative project list meets the vehicle miles traveled  
22 per capita targets as provided in OAR 660-012-0160.
- 23 (4) Cities and counties shall develop a method of prioritizing projects on the illustrative project list.  
24 Each project on the illustrative project list must be individually ranked. Cities and counties must  
25 meet the following requirements when developing a method of prioritizing projects on the  
26 illustrative project list:
- 27 (a) The project will help reduce vehicle miles traveled;
  - 28 (b) The project burdens underserved populations less than and benefit as much as the city or  
29 county population as a whole;
  - 30 (c) The project will help achieve the performance targets as provided in OAR 660-012-0910;  
31 and
  - 32 (a) Cities and counties shall describe the method used to prioritize the illustrative project list  
33 in the transportation system plan.
- 34 (5) Cities and counties shall develop planning-level cost estimates for the top ranked projects on the  
35 prioritized illustrative project list as provided in section (4) of this rule. The city or county must  
36 make estimates for as many projects as the city or county reasonably believes could be funded in  
37 the planning period. The city or county need not make cost estimates for every project on the  
38 illustrative project list.

1 **0205: Funding Projections**

2 This rule describes how cities develop finding projections in the transportation system plan. Funding  
3 projections include a list of funding sources that are expected to fund transportation facilities and  
4 services, and the amount of funding available for transportation projects over the planning period.

5 **Since the October draft, this rule has had a name change and some changes in terminology to be**  
6 **consistent throughout.** The transportation system planning work group will review this rule.

- 7 (1) Cities and counties must include funding projections in the transportation system plan. The  
8 funding projections must include the list of funding sources and amount of funding available, as  
9 provided in this rule.
- 10 (2) Cities and counties must include a list of transportation system funding sources in the  
11 transportation system plan. The list of funding sources must include all funding sources that the  
12 city expects to use over the planning period to operate, maintain, or construct the transportation  
13 system. These sources include, but are not limited to:
- 14 (a) Local, regional, state, and federal funding sources; and
- 15 (b) Sources expected to be directed to transportation facilities or services within the planning  
16 area controlled by any transportation facility or service operator.
- 17 (3) The list of funding sources must include, for each source of funding identified:
- 18 (a) The expected amounts of funding for each year over the remainder of the planning  
19 period;
- 20 (b) The purpose of the source of funding and any key limitations on the use of the funding;  
21 and
- 22 (c) Reasons for expecting the finding source to be available during the planning period.  
23 These reasons may include, but are not limited to:
- 24 (A) The source comes from transportation facility pricing revenues, including  
25 parking revenues;
- 26 (B) The source comes from tax or bond revenues;
- 27 (C) The source comes from fees or other local revenues;
- 28 (D) The source comes from grants given using a formula or other regular  
29 disbursement;
- 30 (E) The source comes from regional funds provided through a Metropolitan Planning  
31 Organization; and
- 32 (F) The source previously provided funds to the city or county and can reasonably  
33 expected to provide more in the future.
- 34 (4) The city or county must use the list of funding sources to determine the amount of funding  
35 expected to be available for use to develop transportation projects over the planning period.  
36 Funding amounts which are expected to be used to maintain and operate the transportation  
37 system, or used for other purposes than to fund transportation projects, must be excluded. The  
38 transportation system plan must clearly describe the amounts that are included and excluded.

1 **0210: Financially-Constrained Project List**

2 This rule gives cities and counties a method to develop a financially-constrained project list. Projects on  
3 the financially-constrained project list are the planned projects to be considered for further project  
4 development, funding, and construction. The financially-constrained list of projects in the local  
5 transportation system plan will inform the federally required regional transportation plan. The  
6 financially-constrained list will also be the only projects that may be assumed as “reasonably likely”  
7 when considering if an amendment to a comprehensive plan or land use regulation has a “significant  
8 effect” on the transportation system.

9 The financially-constrained list must result in equitable outcomes, demonstrate a reduction in per-capita  
10 Vehicle Miles Traveled, and support meeting targets set against a range of performance measures.

11 No substantive changes have been made to this rule since the October draft. The transportation system  
12 planning work group will review this rule.

- 13 (1) Cities and counties shall include a financially-constrained project list in a transportation system  
14 plan. Cities and counties shall use the prioritized illustrative project list developed as provided in  
15 OAR 660-012-0200 and the amount of funding available developed as provided in OAR 660-  
16 012-0205 to produce the financially-constrained project list.
- 17 (2) Cities and counties shall take the top available projects on the prioritized illustrative project list,  
18 using the planning-level cost estimates developed as provided in OAR 660-012-0200, up to 125%  
19 of the funding available. Using this list, cities and counties shall:
- 20 (a) Review the list of projects to determine if the city or county may reasonably demonstrate  
21 that the list of projects would result in a reduction of per capita vehicle miles traveled, as  
22 provided in OAR 660-012-0160;
- 23 (b) Review the list of projects to ensure that it would result in burdens on underserved  
24 populations less than and benefit as much as the city or county population as a whole to  
25 determine if the outcomes of the project list are equitable; and
- 26 (c) Review the list of projects against the targets set for each performance measure as  
27 provided in OAR 660-012-0910 or OAR 660-044-0110 to determine if the list results in  
28 progress toward meeting the targets.
- 29 (3) If the list of projects cannot meet each test in section (2), the city or county must remove one or  
30 more projects from the list and add the next highest ranked project or projects from the prioritized  
31 project list and review the updated list as provided in section (2). The city or county shall repeat  
32 this process until a list is produced that meets each test. This shall be the financially-constrained  
33 project list.
- 34 (4) Cities or counties making a major or minor amendment to the transportation system plan as  
35 provided in OAR 660-012-0105 which includes an update to any project list, must update the  
36 financially-constrained project list as provided in this rule.
- 37 (5) Cities and counties shall prioritize the implementation of projects from the financially-  
38 constrained project list for their ability to reduce climate pollution and improve equitable  
39 outcomes using the criteria provided in section (2) of this rule.

1 **New Rules 0300-0360: Coordinated Land Use and Transportation Planning**

2 The Transportation Planning Rules are, at their heart, a guide for local governments to make  
3 coordinated plans for both land use and their transportation system. This part of the Transportation  
4 Planning Rules focus on land use requirements, including requirements for climate friendly areas.

5 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

6 **0300: Coordinated Land Use and Transportation System Planning**

7 This rule contains general provisions for cities and counties within metropolitan areas in how they  
8 accomplish coordinated land use and transportation planning.

9 No substantive changes have been made to this rule since the October draft.

- 10 (1) Cities and counties must ensure land use and transportation plans are coordinated.
- 11 (2) Cities and counties must, if applicable, adopt and implement climate friendly areas as provided in  
12 OAR 660-012-0310.
- 13 (3) Cities and counties must adhere to the applicable land use requirements as provided in OAR 660-  
14 012-0330.
- 15 (4) Cities and counties must, in the development of transportation plans, use the land use assumptions  
16 described as provided in OAR 660-0340.
- 17 (5) Cities and counties must develop a list of key destinations, as provided in OAR 660-012-0360.
- 18 (6) Cities and counties must meet the parking management requirements as provided in OAR 660-  
19 012-0400.

20 **0310: Designation of Climate Friendly Areas**

21 This rule describes the requirements for the designation of climate friendly areas. The rule sets out  
22 some basic standards for which areas should and should not be considered for designation as a climate  
23 friendly area.

24 No substantive changes have been made to this rule since the October draft. The climate friendly areas  
25 and land use work group will review this rule.

- 26 (1) “Climate friendly area” is defined in OAR 660-012-0005(6). Cities and counties shall designate  
27 climate friendly areas in places that contain, or are planned to contain, a mixture of allowed uses  
28 as provided in OAR 660-012-0325. Climate friendly areas may be designated in centers,  
29 including planned or existing downtowns, neighborhood centers, or other districts. Climate  
30 friendly areas shall be designated in areas that are served, or planned for service, by high quality  
31 pedestrian, bicycle, and transit services. Cities and counties may not designate climate friendly  
32 areas where development is not allowed under authority of Statewide Planning Goal 7. Climate  
33 friendly areas may be designated in areas subject to Statewide Planning Goal 7 if the local  
34 government has adopted requirements for development that will mitigate potential hazards to life  
35 and property.

- 1 (2) Cities and counties outside a metropolitan service district shall designate climate friendly areas as  
 2 provided in OAR 660-012-0012. Counties with planning jurisdiction in areas provided with urban  
 3 water, sanitary sewer, stormwater, and transportation services within an identified urban growth  
 4 boundary shall coordinate with the respective city or cities to address climate friendly area  
 5 requirements for those areas as provided in OAR 660-012-0012. County areas outside urban  
 6 growth boundaries or where planning jurisdiction has been granted to cities for areas within urban  
 7 growth boundaries are not subject to this rule.
- 8 (3) A metropolitan service district and cities and counties within the urban growth boundary of a  
 9 metropolitan service district shall address applicable requirements as provided in OAR 660-012-  
 10 0012.
- 11 (4) If a city, metropolitan service district, or county has not designated sufficient climate friendly  
 12 areas as provided in this rule, the commission may:
- 13 (a) Initiate periodic review for the subject local government to address the requirement; or  
 14 (b) Issue an enforcement order to the local government, consistent with ORS 197.646

15 **0315: Designation of Climate Friendly Areas**

16 This rule describes the process to be followed for cities and counties to designate climate friendly areas,  
 17 including consideration for, and mitigation of, potential inequitable impacts that might result from CFA  
 18 designation, such as the displacement of underserved populations.

19 No substantive changes have been made to this rule since the October draft. The climate friendly areas  
 20 and land use work group will review this rule.

- 21 (1) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of  
 22 10,000 or more shall designate climate friendly areas sufficient to accommodate at least thirty  
 23 percent of the total identified number of housing units necessary to meet all current and future  
 24 housing needs over the planning period by using the calculations in Section (2). A local  
 25 government may designate one or several climate friendly areas in order to accommodate at least  
 26 thirty percent of housing units. No portion of a climate friendly area required by this Section may  
 27 be narrower than 1,000 feet in width.
- 28 (2) Cities and counties subject to Section (1) shall calculate the housing that can be accommodated in  
 29 climate friendly areas by estimating the buildable square footage within climate friendly areas,  
 30 based on net zoned area, allowed building heights, setbacks, and any other relevant development  
 31 standards that would limit buildable square footage established within climate friendly areas.  
 32 Where the local government has not established a maximum building height, assumed building  
 33 height shall be 85 feet. Local governments may assume that residential dwellings will occupy  
 34 thirty percent of the full buildable square footage within climate friendly areas. Local  
 35 governments may assume an average dwelling unit size of nine hundred square feet in order to  
 36 convert the estimated residential building area into an estimate of the number of dwelling units  
 37 that may be accommodated in climate friendly areas. Local governments that include height  
 38 bonuses for affordable housing to serve households with an income of 60% or less of the area  
 39 median household income may include 25 percent of the additional building envelope allowance  
 40 in their calculations of buildable square footage.

- 1 (3) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of more  
2 than 5,000 but less than 10,000 shall designate at least twenty-five acres of land as climate  
3 friendly area, as provided in Sections (4) and (5). No portion of a climate friendly area required  
4 by this Section may be narrower than 500 feet in width.
- 5 (4) Designation of climate friendly areas - Cities and counties shall designate climate friendly areas  
6 as provided in this rule and in OAR 660-012-0012(6). Designation shall include the following  
7 actions:
- 8 (a) Cities and counties subject to Section (1) shall provide maps showing the preliminary  
9 location of all climate friendly areas, including calculations to demonstrate that climate  
10 friendly areas are sufficient to accommodate thirty percent of total housing units, based  
11 on existing or anticipated land use requirements in these areas as applied to Section (2) of  
12 this rule. Cities and counties subject to Section (3) shall provide maps showing the  
13 preliminary location of the climate friendly area.
- 14 (b) A narrative summary of the public engagement process used to consider and designate  
15 climate friendly areas, consistent with the requirements of OAR 660-012-0115 through  
16 660-012-0130.
- 17 (c) Plans for achieving fair and equitable housing outcomes within Climate friendly areas, as  
18 identified in OAR 660-008-0050(4)(a) - (f). Analysis of OAR 660-008-0050(4)(f) shall  
19 include analysis of spatial and other data to determine if potential climate friendly areas  
20 would be likely to displace residents who are members of state and federal protected  
21 classes. The local government shall also identify actions that will be employed to mitigate  
22 or avoid potential displacement.
- 23 (5) Land use requirements and comprehensive plan amendments for climate friendly areas – Cities  
24 and counties shall adopt land use requirements as provided in OAR 660-012-0320, and climate  
25 friendly elements to their comprehensive plans as provided in OAR 660-012-0012(6). Adoption  
26 of land use requirements and the climate friendly element of the comprehensive plan shall include  
27 the following:
- 28 (a) Cities and counties subject to Section (1) shall provide maps showing the location of all  
29 climate friendly areas, including calculations to demonstrate that climate friendly areas  
30 are sufficient to accommodate thirty percent of total housing units, as provided in Section  
31 (2) of this rule, and based on adopted land use requirements in these areas as provided in  
32 OAR 660-012-0320. Cities and counties subject to Section (3) shall provide maps  
33 showing the location of the climate friendly area. Any adjustments made between the  
34 preliminary and final designated climate friendly areas shall include findings  
35 demonstrating compliance with the provisions of Section (4).
- 36 (b) Documentation of the number of existing dwelling units and income-restricted dwelling  
37 units within all climate friendly areas.
- 38 (c) Documentation that all adopted and applicable land use requirements for climate friendly  
39 areas are consistent with the provisions of OAR 660-012-0320.
- 40 (d) Adoption of a climate friendly element into the comprehensive plan containing findings  
41 and analysis summarizing the local government decision process and demonstration of  
42 compliance with the provisions of OAR 660-012-0310 through -0325.
- 43 (6) For cities and counties identified in Section (1), the information provided in compliance with  
44 OAR 660-012-0315(5)(b) shall provide a basis for subsequent Housing Production Strategy  
45 Reports to assess progress towards fair and equitable housing production goals in climate friendly  
46 areas, per OAR 660-008-0050(4)(a).



1 **0320: Land Use Requirements in Climate Friendly Areas**

2 This rule describes development codes and other land use requirements cities and counties must adopt  
3 for climate friendly areas.

4 No substantive changes have been made to this rule since the October draft. The climate friendly areas  
5 and land use work group will review this rule.

6 Cities and counties shall incorporate the requirements in Sections (1), (2), (3), and (4) of this rule into  
7 development regulations that apply in all climate friendly areas. Cities and counties shall either  
8 incorporate the provisions in Section (5) into development regulations for climate friendly areas, or shall  
9 demonstrate with adopted findings and analysis that alternative development regulations for climate  
10 friendly areas will result in equal or higher levels of development in climate friendly areas, per target  
11 residential and employment levels provided in Section (6).

12 (1) Except as noted in Section (2), development regulations for a climate friendly area shall allow  
13 mixed-use development within individual buildings or on development sites, including the  
14 following outright permitted uses:

- 15 (a) Multifamily residential;
- 16 (b) Office;
- 17 (c) Non-auto dependent retail, services, and other commercial uses;
- 18 (d) Child care, schools, and public uses, including government services.

19 (2) Residential or employment-oriented zoned areas within ½ mile of a mixed use area zoned as  
20 provided in Section (1) may be included within a climate friendly area, if in compliance with (a)  
21 or (b).

- 22 (a) Residential areas with minimum residential densities or existing residential development  
23 equal to or greater than the densities provided in Section (6); or
- 24 (b) Existing employment uses equal to or greater than the number of jobs per acre provided  
25 in Section (6).

26 (3) Local governments shall prioritize locating government facilities that serve the public within  
27 climate friendly areas and shall prioritize locating parks, open space, plazas, and similar public  
28 amenities in or near climate friendly areas that do not contain sufficient parks, open space, plazas,  
29 or similar public amenities.

30 (4) Local governments shall address the following requirements in climate friendly areas:

- 31 (a) The land use requirements as provided in OAR 660-012-0330;
- 32 (b) The applicable parking requirements as provided in OAR 660-012-0410;
- 33 (c) The applicable pedestrian system planning requirements as provided in OAR 660-012-  
34 0510;
- 35 (d) The applicable bicycle system planning requirements as provided in OAR 660-012-0610;
- 36 (e) The applicable bicycle parking requirements as provided in OAR 660-012-0630;
- 37 (f) The applicable public transportation system planning requirements as in OAR 660-012-  
38 0710; and
- 39 (g) The applicable street and highway system planning requirements in OAR 660-012-0810.

- 1 (5) Local governments may adopt the following provisions into development regulations for climate  
2 friendly areas, or may follow the requirements in Section (6).
- 3 (a) Local governments with a population of 5,000 to 24,999 shall adopt the following  
4 development regulations for climate-friendly areas:
- 5 (A) A minimum residential density requirement of 15 dwelling units per net acre;  
6 (B) Maximum building height no less than 50 feet.
- 7 (b) Local governments with a population of 25,000 to 49,999 shall adopt the following  
8 development regulations for climate-friendly areas:
- 9 (A) A minimum residential density requirement of 20 dwelling units per net acre;  
10 (B) Maximum building height no less than 60 feet.
- 11 (c) Local governments with a population of 50,000 to 99,999 shall adopt the following  
12 development regulations for climate-friendly areas:
- 13 (A) A minimum residential density requirement of 25 dwelling units per net acre;  
14 (B) Maximum building height no less than 85 feet in at least one climate friendly  
15 area. Maximum building height no less than 60 feet in all other climate friendly  
16 areas.
- 17 (d) Local governments with a population of 100,000 or more shall adopt the following  
18 development regulations for climate-friendly areas:
- 19 (A) A minimum residential density requirement of 30 dwelling units per net acre;  
20 (B) Maximum building height no less than 85 feet in at least one climate friendly  
21 area. Maximum building height no less than 60 feet in all other climate friendly  
22 areas.
- 23 (6) As an alternative to adopting the development regulations in Section (5), local governments may  
24 demonstrate with adopted findings and analysis that their adopted development regulations for  
25 climate friendly areas will result in equal or higher levels of development in climate friendly  
26 areas, per the following target residential and employment levels:
- 27 (a) Local governments with a population of 5,000 to 24,999 shall adopt development  
28 regulations in climate friendly areas to facilitate at least 20 homes and jobs per net acre.
- 29 (b) Local governments with a population of 25,000 to 49,999 shall adopt development  
30 regulations in climate friendly areas to facilitate at least 30 homes and jobs per net acre.
- 31 (c) Local governments with a population of 50,000 to 99,999 shall adopt development  
32 regulations in climate friendly areas to facilitate at least 40 homes and jobs per net acre.
- 33 (d) Local governments with a population of 100,000 or more shall adopt development  
34 regulations in climate friendly areas to facilitate at least 50 homes and jobs per net acre.

1 **0325: Transportation Review in Climate Friendly Areas**

2 This rule describes how local governments review changes to comprehensive plans and land use  
3 regulations in climate friendly areas. The rule requires an interim multimodal plan when the climate  
4 friendly area is implemented.

5 **Since the October draft, this rule has changed slightly to clarify that it applies to land use changes**  
6 **including those made to designate and implement climate friendly areas.** The climate friendly areas  
7 and land use work group and transportation performance standards work group will review this rule.

- 8 (1) Cities or counties must use this rule to review amendments to comprehensive plans or land use  
9 regulations within a climate friendly area designated as provided in OAR 660-012-0315, and land  
10 use decisions made as provided in OAR 660-012-0310 through OAR 660-012-0320. Cities and  
11 counties are exempt from requirements as provided in OAR 660-012-0060 when reviewing  
12 amendments to comprehensive plans or land use regulations within a designated climate friendly  
13 area.
- 14 (2) Cities and counties making amendments to comprehensive plans or land use regulations to meet  
15 requirements as provided in OAR 660-012-0320 must either:
- 16 (a) Amend the transportation system plan as provided in 660-012-0100 and include a  
17 multimodal transportation gap summary as provided in section (3) of this rule,  
18 considering the proposed land uses in the climate friendly area; or
- 19 (b) Develop and adopt a multimodal transportation gap summary in coordination with  
20 impacted transportation facility providers and transportation service providers as  
21 provided in section (3) to meet requirements in OAR 660-012-0320.
- 22 (3) A multimodal transportation gap summary must be coordinated between the local jurisdiction,  
23 transportation facility providers, and transportation services providers to consider multimodal  
24 transportation needs in each climate friendly area as provided in OAR 660-012-0320. The  
25 multimodal transportation gap summary must include:
- 26 (a) A summary of the existing multimodal transportation network within the climate friendly  
27 area;
- 28 (b) A summary of the gaps in the pedestrian and bicycle networks in the climate friendly area  
29 based on the summary of the existing multimodal transportation network;
- 30 (c) If applicable as provided in section (4), a highway impacts summary as provided in  
31 section (5); and
- 32 (d) A list of proposed projects to fill multimodal network gaps identified in subsection (b).
- 33 (4) A city or county shall include a highway impacts summary in the multimodal transportation gap  
34 summary if the designated climate friendly area as provided in OAR 660-012-0315 contains a  
35 ramp terminal intersection, state highway, interstate highway, or adopted ODOT Facility Plan.
- 36 (5) A highway impacts summary must identify how the transportation system may be affected by  
37 implementation of the climate friendly area. The highway impacts summary must include:
- 38 (a) A summary of the existing and proposed development capacity of the climate friendly  
39 area based on the proposed changes to the comprehensive plan and land use regulations;

- 1 (b) A summary of the additional motor vehicle traffic generation that may be expected in the  
 2 planning period, considering reductions for expected complementary mixed-use  
 3 development, additional multimodal options, and assuming meeting goals for reductions  
 4 in vehicle miles traveled per capita; and
- 5 (c) A summary of traffic-related deaths and serious injuries within the climate friendly area  
 6 in the past 10 years.
- 7 (6) Cities and counties making amendments to the adopted land use regulations identified under  
 8 section (2) of this rule, shall adopt findings including a highway impacts summary as provided in  
 9 section (5) of this rule if;
- 10 (a) If a city or county is reviewing a plan amendment within one-quarter mile of a ramp  
 11 terminal intersection, adopted Interchange Area Management Plan area, or adopted  
 12 ODOT Facility Plan area, or;
- 13 (b) The city or county is reviewing a plan amendment that would be reasonably likely to  
 14 result in increasing traffic on the state facility that exceeds the small increase in traffic  
 15 defined in the Oregon Highway Plan adopted by the Oregon Transportation Commission.
- 16 (7) Cities and counties shall provide notice of proposed adoption of a multimodal transportation gap  
 17 summary or a revised highway impacts summary to ODOT and other affected transportation  
 18 facility or service providers prior to submitting notice as provided in OAR 660-018-0020.

19 **0330: Land Use Requirements**

20 These land use requirements apply to cities and counties within metropolitan areas and have to do with  
 21 how land use interacts with the transportation system. Many of these requirements are in the existing  
 22 rules, particularly OAR 660-012-0045. However, this rule extends and adds to the existing requirements.  
 23 These requirements apply across the urban area and are in addition to the climate friendly area specific  
 24 requirements in those areas.

25 The rule requires local governments to provide for pedestrian-friendly and connected neighborhoods;  
 26 for commercial and mixed-use districts to be oriented towards pedestrians and transit, to place limits on  
 27 auto-oriented land uses; some additional requirements for larger cities; and to have protections for  
 28 existing and future transportation facilities.

29 No substantive changes have been made to this rule since the October draft. The climate friendly areas  
 30 and land use work group will review this rule.

- 31 (1) Cities and counties must implement plans and land use regulations to support compact,  
 32 pedestrian-friendly, mixed-use land use development patterns in urban areas. Land use  
 33 development patterns must support access by people using pedestrian, bicycle, and public  
 34 transportation networks.

- 1 (2) Cities and counties must have land use regulations that provide for pedestrian-friendly and  
2 connected neighborhoods. Land use regulations must meet the following requirements for  
3 neighborhood design and access:
- 4 (a) Neighborhoods must be designed with connected networks of streets, paths, accessways,  
5 and other facilities to provide circulation within the neighborhood and pedestrian and  
6 bicycle system connectivity to adjacent districts. A connected street network is desirable  
7 for motor vehicle traffic but may be discontinuous where necessary to limit excessive  
8 through travel, or to protect a safe environment for walking, using mobility devices, and  
9 bicycling in the neighborhood.
- 10 (b) Neighborhoods must be designed with direct pedestrian access to key destinations as  
11 provided in OAR 660-012-0360 via sidewalks, pedestrian crossings, pedestrian  
12 accessways, or paths.
- 13 (c) Cities and counties must set block length and block perimeter standards at distances that  
14 will provide for pedestrian network connectivity. Pedestrian accessways or pedestrian-  
15 oriented public alleys through a block may be used to meet a block length or perimeter  
16 standard. Cities and counties may choose to provide for exemptions in cases where  
17 topography, natural features, railroads, or expressways would make these provisions  
18 prohibitive. In these cases, the city or county must ensure that the block length and  
19 perimeter are as short as possible.
- 20 (d) Cities and counties shall set standards to reduce out-of-direction travel for people using  
21 the pedestrian or bicycle networks.
- 22 (3) Cities and counties must have land use regulations in commercial and mixed-use districts that  
23 provide for a compact character and easy ability to walk or use mobility devices, and allow direct  
24 access on the pedestrian, bicycle, and public transportation networks. Land use regulations must  
25 meet the following requirements for commercial or mixed-use site design:
- 26 (a) Primary pedestrian entrances to buildings shall be oriented to a public street. An  
27 uninterrupted accessway, courtyard, plaza, or other pedestrian-oriented space must be  
28 provided between primary pedestrian entrances and the public sidewalk, except where the  
29 entrance opens directly to the sidewalk. All pedestrian entrances shall be designed to be  
30 barrier-free. Where a building has more than one ground-floor business, each business  
31 shall have at least one pedestrian entrance that meets the requirements of this subsection.
- 32 (b) No vehicular parking, circulation, access, or loading shall be permitted on-site between  
33 buildings and public streets. Bicycle parking may be permitted.
- 34 (c) On-site accessways shall be provided to directly connect key pedestrian entrances to  
35 public sidewalks, to any on-site parking, and to adjacent properties, as applicable.
- 36 (d) Any pedestrian entrances facing an on-site parking lot must be secondary to primary  
37 pedestrian entrances as required in this section. Primary pedestrian entrances must be  
38 open during business hours.
- 39 (e) Large sites must be designed with a connected network of public streets to meet the  
40 requirements of this section.
- 41 (f) Sites adjacent to a transit stop or station on a priority transit corridor must be oriented to  
42 the transit stop or station. The site design must provide a high level of pedestrian  
43 connectivity and amenities adjacent to the stop or station. Cities and counties must  
44 require an easement or dedication for a transit shelter if there is inadequate space in the  
45 existing right of way.

- 1 (4) Cities and counties must have land use regulations in residential neighborhoods that provide for  
2 slow neighborhood streets comfortable for families, efficient and sociable development patterns,  
3 and provide for connectivity within the neighborhood and to adjacent districts. Land use  
4 regulations in residential neighborhoods must include:
- 5 (a) Front yard and street side yard setbacks must be limited or zero. Where a setback more  
6 than zero is required, the city or county must set a standard that aims to minimize the  
7 total width of the existing or planned street right of way and required setback on each  
8 side of the street. Cities or counties may consider a standard related to the required  
9 building height.
- 10 (b) Buildings must be designed to face the street, with direct pedestrian access from building  
11 entrances to the sidewalk. Driveways and garages must be limited in width and must be  
12 off alleys where possible.
- 13 (5) Cities and counties must have land use regulations that ensure auto-oriented land uses are  
14 compatible with a community where it is easy to walk or use a mobility device. Land use  
15 regulations must include:
- 16 (a) Auto-oriented land uses must meet the site design requirements in this rule.
- 17 (b) Auto-oriented land uses that provide goods or services not directly related to the  
18 operation of an automobile must provide safe and convenient access opportunities for  
19 people walking, using a mobility device, or riding a bicycle. Access to goods and services  
20 must be equivalent to people driving a motor vehicle.
- 21 (c) Outside of climate friendly areas, where a permitted auto-oriented land use may not  
22 reasonably meet a site design standard prescribed in this rule due to the nature of the use,  
23 the city or county may prescribe an alternate standard. Alternate standards must protect  
24 pedestrian facilities.
- 25 (6) Cities and counties with an urban area over 100,000 in population must have reasonable land use  
26 regulations that allow for development of low-car districts. These districts must be developed  
27 with no-car or low-car streets, where walking or using mobility devices are the primary methods  
28 of travel within the district. Cities and counties must make provisions for emergency vehicle  
29 access and local freight delivery. Low-car districts must be permitted in locations where  
30 residential or mixed-use development is permitted.
- 31 (7) Cities and counties must implement land use regulations to protect transportation facilities,  
32 corridors, and sites for their identified functions. These regulations must include, but are not  
33 limited to:
- 34 (a) Access control actions consistent with the function of the transportation facility,  
35 including but not limited to driveway spacing, median control, and signal spacing;
- 36 (b) Standards to protect future construction and operation of streets, transitways, paths, and  
37 other transportation facilities;
- 38 (c) Standards to protect public use airports as provided in OAR 660-013-0080;
- 39 (d) Processes to make a coordinated review of future land use decisions affecting  
40 transportation facilities, corridors, or sites;
- 41 (e) Processes to apply conditions to development proposals in order to minimize impacts and  
42 protect transportation facilities, corridors or sites;

- 1 (f) Regulations to provide notice to public agencies providing transportation facilities and
- 2 services, Metropolitan Planning Organizations, the Oregon Department of
- 3 Transportation, and the Oregon Department of Aviation of:
- 4 (A) Land use applications that require public hearings;
- 5 (B) Subdivision and partition applications;
- 6 (C) Other applications which affect private access to roads; and
- 7 (D) Other applications within airport noise corridors and imaginary surfaces which
- 8 affect airport operations.
- 9 (g) Regulations assuring that amendments to land use designations, densities, and design
- 10 standards are consistent with the functions, capacities and performance standards of
- 11 facilities identified in the TSP.

12 **0340: Land Use Assumptions**

13 This rule describes how cities and counties make assumptions about the future development of the

14 urban area, for purposes of transportation planning. These assumptions are based on the required

15 population forecasts, existing comprehensive plans and land use regulations, and other provisions in the

16 Transportation Planning Rules. These assumptions are used to help make coordinated land use and

17 transportation plans.

18 No substantive changes have been made to this rule since the October draft.

- 19 (1) When a city or county is preparing a transportation system plan, the city or county shall develop
- 20 and adopt future land use assumptions consistent with this rule. Future land use assumptions must
- 21 include the planning horizon year of the transportation system plan and a common horizon year
- 22 for all jurisdictions within the metropolitan area.
- 23 (2) Future land use assumptions must be consistent with the most recent final population forecast as
- 24 provided in OAR 660-032-0020.
- 25 (3) Future land use assumptions must assume existing acknowledged comprehensive plan
- 26 designations and policies, and existing land use regulations remaining in force throughout the
- 27 planning period; except where these designations, policies, or regulations are superseded by
- 28 statute or rule. Future land use assumptions must assume existing acknowledged urban growth
- 29 boundaries throughout the planning period.
- 30 (4) Where applicable, future land use assumptions must allocate growth assumptions within the
- 31 capacity of jobs and housing within climate friendly areas designated as provided in OAR 660-
- 32 012-0310 before allocating growth to other parts of the city or county. Notwithstanding section
- 33 (3), future land use assumptions may assume reasonable levels of development as provided in
- 34 OAR 660-012-0325 within climate friendly areas.
- 35 (5) Future land use assumptions must be developed at approximately a block-level of detail to
- 36 understand where future development is expected. Future land use assumptions are used for
- 37 transportation system development and analysis.

1 **0350: Urban Growth Boundary Expansions**

2 This rule includes requirements for local jurisdictions to ensure they are being consistent with  
3 coordinated transportation planning requirements when proposing to expand an urban growth  
4 boundary. The rules provide for requirements prior to undertaking an urban growth boundary  
5 expansion, and requirements as part of the process of expanding the urban growth boundary.

6 No substantive changes have been made to this rule since the October draft.

- 7 (1) A city and county must meet the following requirements prior to undertaking an urban growth  
8 boundary expansion as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
- 9 (a) The city must have an acknowledged transportation system plan as provided in OAR  
10 660-012-0100. If the county has responsibility for planning in urban unincorporated areas  
11 as provided in OAR 660-012-0110, the county must also have an acknowledged  
12 transportation system plan for the urban area as provided in OAR 660-012-0100.
- 13 (b) The city and county must have submitted all regular reports as provided in OAR 660-  
14 012-0900 and have had each report approved by order as provided in OAR 660-012-  
15 0905.
- 16 (c) The city and county must have designated climate friendly areas as provided in OAR  
17 660-012-0310 and must demonstrate compliance with OAR 660-008-0010(2).
- 18 (d) The city and county must have adopted land use regulations as provided in OAR 660-  
19 012-0330.
- 20 (2) A city and county must meet the following requirements as part of the urban growth boundary  
21 expansion process as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).
- 22 (a) The city and county must assess the ability of lands within the existing urban growth  
23 boundary to accommodate the additional levels of growth expected. Cities and counties  
24 must assume that the future development of climate friendly areas and more land-  
25 efficient and transportation-efficient patterns of development across the urban area will  
26 be different and more intensive than existing patterns of development.
- 27 (b) Lands otherwise of the same level of priority category for an urban growth boundary  
28 expansion as provided in OAR 660-024-0067 or OAR 660-038-0170 may be prioritized  
29 by determining the potential level of access to existing urban pedestrian, bicycle, and  
30 transit networks, and the ability of those networks to be extended to the candidate areas  
31 for expansion.
- 32 (c) Transportation system planning assumptions developed to make decisions about an urban  
33 growth boundary expansion must be consistent with targets set under measures as  
34 provided in OAR 660-012-0910 and must result in a reduction in Vehicle Miles Traveled  
35 per capita.
- 36 (d) Transportation system planning assumptions developed to make decisions about an urban  
37 growth boundary expansion may not assume the construction of any facility required to  
38 be authorized as provided in OAR 660-012-0830.
- 39 (e) The city and county must determine if the designation of additional lands as part of  
40 climate friendly areas will be required to meet the targets for households within these  
41 areas, as provided in OAR 660-012-0310.



- 1 (3) Where an urban growth boundary is intended to follow an existing or planned street, road, or  
2 highway right-of-way, the boundary shall be placed on the rural side of the right-of-way or  
3 planned right-of-way, so that the right-of-way is inside the urban growth boundary.
- 4 (4) Cities and counties with areas added to an urban growth boundary where the requirements of  
5 OAR 660-012-0060 are not applied at the time of urban growth boundary amendment as provided  
6 in OAR 660-024-0020 or OAR 660-038-0020 must update the land use assumptions as provided  
7 in OAR 660-012-0340 prior to an update of the transportation system plan as provided in OAR  
8 660-012-0105.

9 **0360: Key Destinations**

10 This rule lists key destinations for use in coordinated transportation and land use planning. These are  
11 important places for all people to be able to access to meet daily needs and participate in society.

12 No substantive changes have been made to this rule since the October draft.

- 13 (1) Cities and counties shall use the key destinations described in this rule, as well as other  
14 destinations determined locally, for purposes of coordinated land use and transportation planning.
- 15 (2) Key destinations include, but are not limited to:
- 16 (a) climate friendly areas;
  - 17 (b) Pedestrian-oriented commercial areas outside of climate friendly areas;
  - 18 (c) Transit stations, stops, and terminals;
  - 19 (d) Retail and service establishments, including grocery stores;
  - 20 (e) Child care facilities, schools, and colleges;
  - 21 (f) Parks, recreation centers, paths, trails, and open spaces;
  - 22 (g) Farmers markets;
  - 23 (h) Libraries, government offices, community centers, arts facilities, post offices, social  
24 service centers, and other civic destinations;
  - 25 (i) Medical or dental clinics and hospitals;
  - 26 (j) Major employers;
  - 27 (k) Gyms and health clubs;
  - 28 (l) Major sports or performance venues; and
  - 29 (m) Other key destinations determined locally.

1 **New Rules 0400-0450: Parking**

2 This part of the Transportation Planning Rules relates to how cities and counties address and manage  
3 parking. The rules follow current best practice and move cities and counties away from one-size-fits-all  
4 mandates for developers to build a large amount of costly and land-intensive off-street parking, towards  
5 more targeted management strategy. This approach provides more deference to builders and property  
6 owners to provide parking for the diversity of development types as the market dictates.

7 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

8 **0400: Parking Management**

9 This rule directs jurisdictions to implement climate-friendly and equitable parking reform rules by  
10 improving parking codes and removing mandated parking associated with development or providing  
11 alternative climate-friendly measures.

12 **Since the October draft, this rule states all metropolitan area jurisdictions, including those in Metro,**  
13 **must adopt the electric vehicle charging rules. The draft rule retains has a placeholder for application**  
14 **of other provisions in the Metro area.**

15 **The draft rule now also has an allowance for communities to ask for an exemption for areas with**  
16 **narrow streets that may have more constrained on-street parking.**

17 The parking reform work group will review this rule.

- 18 (1) Cities and counties shall adopt comprehensive plans and land use regulations that implement  
19 provisions of OAR 660-012-0410.
- 20 (2) Cities and counties not in the metropolitan service district shall adopt comprehensive plans and  
21 land use regulations that implement the provisions of OAR 660-012-0405 and OAR 660-012-  
22 0415.
- 23 (3) Cities and counties not in the metropolitan service district shall remove parking mandates under  
24 OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their  
25 comprehensive plans and land use regulations to implement provisions of OAR 660-012-0425,  
26 OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR  
27 660-012-0450.
- 28 (4) [Placeholder for how the rules apply in the Portland Metro region]
- 29 (5) Cities and counties with streets under 22 feet width on the effective date of this rule may apply to  
30 the Department for exemptions for new development that solely fronts those existing streets from  
31 provisions in OAR 660-012-0430(1), OAR 660-012-0435, OAR 660-012-0440, and OAR 660-  
32 012-0445. The director shall decide whether to grant the exemption.

1 **0405: Parking Regulation Improvements**

2 This rule works to give priority parking to those carpooling or vanpooling. It aims to encourage the  
3 conversion of parking lots to higher uses, and to encourage shared parking.

4 It also aims to reduce the negative externalized impacts of parking such as heat island effects and  
5 reduced walkability. It works to make large parking lots more pedestrian-friendly, and to address some  
6 of the heat island effects through tree canopy. It aims to mitigate the climate impacts of driving and  
7 parking through either increased clean energy or increased tree canopy.

8 **Since the October draft, staff have added some tree canopy requirements for parking lots of a**  
9 **quarter-acre and larger and clarified the street trees do not need to be next to each drive aisle.**

10 The parking reform work group will review this rule.

- 11 (1) Cities and counties shall adopt and enforce land use regulations as provided in this section:
- 12 (a) Designated employee parking areas in new developments shall provide preferential  
13 parking for carpools and vanpools; and
- 14 (b) Property owners shall be allowed to redevelop any portion of existing off-street parking  
15 areas for bicycle-oriented and transit-oriented facilities and developments, including  
16 bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, transit-  
17 oriented developments, and similar facilities. In such circumstances, codes must allow  
18 property owners to go below existing mandated minimum parking supply, and access for  
19 emergency vehicles must be retained.
- 20 (2) Cities and counties shall adopt policies and land use regulations that allow and encourage the  
21 conversion of existing underused parking areas to other uses.
- 22 (3) Cities and counties shall adopt policies and land use regulations that allow and encourage shared  
23 parking.
- 24 (4) Cities and counties shall adopt land use regulations for new developments that include more than  
25 one acre of surface parking as provided below:
- 26 (a) Developments must provide one of the following:
- 27 (A) Installation of solar panels with a generation capacity of at least 0.5 kW per  
28 parking space on the property. In lieu of developing solar on site, cities may  
29 allow developers to pay \$1,500 per parking space in the development into a city  
30 fund dedicated to equitable solar or wind energy development or a fund at the  
31 Oregon Department of Energy designated for such purpose. Developments  
32 subject to OAR 330-135-0010 shall be exempt; or
- 33 (B) Creation of tree canopy covering at least 50% of the parking lot at maturity but  
34 no more than 15 years after planting. Trees planted under this requirement must  
35 meet the standards in subsection (4)(b).
- 36 (b) Developments must provide street trees along driveways but not drive aisles. The tree  
37 species planted must be the largest appropriate for the site. Trees must be planted and  
38 maintained to maximize their root health and chances for survival, including having  
39 ample high-quality soil, space for root growth, and reliable irrigation. Trees should be  
40 planted in continuous trenches where possible. The city or county shall have minimum  
41 standards for planting and tree care no lower than 2021 American National Standards

- 1 Institute A300 standards, and a process to ensure ongoing compliance with tree planting  
2 and maintenance provisions; and
- 3 (c) Developments must provide street-like design and features along driveways including  
4 curbs, sidewalks, and buildings built to the sidewalk.
- 5 (5) Cities and counties shall adopt land use regulations for new developments that include more than  
6 one-quarter acre of surface parking to require creation of tree canopy covering at least 20% of the  
7 parking lot at maturity by no more than 15 years after planting. Trees planted under this  
8 requirement must meet the standards in subsection (4)(b).

9 **0410: Electric Vehicle Charging**

10 This rule works to encourage new buildings to be EV-capable, to install electrical capacity and conduit.  
11 Buildings would be ready to have wiring and charging stations added as demand calls for. As buildings  
12 are 80-100 year structures, and Oregon is aiming to have 90% of new vehicles be EVs by 2035, it is  
13 critical to install charging infrastructure as buildings are built.

14 The rule focuses on electrical capacity and conduit, and allows some Level 1 charging capacity in  
15 residential buildings, which can be functional for many uses and saves money.

16 **Since the October draft, the rule language clarifies we are talking about service capacity, and changes**  
17 **the provision about sufficient capacity from transformers to substations. The rule splits out**  
18 **percentages for both conduit and service capacity, and further differentiates between**  
19 **residential/mixed-use and commercial development. Conduit is the most expensive thing to retrofit,**  
20 **and load management is only possible with at least Level 2 technology. Hence, installing sufficient**  
21 **Level 2 conduit capacity at residences is emphasized. The rule also now allows those developments**  
22 **installing direct current fast chargers to install less conduit. The retrofit requirements for Metro-area**  
23 **cities between 25,000 and 50,000 population has been removed.**

24 The parking reform work group will review this rule as time allows.

- 25 (1) Cities and counties shall adopt regulations requiring new development to support electric vehicle  
26 charging.
- 27 (a) For new construction with five or more parking spaces in a parking lot or parking garage  
28 on a lot or parcel, cities and counties shall require the installation of:
- 29 (A) Sufficient dedicated electrical service capacity to accommodate Level 2 or above  
30 electric vehicle charging stations serving 20% of all parking spaces for  
31 residential buildings, mixed-use buildings consisting of commercial space and  
32 residential units, and commercial buildings;
- 33 (B) Sufficient dedicated conduit to accommodate Level 2 or above electric vehicle  
34 charging stations serving 50% of all parking spaces for residential buildings and  
35 mixed-use buildings consisting of commercial space and residential units; and
- 36 (C) Sufficient dedicated conduit to accommodate Level 2 or above electric vehicle  
37 charging stations serving 20% of all parking spaces for commercial buildings.
- 38 (b) Cities and counties may allow developers of commercial buildings who provide direct  
39 current fast charger or above charging stations to provide conduit for only 10% of spaces  
40 if developers install the chargers for those spaces.

- 1 (c) In areas with insufficient substation capacity, where meeting the requirements of this  
 2 ordinance would require significant utility upgrades, cities and counties may allow  
 3 construction to provide electrical service capacity at Level 1 charging levels.
- 4 (2) Cities with populations over 50,000, and counties with populations over 50,000 in the urban area  
 5 but outside of incorporated cities, shall require sufficient dedicated electrical service capacity and  
 6 conduit to accommodate electric vehicle charging upon major remodel or renovation of certain  
 7 buildings or parking lots.
- 8 (a) For the purposes of this section, major remodel or renovation means the value of the  
 9 proposed alterations on the site is 20% or more of existing building valuation, or more  
 10 than \$200,000. If there is no building on the lot or parcel, major remodel or renovation  
 11 means the value of the proposed alterations on the site is 20% or more of the property  
 12 value.
- 13 (b) Requirements shall apply to existing parking garages or commercial buildings with more  
 14 than 40 parking spots, residential developments with five or more parking spaces on a lot  
 15 or parcel, and mixed-use buildings with five or more parking spaces on a lot or parcel.
- 16 (c) In non-residential parking garages and commercial buildings, dedicated electrical service  
 17 capacity and conduit must be sufficient to accommodate Level 2 or above electric vehicle  
 18 charging stations.
- 19 (d) In residential and mixed-use buildings, dedicated electrical service capacity and conduit  
 20 must be sufficient to accommodate Level 1 or above electric vehicle charging stations.
- 21 (e) At least 20% of parking spots must have dedicated electrical service capacity and  
 22 conduit.
- 23 (f) Local governments may grant an exemption if the cost of the installation of electrical  
 24 service capacity and conduit exceeds 20% of the cost of the proposed alterations.

25 **0415: Parking Maximums and Evaluation in More Populous Communities**

26 This rule calls for parking maximums in areas where car-dominant development would undermine  
 27 pedestrian-friendliness and other goals.

28 It also calls on Oregon’s most populous three cities to manage on-street parking to ensure availability, to  
 29 explore options to building new parking garages, and to ensure new parking garages can have active  
 30 uses on the ground floor.

31 **Since the October draft, this rule has been clarified to note the availability of parking should be within**  
 32 **two blocks of each lot or parcel, instead of “location”, and the “public” parking garage provision has**  
 33 **shifted to a definition based on it being city-owned land.**

34 The parking reform work group will review this rule.

- 35 (1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits  
 36 but within the urban growth boundary [under discussion: and cities with populations over 25,000  
 37 within a metropolitan service district], shall study local conditions and set appropriate parking  
 38 maximums to encourage development in climate-friendly areas, [under discussion: how this  
 39 applies in Metro], and along priority transit corridors. Parking maximums shall include visitor  
 40 parking and be no higher than 1.2 off-street parking spaces per studio unit and 2 off-street parking  
 41 spaces per non-studio residential unit in a multi-unit development in such areas.

- 1 (2) Cities with populations over 150,000 shall, in addition to requirements in section (1) of this rule:
- 2 (a) Study use of priced on-street timed parking spaces at least every three years and adjust
- 3 prices to ensure availability of on-street parking spaces within two blocks of each lot or
- 4 parcel at all hours. This shall include metered spaces but need not include spaces where a
- 5 paid residential permit is required;
- 6 (b) Using permits, meters, or another method, price on-street parking spots in an area at least
- 7 one year before authorizing any new structured parking on city-owned land including
- 8 more than 100 spaces in that area after March 31, 2023;
- 9 (c) Adopt procedures ensuring prior to approval of construction of additional structured
- 10 parking projects of more than 300 parking spots designed to serve existing uses,
- 11 developer of that parking structure must implement transportation demand management
- 12 strategies for a period of at least six months designed to shift at least 10% of existing
- 13 vehicle trips ending within one-quarter mile of the proposed parking structure to other
- 14 modes; and
- 15 (d) Adopt design requirements requiring applicants to demonstrate the ground floor of new
- 16 private and public structured parking that fronts a public street and includes more than
- 17 100 parking spaces would be convertible to other uses in the future.

18 **0420: Exemption for Communities without Parking Mandates**

19 This clarifies the remainder of the 0400 parking series of rules apply only to those communities choosing

20 to continue to mandate parking.

21 No substantive changes have been made to this rule since the October draft. The parking reform work

22 group will review this rule.

- 23 (1) Cities and counties that adopt land use regulations that do not include parking mandates are
- 24 exempt from OAR 660-012-0425 through OAR 660-012-0450.

25 **0425: Reducing the Burden of Parking Mandates**

26 This rule allows builders to meet parking mandates by a variety of approaches, including taking action to

27 reduce climate pollution.

28 **Since the October draft, the provision in (1)(e) has been clarified to make sure parking for people with**

29 **disabilities is near entrances.**

30 The parking reform work group will review this rule.

- 31 (1) Cities and counties shall adopt and enforce land use regulations as provided in this section. Cities
- 32 and counties shall not enforce regulations contrary to this section:
- 33 (a) Garages and carports shall not be required for residential developments;
- 34 (b) Garage parking spaces shall count towards off-street parking mandates;
- 35 (c) Provision of on-street parking shall be allowed to meet parking mandates where there are
- 36 no adopted plans to remove the on-street parking. Cities and counties may limit this to the
- 37 on-street parking adjacent to the property frontage;
- 38 (d) Provision of shared parking shall be allowed to meet parking mandates;

- 1 (e) Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a  
 2 site. If any parking is provided on site, required parking for parking for people with  
 3 disabilities shall be on site. If all parking is off-site, parking for people with disabilities  
 4 must be located within the shortest possible distance of an accessible entrance via an  
 5 accessible path and no greater than 200 feet from that entrance;
- 6 (f) Parking mandates shall be reduced by one off-street parking space for each 3 kilowatts of  
 7 capacity in solar panels or wind power that will be provided in a development;
- 8 (g) Parking mandates shall be reduced by one off-street parking space for each dedicated car-  
 9 sharing parking space in a development. Dedicated car-sharing parking spaces shall count  
 10 toward as spaces for parking mandates; and
- 11 (h) Parking mandates shall be reduced by two off-street parking spaces for every electric  
 12 vehicle charging station that will be provided in a development.
- 13 (2) Any reductions under section (1) shall be cumulative and not capped.

14 **0430: Reduction of Parking Mandates for Development Types**

15 This rule reduces parking mandates for housing, following the trend in planning practice and previous  
 16 Commission rulemaking on traditional missing middle housing types. The rule works to reduce  
 17 regulatory burdens for developing certain types of needed development, such as childcare facilities.

18 **Since the October draft, this rule has been reorganized and it has been clarified its provisions are**  
 19 **effective upon the effective date of the rule.** The parking reform work group will review this rule.

- 20 (1) Cities and counties shall adopt land use regulations that do not require more than one parking  
 21 space per unit in residential developments with more than one unit. Notwithstanding this  
 22 requirement, cities must meet requirements as provided in OAR 660-046-0220.
- 23 (2) Cities and counties shall adopt land use regulations that do not require parking for the following  
 24 development types:
- 25 (a) Facilities and homes designed to serve people with psychosocial, physical, intellectual or  
 26 developmental disabilities, including but not limited to residential care facilities,  
 27 residential training facilities, residential treatment facilities, residential training homes,  
 28 residential treatment homes, and conversion facilities as defined in ORS 443.400;
- 29 (b) Childcare facilities as defined under ORS 329A.250;
- 30 (c) Single-room occupancy housing;
- 31 (d) Residential units smaller than 750 square feet;
- 32 (e) Affordable housing units as defined in OAR 660-039-0010;
- 33 (f) Publicly-supported housing as defined in ORS 456.250;
- 34 (g) Emergency and transitional shelters for people experiencing homelessness; and
- 35 (h) Domestic violence shelters.
- 36 (3) Until cities and counties adopt regulations meeting sections (1) and (2), they shall not enforce  
 37 parking mandates for the development types in section (2) or require more than one parking space  
 38 per unit in residential developments with more than one unit.

1 **0435: Parking Reform in Climate Friendly Areas**

2 This rule encourages parking reform in climate-friendly areas, which tend to have lower demand for  
3 parking, and are targeted for more pedestrian-friendly development patterns.

4 **Since the October draft, this rule has clarified land adjacent to climate-friendly areas in adjacent**  
5 **jurisdictions is not impacted by (1)(a).**

6 The parking reform work group will review this rule.

- 7 (1) Cities and counties shall adopt land use regulations addressing parking mandates in climate  
8 friendly areas as provided in OAR 660-012-0305. [Under discussion: how this applies in Metro].  
9 In each such area, cities and counties shall either:
- 10 (a) Remove all parking mandates within the area and on parcels in its jurisdiction that  
11 include land within one-quarter mile distance of those areas; or
- 12 (b) Manage parking by:
- 13 (A) Adopting a parking benefit district with metered on-street parking and some  
14 revenues dedicated to public improvements in the area;
- 15 (B) Adopting land use amendments to require no more than one-half off-street  
16 parking space per new housing unit in the area; and
- 17 (C) Not enforcing parking mandates for commercial developments.
- 18 (2) Cities and counties that opt to retain parking mandates under OAR 660-012-0400(3) shall adopt  
19 requirements requiring the parking for multi-family residential units in climate-friendly areas  
20 [under discussion: how this applies in Metro] be unbundled parking.

21 **0440: Parking Reform near Transit Corridors**

22 This rule encourages parking reform near transit corridors and stops, where parking demand tends to be  
23 lower, and are areas targeted for more pedestrian-friendly development patterns.

24 **Since the October draft, this rule has been reworded and clarified.**

25 The parking reform work group will review this rule.

- 26 (1) Cities and counties shall not require parking spaces for developments within one-half mile of  
27 priority transit corridors or three-quarters mile of rail transit stops.
- 28 (2) Until cities and counties designate priority transit corridors under OAR 660-012-0710 and amend  
29 land use regulations as provided in section (1), cities and counties shall not enforce parking  
30 mandates for developments within one-half mile of:
- 31 (a) Bus service arriving with a frequency of at least four times an hour during peak service;  
32 and
- 33 (b) The most frequent transit routes in the community if the scheduled frequency is at least  
34 once per hour during peak service.
- 35 (3) Cities and counties that opt to retain parking mandates under OAR 660-012-0400(3) shall adopt  
36 requirements requiring the parking for multi-family residential units in the areas in sections (1)  
37 and (2) be unbundled parking.



1 **0445: Parking Management Alternative Approaches**

2 For those communities not repealing parking mandates, this rule provides two options for improved  
3 parking management.

4 **Since the October draft, this rule has exempted townhouses and rowhouses from unbundling and**  
5 **given communities the option to move between the fair parking policy approach and the reduced**  
6 **regulations approach.**

7 The parking reform work group will review this rule.

8 (1) In lieu of adopting land use regulations without parking mandates under OAR 660-012-0420,  
9 cities and counties may select and implement either a fair parking policy approach as provided in  
10 subsection (a) of this section, or a reduced regulation parking management approach as provided  
11 in subsection (b) of this section.

12 (a) A fair parking policy approach shall include at least three of the following five  
13 provisions:

14 (A) A requirement that parking spaces for each residential unit in developments  
15 including five or more leased or sold residential units on a lot or parcel be  
16 unbundled parking. Cities and counties may exempt townhouse and rowhouse  
17 development from this requirement;

18 (B) A requirement that parking spaces serving leased commercial developments be  
19 unbundled parking;

20 (C) A requirement for employers of 50 or more employees who provide free or  
21 subsidized parking to their employees at the workplace provide a flexible  
22 commute benefit of \$50 per month or the fair market value of that parking,  
23 whichever is greater, to those employees eligible for that free or subsidized  
24 parking who regularly commute via other modes instead of using that parking;

25 (D) A tax on the revenue from commercial parking lots collecting no less than 10%  
26 of income, with revenues dedicated to improving transportation alternatives to  
27 drive-alone travel; and

28 (E) A reduction of parking mandates for new multifamily residential development to  
29 no higher than 0.5 space per unit, including visitor parking.

30 (b) A reduced regulation parking management approach shall include all of the following:

31 (A) A repeal of all parking mandates within ½ mile pedestrian travel of climate  
32 friendly areas;

33 (B) A repeal of parking mandates for transit-oriented development and mixed-use  
34 development;

35 (C) A repeal of parking mandates for group quarters, including but not limited to  
36 dormitories, religious group quarters, adult care facilities, retirement homes, and  
37 other congregate housing;

38 (D) A repeal of parking mandates for studio apartments, one-bedroom apartments  
39 and condominiums in residential developments of five or more units on a lot or  
40 parcel;

41 (E) A repeal of parking mandates for change of use of, or redevelopment of,  
42 buildings vacant for more than two years;

- 1 (F) A repeal of requirements to provide additional parking for change of use,  
2 redevelopment, or expansion of existing businesses;
- 3 (G) A repeal of parking mandates for buildings within a National Historic District, on  
4 the National Register of Historic Places, or on a local inventory of historic  
5 resources or buildings;
- 6 (H) A repeal of parking mandates for properties that have fewer than ten on-site  
7 employees or 3000 square feet floor space;
- 8 (I) A repeal of parking mandates for developments built under the Oregon  
9 Residential Reach Code;
- 10 (J) A repeal of parking mandates for developments seeking certification under any  
11 Leadership in Energy and Environmental Design (LEED) rating system, as  
12 evidenced by either proof of pre-certification or registration and submittal of a  
13 complete scorecard;
- 14 (K) A repeal of parking mandates for schools;
- 15 (L) A repeal of parking mandates for bars;
- 16 (M) Setting parking maximums in climate friendly areas and transit-oriented  
17 developments. Parking maximums shall include visitor parking and be no higher  
18 than 1.2 off-street parking spaces per studio unit and 2 off-street parking spaces  
19 per residential unit in a multi-unit development in such areas;  
20 and
- 21 (N) Designation of at least one residential parking district or parking benefit district  
22 where on-street parking is managed through permits, meters, or time limits.
- 23 (2) Cities and counties may change their selection between sections (1)(a) and (1)(b) at any time.

24 ***0450: Parking Management in More Populous Communities***

25 The rule aims to ensure populous communities better understand and manage their existing parking  
26 supply before requiring new parking.

27 **Since the October draft, this draft removes counties from the provisions, and gives cities six more  
28 months to comply via 660-012-0012, and allows cities to change their selection any time in the future.**

29 The parking reform work group will review this rule.

- 30 (1) Cities with populations over 100,000 shall either:
- 31 (a) Adopt land use regulations without mandates to provide parking spaces, other than  
32 parking spaces reserved for people with disabilities, parking required for electric vehicles  
33 when parking is provided, or parking for carpools and vanpools; or
- 34 (b) Price at least the percentage of on-street parking spaces specified in OAR 660-012-0012,  
35 and report the percentage of on-street parking spaces that are priced as provided in OAR  
36 660-012-0900. Residential parking permits priced at lower than \$15 per month or 50  
37 cents per day per space do not count towards this total.
- 38 (2) Cities may change their selection made between sections (1)(a) and (1)(b) at any time.

1 **New Rules 0500-0520: Pedestrian System**

2 This part of the Transportation Planning Rules relates to planning for the pedestrian system. The  
3 pedestrian system is intended to serve people walking, as well as people using mobility devices or other  
4 vehicles that operate at a pedestrian speed and scale. Larger and faster vehicles are served through the  
5 bicycle system.

6 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

7 **0500: Pedestrian System Planning**

8 This rule is the umbrella rule that describes how cities must plan for their pedestrian transportation  
9 system. Cities and counties must plan for a pedestrian system that provides safe and comfortable access  
10 for most trips under one mile.

11 No substantive changes have been made to this rule since the October draft. The transportation modal  
12 planning work group will review this rule.

- 13 (1) Transportation system plans must include a pedestrian system element that meets the  
14 requirements of this rule. For the purposes of this division, the pedestrian system is intended to  
15 serve people walking, as well as people using mobility devices, or other devices or vehicles that  
16 operate at a similar speed and scale as people walking. The pedestrian system is intended to serve  
17 most short trips under one mile in cities.
- 18 (2) A pedestrian system element must include the following elements:
- 19 (a) The complete pedestrian system as described in section (3) of this rule that includes the  
20 full buildout of the pedestrian system within the Urban Growth Boundary;
  - 21 (b) Identification of gaps and deficiencies in the pedestrian system as described in section (4)  
22 of this rule;
  - 23 (c) Locations of key pedestrian destinations as described in OAR 660-012-0360; and
  - 24 (d) A list of prioritized pedestrian system projects as described in OAR 660-012-0520.
- 25 (3) The complete pedestrian system is the full build out of a complete pedestrian system within the  
26 planning area. A city determines the complete pedestrian system plan by:
- 27 (a) Using the pedestrian system inventory developed under OAR 660-012-0505 as a base;
  - 28 (b) Adding the minimum pedestrian facilities to places that do not presently meet the  
29 minimum pedestrian system requirements in OAR 660-012-0510; and
  - 30 (c) Adding enhanced facilities above the minimum pedestrian system requirements where the  
31 city finds that enhanced facilities are necessary or desirable to meet the goals of the city's  
32 comprehensive plan.
- 33 (4) Cities must identify gaps and deficiencies in the pedestrian system by comparing the complete  
34 pedestrian system plan with the pedestrian system inventory developed under OAR 660-012-  
35 0505. Any part of the complete pedestrian system not presently built to the standard in the  
36 complete pedestrian system plan must be identified as a gap or deficiency.

1 **0505: Pedestrian System Inventory**

2 This rule describes how cities must inventory their pedestrian system.  
3 No substantive changes have been made to this rule since the October draft. The transportation modal  
4 planning work group will review this rule.

- 5 (1) Pedestrian system inventories must include information on sidewalks and street crossings for all  
6 areas within climate friendly areas, within ¼ mile of all schools, and along all arterials and  
7 collectors. Pedestrian system inventories must also include information on all pedestrian  
8 connections, including shared use paths.
  - 9 (a) Inventories of sidewalks and paths must include information on width and condition.
  - 10 (b) Inventories of street crossings must include crossing distances, the type of crossing,  
11 closed crossings, curb ramps, and distance between crossings.
- 12 (2) Pedestrian system inventories must include the crash risk factors of inventoried pedestrian  
13 facilities, including but not limited to speed, volume, and roadway width. Pedestrian system  
14 inventories must also include the location of all reported injuries and deaths of people walking or  
15 using a mobility device. This must include all reported incidents from at least 10 years prior to the  
16 transportation system plan base year to the year of adoption of the pedestrian system inventory.

17 **0510: Pedestrian System Requirements**

18 This rule provides the minimum requirements for the planned pedestrian system. Cities may choose to  
19 exceed the standards in this rule.  
20 No substantive changes have been made to this rule since the October draft. The transportation modal  
21 planning work group will review this rule.

- 22 (1) Pedestrian facility owners must design, build, and maintain pedestrian facilities to permit  
23 comfortable travel for all people, including people with disabilities.
- 24 (2) All streets and highways, other than expressways, shall have sidewalks, as provided in ORS  
25 366.514.
  - 26 (a) Sidewalks must be planned for both sides of each street.
  - 27 (b) Cities must plan for progressively wider and more protected sidewalks and pedestrian  
28 areas in the following contexts:
    - 29 (A) Arterials must have wider and more protected sidewalks than collector streets,  
30 which must have wider and more protected sidewalks than local streets.
    - 31 (B) Streets and highways in climate friendly areas and in areas with concentrations of  
32 underserved populations as provided in OAR 660-012-0120 must be planned for  
33 wider and more protected sidewalks and more enhanced crossings than on similar  
34 facilities outside of these areas.
    - 35 (C) A substantial portion of the right-of-way in climate friendly areas must be  
36 dedicated to pedestrian uses, including but not limited to sidewalks, pedestrian  
37 plazas, and protective buffers.

- 1 (c) Cities must plan for enhanced tree canopy and other infrastructure that uses natural and
- 2 living materials in pedestrian spaces in climate friendly areas and areas with
- 3 concentrations of underserved populations as provided in OAR 660-012-0120.
- 4 (3) Off-street multi-use paths must be designed to permit comfortable joint or separated use for
- 5 people walking, using mobility devices, and cycling.
- 6 (4) Enhanced crossings are pedestrian facilities to cross streets or highways that provide a high level
- 7 of safety and priority to people crossing the street. Enhanced crossings must have adequate
- 8 nighttime illumination to see pedestrians from all vehicular approaches. Enhanced crossings must
- 9 be provided, at minimum, in the following locations:
- 10 (a) Closely spaced along arterial streets in climate friendly areas;
- 11 (b) Near transit stops on access-focused arterial or collector street in a climate friendly area
- 12 or on a priority transit corridor; and
- 13 (c) At off-street path or trail crossings of any arterial or collector street.
- 14 (5) Cities may take exemptions to the standards in this rule through findings in the transportation
- 15 system plan, for each location where an exemption is desired, for the following reasons:
- 16 (a) A city may plan for a sidewalk on one side of local streets in locations where topography
- 17 would make it difficult to build a sidewalk on the other side of the street. Enhanced street
- 18 crossings must be provided at each end of sections where there is a sidewalk on only one
- 19 side of the street.
- 20 (b) A city may plan for no sidewalks on local streets that are sufficiently narrow, and carry
- 21 little or no vehicular traffic, so that pedestrians are the primary users of the street.

22 **0520: Pedestrian System Projects**

23 This rule guides cities in determining the list of pedestrian system projects.

24 No substantive changes have been made to this rule since the October draft. transportation modal  
 25 planning work group will review this rule.

- 26 (1) Cities must develop a list of pedestrian system projects that would address all the gaps and
- 27 deficiencies in the pedestrian system identified by the city under OAR 660-012-0500(4).
- 28 (2) Cities must develop pedestrian project prioritization factors that are able to sort the list of
- 29 pedestrian system projects into a prioritized list of pedestrian system projects. Cities must develop
- 30 pedestrian project prioritization factors by engaging underserved populations as provided in OAR
- 31 660-012-0125.
- 32 (3) Cities must use pedestrian project prioritization factors to prioritize the following factors above
- 33 other factors:
- 34 (a) Pedestrian system investments in climate friendly areas;
- 35 (b) Pedestrian system investments in areas with concentrations of underserved populations,
- 36 as provided in OAR 660-012-0120;
- 37 (c) Pedestrian system investments in areas pedestrian safety risk factors such as roadways
- 38 with high speeds and high traffic volumes

- 1 (d) Pedestrian system investments in areas with reported pedestrian serious injuries and
- 2 deaths;
- 3 (e) Pedestrian system investments that provide access to key pedestrian destinations;
- 4 (f) Pedestrian system investments that will connect to, fill gaps in, and expand the existing
- 5 pedestrian network;
- 6 (g) Pedestrian system investments that prioritize pedestrian travel consistent with the
- 7 prioritization factors in OAR 660-012-0180; and
- 8 (h) Where applicable, pedestrian system investments that implement a scenario plan
- 9 approved by order as provided in OAR 660-044-0120.
- 10 (4) The transportation system plan must include a description of the prioritization factors and method
- 11 of prioritizing pedestrian projects used to develop the prioritized list of pedestrian system
- 12 projects.

13 **New Rules 0600-0630: Bicycle System**

14 This part of the Transportation Planning Rules relates to planning for a safe, accessible, and connected

15 bicycle system. The bicycle system is intended to serve people riding bicycles, as well as people using

16 other types of vehicles that operate at a bicycle speed and scale. These rules also include updated

17 requirements for bicycle parking.

18 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

19 **0600: Bicycle System Planning**

20 This rule, and subsequent rules, describe how cities must plan for a safe, accessible, and connected

21 bicycle network that serves a variety of users. The rule requires a bicycle system element that provides

22 for a substantial portion of short urban trips under 3 miles to be by bicycle.

23 No substantive changes have been made to this rule since the October draft. The transportation modal

24 planning work group will review this rule.

- 25 (1) Transportation system plans must include a bicycle system element that meets the requirements
- 26 of this rule. The bicycle system must be designed to provide safe and comfortable routes for a
- 27 range of users and abilities. For the purposes of this division, the bicycle system is intended to
- 28 serve people riding bicycles and other vehicles that operate at a similar speed and scale to people
- 29 riding bicycles. These vehicles include, but are not limited to: electric bicycles, kick-style and
- 30 electric scooters, and skateboards; and do not include motorcycles.
- 31 (2) A bicycle system element must include the following elements:
- 32 (a) The complete bicycle system as described in section (3) that includes the full buildout of
- 33 the bicycle system within the Urban Growth Boundary;
- 34 (b) Identification of gaps and deficiencies in the bicycle system as described in section (4);
- 35 (c) Locations of key bicycle destinations as described in OAR 660-012-0360; and
- 36 (d) A list of prioritized bicycle system projects as described in OAR 660-012-0620.

- 1 (3) The complete bicycle system is the full build out of a complete bicycle system within the  
 2 planning area. A city determines the complete bicycle system plan by:
- 3 (a) Using the bicycle system inventory developed under OAR 660-012-0605 as a base;
  - 4 (b) Adding the minimum bicycle facilities to places that do not presently meet the minimum  
 5 bicycle system requirements in OAR 550-012-0610; and
  - 6 (c) Adding enhanced facilities above the minimum bicycle system requirements where the  
 7 city finds that enhanced facilities are necessary or desirable to meet the goals of the city's  
 8 comprehensive plan.
- 9 (4) Cities must identify gaps and deficiencies in the bicycle system by comparing the complete  
 10 bicycle system with the bicycle system inventory developed under OAR 660-012-0605. Any part  
 11 of the complete bicycle system not presently built to the standard in the complete bicycle plan  
 12 must be identified as a gap or deficiency.

13 **0605: Bicycle System Inventory**

14 This rule describes how cities must inventory their bicycle system. The rule requires an inventory of  
 15 bicycle facilities in key areas, including multi-use paths.

16 No substantive changes have been made to this rule since the October draft. The transportation modal  
 17 planning work group will review this rule.

- 18 (1) Bicycle system inventories must include information on bicycle lanes, bicycle routes, paths, and  
 19 other types of bicycle facilities, including pedestrian connections that may be used by bicycles.  
 20 Inventories must include information on width, type, and condition.
- 21 (2) Bicycle system inventories must include information on bicycle facilities of all types within  
 22 climate friendly areas, within ¼ mile of all schools, on designated neighborhood bikeways, and  
 23 along all arterials and collectors.
- 24 (3) Bicycle system inventories must include the crash risk factors of inventoried bicycle facilities,  
 25 including but not limited to speed, volume, separation, and roadway width. Bicycle system  
 26 inventories must also include the location of all reported injuries and deaths of people on  
 27 bicycles. This must include all reported incidents from at least 10 years prior to the transportation  
 28 system plan base year to the year of adoption of the bicycle system inventory.

29 **0610: Bicycle System Requirements**

30 This rule includes the minimum requirements for the bicycle system. We expect to build a bicycle system  
 31 that meets a substantial portion of local travel needs under three miles. Updated requirements ensure  
 32 cities and counties will plan for higher levels of separation beyond a standard bike lane for people riding  
 33 bicycles on higher speed and volume roadways. These facilities have been shown to be necessary to  
 34 allow the widest range of people to safely ride bikes within communities. The rules require the  
 35 development of connected network of safe bicycle facilities.

36 No substantive changes have been made to this rule since the October draft. The transportation modal  
 37 planning work group will review this rule.

- 38 (1) This rule describes the minimum planned bicycle facilities that must be included in plans. Cities  
 39 may choose to exceed the standards in this rule.

- 1 (2) Higher levels of protection and separation are necessary for bicycle facilities on higher speed and  
2 volume streets and highways, such as arterials and collectors. Bicycle facilities include:
- 3 (a) Separated or protected bicycle facilities, which are on-street facilities that are physically  
4 protected from motorized traffic by barriers that prevent intrusion into the bicycle  
5 facility. Physical protection may include parked motor vehicles. Protected bicycle  
6 facilities may be unidirectional or two-way. Protected bicycle facilities minimize  
7 conflicting traffic at intersections and other vehicular accesses to the street or highway.  
8 Bicycle traffic is highlighted and prioritized in locations where motor vehicle traffic does  
9 cross the protected facility.
- 10 (b) Bicycle boulevards, which are local streets with very little to no motorized traffic that are  
11 designated, signed, and prioritized for bicycle through travel. Protected or enhanced  
12 crossings are located where bicycle boulevards cross arterial or collector streets.
- 13 (c) Bicycle paths, which are off-street facilities exclusively for the use of people cycling.
- 14 (d) Multi-use paths, which are off-street facilities for the use of people walking, using  
15 mobility devices, and cycling.
- 16 (e) Buffered bicycle lanes, which are on-street bike facilities with a marked but not physical  
17 buffer between the bike lane and traffic; and
- 18 (f) Bicycle lanes, which are on-street bicycle facilities without physical or buffered  
19 protection from motorized traffic.
- 20 (3) Cities and counties must plan for a connected network of bicycle facilities that provides a safe  
21 and comfortable experience for people of all ages and abilities. A connected network is  
22 comprised of both the ability to access key destinations within a community and enough coverage  
23 of safe and comfortable facilities to ensure most people within the community can travel by  
24 bicycle.
- 25 (a) Cities and counties must develop an all ages, low stress, connected network of bicycle  
26 facilities that provide protection and separate considering the context of the parallel street  
27 or highway facility and land uses. This includes but is not limited to:
- 28 (A) Planning for higher levels of protection along and across arterials and collectors;  
29 (B) Planning for connections to key destinations as provided in OAR 660-012-0360;  
30 and  
31 (C) Planning for a connected network of bicycle boulevards on low volume streets  
32 and in residential districts.
- 33 (b) Cities and counties must plan for separated or protected bicycle facilities on arterials and  
34 collectors in climate friendly areas.
- 35 (c) Cities and counties must plan a minimum of a buffered bicycle lane on arterials or  
36 collectors where separated or protected bicycle facilities are not otherwise planned.



1 **0620: Bicycle System Projects**

2 This rule guides cities in determining the list of bicycle system projects.

3 No substantive changes have been made to this rule since the October draft. The transportation modal  
4 planning work group will review this rule.

- 5 (1) Cities must develop a list of bicycle system projects that would address all the gaps and  
6 deficiencies in the bicycle system identified by the city under OAR 660-012-0600(4).
- 7 (2) Cities must develop bicycle project prioritization factors that are able to sort the list of bicycle  
8 system projects into a prioritized list of bicycle system projects. Cities must develop bicycle  
9 project prioritization factors by engaging underserved populations as provided in OAR 660-012-  
10 0125.
- 11 (3) Cities must use bicycle project prioritization factors to prioritize the following factors above other  
12 factors:
- 13 (a) Bicycle system investments in climate friendly areas;
  - 14 (b) Bicycle system investments in areas with concentrations of underserved populations, as  
15 determined under OAR 660-012-0120;
  - 16 (c) Bicycle system investments in areas with safety risk factors such as roadways with high  
17 speeds and high traffic volumes;
  - 18 (d) Bicycle system investments in areas with reported serious injuries and deaths to people  
19 riding bicycles;
  - 20 (e) Bicycle system investments that provide access to key bicycle destinations;
  - 21 (f) Bicycle system investments system investments that will connect to, fill gaps in, and  
22 expand the existing bicycle system network;
  - 23 (g) Bicycle system investments that prioritize bicycle travel consistent with the prioritization  
24 factors in OAR 660-012-0180; and
  - 25 (h) Where applicable, bicycle system investments that implement a scenario plan approved  
26 by order as provided in OAR 660-044-0120.
- 27 (4) The transportation system plan must include a description of the prioritization factors and method  
28 of prioritizing bicycle projects used to develop the prioritized list of bicycle system projects.

29 **0630: Bicycle Parking**

30 This rule includes updated requirements for bicycle parking. Existing statewide requirements require  
31 bicycle parking for commercial and multi-family land uses. This rule expands this to require covered and  
32 secure parking for some uses where longer-term parking is expected, and short-term parking at retail  
33 uses, transit facilities, and other key destinations. The rule requires that long-term parking include  
34 provisions for electric charging and to accommodate a range of devices beyond bicycles.

35 No substantive changes have been made to this rule since the October draft. The transportation modal  
36 planning work group will review this rule.

- 37 (1) Cities and counties must require and plan for adequate bicycle parking to meet the increasing need  
38 for travel by bicycle.

- 1 (2) Cities and counties shall require covered, secure bicycle parking for all new multifamily  
2 development or mixed-use development of four units or more, and new office and institutional  
3 developments. Such bicycle parking must include at least one bicycle parking space for each  
4 residential unit and facilities for charging electric bicycles, electric wheelchairs, and other small-  
5 scale electric mobility devices. Charging must be available for simultaneous charge of electric  
6 mobility devices parked in 40% of spaces.
- 7 (3) Cities and counties shall require covered, secure bicycle parking for all new retail development.  
8 Such bicycle parking shall be located within 100 feet of the main retail entrance.
- 9 (4) Cities and counties shall require covered, secure bicycle parking for all major transit stations and  
10 park-and-ride lots.
- 11 (5) Cities and counties must require covered, secure bicycle parking in climate friendly areas, and near  
12 key destinations as provided in OAR 660-012-0360.
- 13 (6) Cities and counties must allow and provide for parking and ancillary facilities for shared bicycles or  
14 other small-scale mobility devices in climate friendly areas, and near key destinations as provided  
15 in OAR 660-012-0360.
- 16 (7) For any use, cities and counties must require at least as many bicycle parking spaces as mandated  
17 off-street motor vehicle parking spaces.
- 18 (8) Cities and counties must ensure that all bicycle parking provided must:
- 19 (a) Allow ways to secure at least two points on a bicycle;
- 20 (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position  
21 where it may be secured without conflicts from other parked bicycles, walls, or other  
22 obstructions;
- 23 (c) Be in a location that is convenient and well-lit; and
- 24 (d) Include sufficient bicycle parking spaces to accommodate large bicycles, including  
25 family and cargo bicycles.

1 **New Rules 0700-0750: Public Transportation System**

2 This part of the Transportation Planning Rules relates to planning for the public transportation system.  
3 The public transportation system is intended to serve people riding transit within urban areas, as well as  
4 travel within regions or between cities. This set of rules also includes requirements for a local  
5 Transportation Options plan element.

6 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

7 **0700: Public Transportation System Planning**

8 This rule and subsequent rules describe how cities must plan for their public transportation system.

9 No substantive changes have been made to this rule since the October draft. The transportation modal  
10 planning work group will review this rule.

11 (1) transportation system plans must include a public transportation system element that meets the  
12 requirements of this rule. Cities and counties must work in close cooperation with transit service  
13 providers in order to complete the public transportation system element of the transportation  
14 system plan.

15 (a) Cities and counties shall coordinate with public transportation service providers to  
16 develop the public transportation system plan element.

17 (b) The public transportation system plan element must include elements of the public  
18 transportation system that are in the control of the city, county, and coordinating  
19 transportation facility owners.

20 (c) The public transportation system plan element must identify elements of the public  
21 transportation system that the city or county will work with transit service providers to  
22 realize or improve, including transit priority corridors, transit supportive infrastructure,  
23 and stop amenities.

24 (d) Cities and counties must align the public transportation system plan transit element with  
25 Transit Development Plans, goals, and other strategic planning documents developed by  
26 a transit service provider.

27 (e) Transportation system plans do not control public transportation elements exclusively  
28 controlled by transit service providers. These include funding or details of transit service  
29 provision, including timetables and routing.

30 (2) A public transportation system element must include the following elements:

31 (a) The complete public transportation system as described in section (3) that includes the  
32 full buildout and provision of services of the public transportation system within the  
33 Urban Growth Boundary;

34 (b) Identification of gaps and deficiencies in the public transportation system as described in  
35 section (4);

36 (c) Locations of key public transportation destinations as described in OAR 660-012-0360;

37 (d) A list of prioritized public transportation system projects as described in OAR 660-012-  
38 0720; and

39 (e) The Transportation Options plan as provided in OAR 660-012-0750.

- 1 (3) The complete public transportation system is the full build out of a complete public transportation  
 2 system within the planning area. The city or county determines the complete public transportation  
 3 system plan by:
- 4 (a) Using the public transportation system inventory developed under OAR 660-012-0705 as  
 5 a base; and
- 6 (b) Adding the minimum public transportation services and facilities to places that do not  
 7 presently meet the minimum public transportation system requirements in OAR 660-012-  
 8 0710.
- 9 (4) Cities and counties must identify gaps and deficiencies in the public transportation system by  
 10 comparing the complete public transportation system with the public transportation system  
 11 inventory developed under OAR 660-012-0705. Any part of the complete public transportation  
 12 system not presently built or operated to the standards in the complete public transportation  
 13 system plan must be identified as a gap or deficiency. Cities and counties must identify gaps in  
 14 the transit supportive facilities provided on priority transit corridors and other transit corridors  
 15 identified as provided in OAR 660-012-0710. Transit supportive facilities include, but are not  
 16 limited to:
- 17 (a) Stations, hubs, stops, shelters, signs, and ancillary features; and
- 18 (b) Transit priority infrastructure, including signals, queue jumps, and semi exclusive or  
 19 exclusive bus lanes or transitways.

20 **0705: Public Transportation System Inventory**

21 This rule describes how cities must inventory their public transportation system.

22 No substantive changes have been made to this rule since the October draft. The transportation modal  
 23 planning work group will review this rule.

- 24 (1) The public transportation system inventory must include information on local and intercity transit  
 25 services, including the location of routes, major stations, transit stops, transitways, transit lanes,  
 26 transit priority signals, queue jumps, on-route charging, and other transit supportive facilities not  
 27 otherwise inventoried. Accessibility for people with disabilities must be inventoried where  
 28 applicable.
- 29 (2) The public transportation system inventory must include the identification of existing service  
 30 characteristics, including frequency and span of service for all services along identified transit  
 31 priority corridors, serving key destinations, and serving major transit stations.
- 32 (3) Where local or intercity transit services travel outside of the planning area to other cities, the  
 33 public transportation system inventory must include the identification of routes connecting to the  
 34 next nearest cities with a population exceeding 9,000, as well as key destinations and major  
 35 stations these routes.

1 **0710: Public Transportation System Requirements**

2 This rule includes the minimum requirements for safe, connected, and accessible public transportation  
3 system facilities.

4 No substantive changes have been made to this rule since the October draft. The transportation modal  
5 planning work group will review this rule.

6 (1) Cities must plan for a connected local transit network that serves key destinations as provided in  
7 OAR 660-012-0360, and can be accessed by housing and jobs within the planning area. Cities  
8 must identify:

9 (a) Priority transit corridors, which are transit corridors that are planned for the highest levels  
10 of regional transit service providing for a wide range of mobility needs; and

11 (b) Other transit corridors, which are planned to carry at least a moderate level of transit  
12 service providing for basic mobility needs.

13 (2) Cities and counties must plan for a range of transit supportive facilities along priority transit  
14 corridors and in other locations where transit priority is desired.

15 (a) Cities and counties must coordinate with transit service providers to determine transit  
16 priority infrastructure needed on priority transit routes for efficient transit service.

17 (b) Cities and counties shall prioritize expedited access for transit vehicles to and from major  
18 stops, stations, and terminals.

19 (c) Cities and counties shall consider intercity transit access to stations or terminals.

20 (3) Cities must plan for safe and accessible transit stops and stations.

21 (a) Along priority transit corridors and other locations where transit priority is desired, cities  
22 and counties must coordinate with transit service providers on the construction of transit  
23 supportive facilities. Cities must allow transit service providers to construct amenities at  
24 stops outright, with limited permitting requirements. These amenities include but are not  
25 limited to: sidewalk repair and extension, signage, lighting, benches, and shelters.

26 (b) Cities shall limit on-street parking at transit stop locations at the request of a transit  
27 service provider.

28 (4) Cities must coordinate with transit service providers to identify needs for intercity transit services  
29 at a level appropriate to the size of the urban area and the size and distance of intercity markets.

30 (5) Cities must coordinate with transit service providers to identify gaps in transit service provided in  
31 the transportation system plan, and gaps for each priority transit corridor and other transit  
32 corridors.

33 **0720: Public Transportation System Projects**

34 This rule guides cities in determining the list of public transportation projects.

35 No substantive changes have been made to this rule since the October draft. The transportation modal  
36 planning work group will review this rule.

37 (1) Cities must develop a list of public transportation projects that would address all the gaps and  
38 deficiencies in the public transportation system identified by the city under OAR 660-012-  
39 0700(4).

- 1 (2) Cities must coordinate with transit service providers to identify the gaps in transit service  
2 provided in the transportation system plan and those identified in a land use and transportation  
3 scenario plan as provided in OAR 660-044-0110 or in the Statewide Transportation Strategy as  
4 adopted by the Oregon Transportation Commission, including the gap in transit miles per capita,  
5 and gaps for each priority transit corridor and other transit corridors. The purpose of identifying  
6 these gaps is to illustrate the need for transit service operating funds for services operated within  
7 the planning area. The transportation system plan need not make provisions for funding  
8 operations of transit services directly.
- 9 (3) Cities must develop public transportation system project prioritization factors that are able to sort  
10 the list of public transportation system projects into a prioritized list of public transportation  
11 system projects. Cities must develop public transportation project prioritization factors by  
12 engaging underserved populations as provided in OAR 660-012-0125.
- 13 (4) Cities must use public transportation project prioritization factors to prioritize the following  
14 factors above other factors:
- 15 (a) Public transportation system investments in climate friendly areas;
- 16 (b) Public transportation system investments in areas with concentrations of underserved  
17 populations, as determined under OAR 660-012-0120, particularly in areas with  
18 concentrations of people dependent on public transportation;
- 19 (c) Public transportation system investments that provide access to key public transportation  
20 destinations;
- 21 (d) Public transportation system investments that will connect to, fill gaps in, and expand the  
22 existing public transportation network;
- 23 (e) Public transportation system investments that prioritize transit travel consistent with the  
24 prioritization factors in OAR 660-012-0180; and
- 25 (f) Where applicable, public transportation system investments that implement a scenario  
26 plan approved by order as provided in OAR 660-044-0120.
- 27 (5) The transportation system plan must include a description of the prioritization factors and method  
28 of prioritizing public transportation projects used to develop the prioritized list of public  
29 transportation projects.

30 **0750: Transportation Options Plan**

31 This rule describes how cities develop a transportation options element of their transportation system  
32 plan. The rule requires cities and counties to coordinate closely with transportation options providers,  
33 public transportation providers, and other cities and counties to identify existing programs, services, and  
34 projects; as well as future needs.

35 No substantive changes have been made to this rule since the October draft. The transportation modal  
36 planning work group will review this rule.

- 37 (1) Transportation system plans must include a transportation options element that includes:
- 38 (a) The existing programs, services, and projects identified in section (2);
- 39 (b) The future transportation demand management needs identified in section (3) and the  
40 performance targets as provided in OAR 660-012-0910; and
- 41 (c) A trip reduction strategy for large employers.

- 1 (2) Cities and counties shall coordinate with transportation options providers, public transportation  
 2 service providers, and other cities and counties to identify existing transportation options and  
 3 transportation demand management programs, services, and projects. This must include, but is  
 4 not limited to:
- 5 (a) The identification of education, outreach, and other transportation demand management  
 6 programs and services that focus on multi-modal forms of transportation;
  - 7 (b) The identification of transportation demand management programs and policies that  
 8 discourage the use of single occupancy vehicles; and
  - 9 (c) The identification of the transportation options needs of underserved populations.
- 10 (3) Cities and counties shall coordinate with transportation options providers, public transportation  
 11 service providers, and other cities and counties to identify future transportation demand  
 12 management needs. This must include, but is not limited to:
- 13 (a) Commute Trip Reduction consultation and promotion of programs such as the provision  
 14 of transit passes;
  - 15 (b) Physical improvements such as carpool parking spaces and park and ride locations; and
  - 16 (c) Regional solutions for intercity travel.

17 **New Rules 0800-0830: Streets and Highways System**

18 This part of the Transportation Planning Rules relates to planning for the street and highway system. The  
 19 rules consider that the street and highway system is mostly fully built out. Future planning must assume  
 20 a reduction in the amount of driving people do, in favor of increased travel in other modes.  
 21 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

22 ***0800: Street and Highway System Planning***

23 This rule, and subsequent rules, describes how cities must plan for their street and highway  
 24 transportation system.  
 25 No substantive changes have been made to this rule since the October draft. The transportation modal  
 26 planning work group will review this rule.

- 27 (1) Transportation System Plans must include a street and highway system element that meet the  
 28 requirements of this rule.
- 29 (2) A street and highway system element must include the following elements:
- 30 (a) The complete street and highway system as described in section (3) that includes the full  
 31 buildout of the street and highway system within the Urban Growth Boundary.
  - 32 (b) Identification of gaps or deficiencies in the street and highway system as described in  
 33 section (4);
  - 34 (c) Locations of key destinations as described in OAR 660-012-0360; and
  - 35 (d) A list of prioritized street and highway system projects as described in OAR 660-012-  
 36 0820.

- 1 (3) The complete street and highway system is the full build out of a complete street and highway  
 2 system within the planning area. A city determines the ultimate street and highway system plan  
 3 by:
- 4 (a) Using the street and highway system inventory developed under OAR 660-012-0805 as a  
 5 base;
  - 6 (b) Adding the minimum street and highway facilities to places that do not presently meet the  
 7 minimum street and highway system requirements in OAR 660-012-0810; and
  - 8 (c) Accommodating the reallocation of right of way on facilities where this is deemed  
 9 necessary as provided in this division.
- 10 (4) Cities must identify gaps and deficiencies in the street and highway system by comparing the  
 11 complete street and highway system with the street and highway system inventory developed  
 12 under OAR 660-012-0805. Any part of the complete street and highway system not presently  
 13 built to the standard in the ultimate street and highway plan must be identified as a gap or  
 14 deficiency.

15 **0805: Street and Highway System Inventory**

16 This rule describes how cities must inventory their street and highway system.  
 17 No substantive changes have been made to this rule since the October draft. The transportation modal  
 18 planning work group will review this rule.

- 19 (1) Street and highway system inventories must include information on all streets and highways,  
 20 including the functional classification of each facility.
- 21 (a) For local streets, inventories must include location.
- 22 (b) For collector streets, inventories must include location, condition, and number of general-  
 23 purpose travel lanes, and turn lanes.
- 24 (c) For arterial streets, inventories must include location, condition, and number of general-  
 25 purpose travel lanes, turn lanes, and lane width.
- 26 (d) For expressways and other limited-access highways, inventories must include location,  
 27 condition, number of general-purpose travel lanes, and lane width. Inventories must also  
 28 include locations and type of interchanges.
- 29 (2) Street and highway system inventories must include the location of all reported serious injuries  
 30 and deaths of people related to vehicular crashes. This must include all reported incidents for at  
 31 least 10 years prior to the transportation system plan base year.
- 32 (3) Street and highway system inventories must include an overview of pricing strategies in use,  
 33 including specific facility pricing, area or cordon pricing, and parking pricing. Inventories must  
 34 include pricing mechanisms and rates.
- 35 (4) Street and highway system inventories must include the location of designated freight routes, and  
 36 the location of all key freight terminals within the planning area, including intermodal terminals.



1 **0810: Street and Highway System Requirements**

2 This rule includes the minimum requirements for the street and highway system. The rules require:  
3 narrow and slow local streets; identifying arterials that are more focused on mobility, and those more  
4 focused on access, and treating them differently; and a minimal number of general-purpose travel lanes  
5 due to an expected decline in driving, and to accommodate the growth of other modes.

6 No substantive changes have been made to this rule since the October draft. The transportation modal  
7 planning work group will review this rule.

- 8 (1) Cities and counties must plan, design, build, and maintain a connected streets and highway  
9 network in a manner that respects the prioritization factors in OAR 660-012-0180.
- 10 (a) Cities and counties must plan and streets and highways for the minimum size necessary  
11 for the identified function, land use context, and expected users of the facility.
- 12 (b) Cities and counties must consider and reduce excessive standards for local streets and  
13 accessways in order to reduce the cost of construction, increase safety, provide for more  
14 efficient use of urban land, provide for emergency vehicle access while discouraging  
15 inappropriate traffic volumes and speeds, and support connected and safe pedestrian and  
16 bicycle networks.
- 17 (c) Cities and counties must plan for an equitable allocation of right-of-way consistent with  
18 the prioritization factors as provided in OAR 660-012-0180. Streets in Climate-Friendly  
19 Areas and along priority transit corridors must be designed to prioritize pedestrian,  
20 bicycle, and transit systems, as provided in OAR 660-012-0510, OAR 660-012-0610, and  
21 OAR 660-012-0710.
- 22 (2) Cities and counties must plan local streets to provide local access to property and localized  
23 circulation within neighborhoods.
- 24 (a) Cities and counties must plan and design local streets for low and safe travel speeds  
25 compatible with shared pedestrian and bicycle use.
- 26 (b) Cities and counties shall establish standards for local streets with pavement width and  
27 right-of-way width as narrow as practical to meet needs, reduce the cost of construction,  
28 efficiently use urban land, discourage inappropriate traffic volumes and speeds, improve  
29 safety, and accommodate convenient pedestrian and bicycle circulation. Local street  
30 standards may allow pavement 28-foot wide where on-street parking is provided on both  
31 sides of the street and narrower widths where on-street parking is not permitted. Local  
32 street standards adopted by a city or county must be developed as provided in ORS  
33 368.039.
- 34 (c) Cities and counties must plan and design a complete and connected network of local  
35 streets. Cities may plan for chicanes, diverters, or other strategies or devices in local  
36 street networks where needed to prevent excessive speed or through travel. These  
37 measures must continue to provide for connected and pedestrian and bicycle networks.
- 38 (d) Cities and counties must avoid planning or designing local streets with a dead end. Dead  
39 end local streets may be permitted in locations with topographic or other barriers, or  
40 where the street is planned to continue to a connected network in the future.
- 41 (e) Cities and counties must plan for multimodal travel on local streets as provided in OAR  
42 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710. Cities and counties must  
43 plan local streets in climate-friendly areas to prioritize pedestrian and bicycle systems,  
44 and be limited to local access for motor vehicles.

- 1 (f) A city or county may plan for local streets to be wider than otherwise permitted in this  
2 rule when used exclusively for access to industrial or commercial properties outside of  
3 climate-friendly areas, and where plans do not permit residential or mixed-use  
4 development.
- 5 (g) Transportation system plans need not include the specific location of all planned local  
6 streets but must describe areas where they will be necessary.
- 7 (3) Cities and counties must plan collector streets to provide access to property and collect and  
8 distribute traffic between local streets and arterials. Cities and counties must plan and design a  
9 collector street network that is complete and connected with local streets and arterials.
- 10 (a) Cities and counties must plan for multimodal travel on collector streets as provided in  
11 OAR 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710.
- 12 (b) Cities and counties must plan collectors in climate-friendly areas to prioritize pedestrian,  
13 bicycle, and public transportation systems.
- 14 (4) Cities and counties must plan arterial streets and highways to provide travel between  
15 neighborhoods and across urban areas. Cities and counties must plan an arterial street network  
16 that is complete and connected with local streets and collectors.
- 17 (a) Cities and counties must designate each segment of an arterial as one of the three  
18 categories below in the transportation system plan. These designations must be made  
19 considering the intended function, the land use context, and the expected users of the  
20 facility. Cities and counties must address these considerations to ensure local plans  
21 include different street standards for each category of arterial segment.
- 22 (A) Cities and counties must plan for local access priority arterial segments to  
23 prioritize access to property and connected streets when balancing needs on the  
24 facility. Local access priority arterial segments will generally allow for more  
25 access locations from property, more opportunities to make turns, more frequent  
26 intersections with other streets, and slower speeds.
- 27 (B) Cities and counties must plan for through movement priority arterial segments to  
28 prioritize through movement of traffic when balancing needs on the facility.  
29 Through movement priority arterial segments will generally prioritize access  
30 limited to intersections with the street network, limited access to individual  
31 properties, and safe speeds.
- 32 (C) Cities and counties must plan for arterial segments in a climate-friendly area to  
33 prioritize multimodal travel as provided in subsection (b). This includes  
34 prioritizing complete, connected, and safe pedestrian, bicycle, and public  
35 transportation facilities.
- 36 (b) Cities must plan for multimodal travel on or along arterial streets as provided in OAR  
37 660-012-0510, OAR 660-012-0610, and OAR 660-012-0710.
- 38 (A) Cities and counties must plan arterials in climate-friendly areas to prioritize  
39 pedestrian, bicycle, and public transportation systems.
- 40 (B) Cities and counties must plan arterials along transit priority corridors to prioritize  
41 transit service reliability and frequency over general-purpose traffic.

- 1 (5) Cities and counties must plan freeways to provide travel between urban areas. Cities and counties  
 2 must carefully consider new or expanded freeways considering goals for reductions in vehicle  
 3 miles traveled per capita.
- 4 (a) Cities and counties must plan for high-occupancy vehicle lanes, including transit lanes,  
 5 and managed priced lanes on expressways.
- 6 (b) Pedestrian and bicycle facilities should be parallel to expressways, rather than on them.  
 7 Transit facilities on or along expressways must be designed for direct transit vehicle  
 8 access.
- 9 (6) Notwithstanding other provisions of this rule, where appropriate, cities and counties must plan  
 10 and design streets and highways to accommodate:
- 11 (a) Transit vehicles on a segment of a priority transit corridor or transit corridor without  
 12 dedicated transit lanes or transitway.
- 13 (b) Freight travel on designated freight routes and key freight terminals inventoried as  
 14 provided in OAR 660-012-0805.
- 15 (c) Agricultural equipment on streets or highways connecting to agriculturally zoned land  
 16 used for agricultural purposes where equipment access is necessary.

17 **0820: Street and Highway System Projects**

18 This rule guides cities in determining the list of street and highway system projects.  
 19 No substantive changes have been made to this rule since the October draft. The transportation modal  
 20 planning work group will review this rule.

- 21 (1) Cities must develop a list of street and highway system projects that would address the gaps and  
 22 deficiencies in the street and highway system.
- 23 (2) Cities must develop street and highway project prioritization factors that are able to sort the list of  
 24 street and highway system projects into a prioritized list of street and highway system projects.  
 25 Cities must develop street and highway project prioritization factors by engaging underserved  
 26 populations as provided in OAR 660-012-0125.
- 27 (3) Cities must use street and highway project prioritization factors to prioritize the following factors  
 28 above other factors:
- 29 (a) Street and highway investments that reallocate right-of-way from facilities dedicated to  
 30 moving motor vehicles to those for use by the pedestrian, bicycle, and public  
 31 transportation systems, particularly:
- 32 (A) In climate-friendly areas;
- 33 (B) In areas with concentrations of underserved populations, as provided in OAR  
 34 660-012-0120; and
- 35 (C) In areas with reported serious injuries and deaths.
- 36 (b) Street and highway system investments that will fill gaps in the existing street network;
- 37 (c) Street and highway system investments consistent with the prioritization factors in OAR  
 38 660-012-0180;
- 39 (d) Street and highway system investments that will help meet the performance targets as  
 40 provided in OAR 660-012-0910; and

- 1 (e) Street and highway system investments consistent with a scenario plan approved by order  
2 as provided in OAR 660-044-0120.
- 3 (4) The transportation system plan must include a description of the prioritization factors and method  
4 of prioritizing street and highway projects used to develop the prioritized list of street and  
5 highway system projects.
- 6 (5) Cities choosing to include a proposed facility requiring authorization as provided in OAR 660-  
7 012-0830 in the transportation system plan must first meet the requirements as provided in OAR  
8 660-012-0830.

9 **0830: Authorization of Facilities That Increase Driving and Capacity**

10 This rule provides for an additional level of review of transportation facilities that could increase climate  
11 pollution. The rule is intended to ensure that additional alternatives are reviewed before investments  
12 are made in transportation facilities that are not consistent with the state’s climate goals.

13 The authorization of a facility provided in this rule is only to allow a proposed facility to be put into the  
14 local transportation system plan, it does not replace any other requirements.

15 The process is intended to provide time for local governments to identify, review, assess, and potentially  
16 implement alternatives to the proposed facility. The goal is to avoid implementation of as many of these  
17 facilities as possible, limiting them only to those that are truly necessary to meet the transportation  
18 needs of the state and community.

19 No substantive changes have been made to this rule since the October draft. The transportation modal  
20 planning work group will review this rule.

- 21 (1) Cities and counties choosing to include any of the proposed facilities listed in this section as a  
22 planned project or illustrative project in any part of the local comprehensive plan, including the  
23 transportation system plan, must authorize the proposed facility as provided in this rule.
- 24 (a) A new or extended arterial street, highway, or freeway;
- 25 (b) New or expanded interchanges; or
- 26 (c) An increase in capacity for any existing collector or arterial street or highway, or  
27 freeway, but not including reallocation of right-of-way to provide more space for  
28 pedestrian, bicycle, transit, or high-occupancy vehicle facilities.
- 29 (2) Cities and counties choosing to authorize a proposed facility as provided in this rule must:
- 30 (a) Initiate the authorization process thorough action of the governing body of the city or  
31 county;
- 32 (b) Include the authorization process as part of an update to a transportation system plan to  
33 meet the requirements as provided in OAR 660-012-0100, or have an existing  
34 acknowledged transportation system plan meeting these requirements;
- 35 (c) Have met all applicable reporting requirements as provided in OAR 660-012-0900;
- 36 (d) Designate the project limits and characteristics of the proposed facility, including length,  
37 number of lanes, or other key features;
- 38 (e) Designate a facility impact area and determine affected jurisdictions as provided in  
39 section (3);

- 1 (f) Initiate an equity analysis of the proposed facility as provided in OAR 660-012-0130;
- 2 (g) Develop a public involvement strategy as provided in section (4);
- 3 (h) Conduct an alternatives review as provided in sections (5) and (6);
- 4 (i) Choose to move forward with an authorization report as provided in section (7);
- 5 (j) Complete an authorization report as provided in section (8); and
- 6 (k) Publish the authorization report as provided in section (9).
- 7 (3) A city or county choosing to designate a facility impact area and determine affected jurisdictions
- 8 must:
- 9 (a) Coordinate with all cities and counties with planning jurisdictions within 2 miles of the
- 10 limits of the proposed facility to determine the extent of the facility impact area;
- 11 (b) Review the extent of the impact of the proposed facility by including all areas where
- 12 implementation of the proposed facility is expected to change levels or patterns of traffic
- 13 or otherwise change the transportation system or land use development patterns;
- 14 (c) Take particular care when reviewing the facility impact area in places with concentrations
- 15 of underserved populations as provided in OAR 660-012-0120. The city or county must
- 16 consider the special impact of new Vehicle Miles Travelled per Capita-Increasing
- 17 facilities in the context of historic patterns of discrimination, disinvestment, and
- 18 malinvestment;
- 19 (d) Designate a facility impact area to include, at minimum, areas within one mile of the
- 20 proposed facility.
- 21 (e) Determine affected jurisdictions by including all cities or counties with planning
- 22 jurisdictions in the designated facility impact area.
- 23 (4) A city or county choosing to develop a public involvement strategy must, in coordination with
- 24 affected jurisdictions:
- 25 (a) Develop the public involvement strategy as provided in OAR 660-012-0125.
- 26 (b) Ensure the public involvement strategy provides for opportunities for meaningful public
- 27 participation in decision-making over the course of the authorization process;
- 28 (c) Ensure the public involvement strategy includes regular reports to the affected governing
- 29 bodies, planning commissions, and the public on the progress of the authorization
- 30 process.
- 31 (5) A city or county choosing to undertake an alternatives review must, in coordination with affected
- 32 jurisdictions:
- 33 (a) Have designated the facility impact area, determined affected jurisdictions, transit service
- 34 providers, and transportation options providers; and developed a public consultation
- 35 strategy as provided in this rule;
- 36 (b) Develop a summary of the expected impacts of the proposed facility on underserved
- 37 populations as provided in OAR 660-012-0120, particularly, but not exclusively, in
- 38 neighborhoods with concentrations of underserved populations. These impacts must
- 39 include, but are not limited to, additional household costs, and changes in the ability to
- 40 access jobs and services without the use of a motor vehicle.

- 1 (c) Develop a summary of the estimated additional motor vehicle travel that is expected to be  
2 induced by implementation of the proposed facility over the first 20 years of service,  
3 using best available science;
- 4 (d) Investigate alternatives to the proposed facility through investments in the pedestrian and  
5 bicycle systems. The city or county must:
- 6 (A) Review the transportation system plan for identified gaps and deficiencies in  
7 pedestrian and bicycle facilities within the facility impact area;
- 8 (B) Determine how much of the need for the proposed facility may be met through  
9 enhanced investments in the pedestrian and bicycle networks;
- 10 (C) Identify pedestrian and bicycle system investments that could contribute to  
11 meeting the identified need which do not require implementation of the proposed  
12 facility; and
- 13 (D) Identify pedestrian and bicycle system investments that could contribute to  
14 meeting the identified need which may be implemented without the proposed  
15 facility, and may be retained if the proposed facility is implemented.
- 16 (e) Investigate alternatives to the proposed facility through investments in the public  
17 transportation system. The city or county must:
- 18 (A) Review the transportation system plan for identified gaps and deficiencies in  
19 public transportation facilities and services within the facility impact area;
- 20 (B) Coordinate with transit service providers to identify opportunities for providing  
21 additional transit service within or to the facility impact area; and
- 22 (C) Identify potential transit facility and service investments that contribute to  
23 meeting the identified need which may be implemented without the proposed  
24 facility.
- 25 (f) Investigate alternatives to the proposed facility through investments in transportation  
26 options programs; or other means to reduce demand for motor vehicle travel. The city or  
27 county must:
- 28 (A) Review the transportation system plan for identified existing and needed  
29 transportation demand management services within the facility impact area;
- 30 (B) Coordinate with transportation options providers to identify opportunities for  
31 providing transportation demand management services in and around the facility  
32 impact area;
- 33 (C) Identify potential transportation options program investments that contribute to  
34 meeting the identified need which may be implemented without the proposed  
35 facility.
- 36 (g) Investigate alternatives to the proposed facility that include system pricing. The city or  
37 county must:
- 38 (A) Determine if various types of pricing could substantially reduce the need for the  
39 proposed facility;
- 40 (B) Investigate a range of pricing methods, including, but not limited to: parking  
41 pricing, facility pricing, cordon pricing, or congestion pricing; and

- 1 (C) Identify pricing methods where it is reasonably expected to meet the need for the  
2 facility, may reasonably be implemented, and can be expected to generate  
3 sufficient revenue to cover the costs of operating the collection apparatus.
- 4 (6) A city or county choosing to complete an alternatives review must, in coordination with affected  
5 jurisdictions:
- 6 (a) Review the projects identified in section (5) to determine sets of investments that may be  
7 made that could substantially meet the need for the proposed facility without  
8 implementation of the proposed facility. A city or county must consider adopted state,  
9 regional, and local targets for reduction of vehicle miles traveled to reduce greenhouse  
10 gas emissions when making determinations of substantially meeting the need for the  
11 proposed facility; and
- 12 (b) Complete an alternatives review report upon completion of the alternatives review phase.  
13 The alternatives review report must include a description of the effectiveness of identified  
14 alternatives. The alternatives review report must include the summaries developed in  
15 section (5), subsections (b) and (c). The alternatives review report must be provided to  
16 the public, and the governing bodies and planning commissions of each affected city or  
17 county. The alternatives review report must also be included in the next annual report to  
18 the director as provided in OAR 660-012-0900.
- 19 (7) The governing body of the city or county shall review the alternatives review report and may  
20 either:
- 21 (a) Select a set of investments reviewed in the alternatives review report intended to  
22 substantially meet the identified need for the proposed facility. These investments may be  
23 added to the multimodal project list of the transportation system plan as provided in OAR  
24 660-012-0200; or
- 25 (b) Choose to complete the authorization report for the proposed facility, as provided in  
26 section (8).
- 27 (8) A city or county choosing to complete an authorization report as provided in section (7) must,  
28 after completion of the alternatives review, include the following within the authorization report:
- 29 (a) A record of the initiation of the authorization process by the governing body;
- 30 (b) The public involvement strategy developed as provided in section (5), and how each part  
31 of the public involvement strategy was met;
- 32 (c) The alternatives review report;
- 33 (d) A summary of the estimated additional long-term costs of maintaining the proposed  
34 facility, including expected funding sources and responsible transportation facility  
35 operator.
- 36 (9) A city or county, upon completing an authorization report, must publish the authorization report  
37 and provide it to the public and governing bodies of each affected jurisdiction.
- 38 (10) A city or county, having completed and published an authorization report, is permitted to place  
39 the proposed project on a prioritized project list with other projects as provided in OAR 660-012-  
40 0200. A proposed project authorized as provided in this rule may remain on a project list in the  
41 transportation system plan as long there are no substantial changes to the proposed project as  
42 described in the authorization report.

1 **New Rules 0900-0915: Monitoring and Reporting**

2 This part of the Transportation Planning Rules relates to how cities and counties will regularly report  
3 progress through compilation of submission of regular reports to the department. Annual reports will  
4 include a narrative of progress made over the past year, with more substantial reports required every  
5 four to five years.

6 These rules, as provided in draft rule 660-012-0011, only apply in metropolitan areas.

7 **0900: Monitoring and Reporting**

8 This rule requires cities and counties to submit a report to the department annually. Most years the  
9 report will be a minor report, with an update of activities. However, every four or five years a major  
10 report must also include additional information on how the city and region are performing across a  
11 range of performance measures.

12 No substantive changes have been made to this rule since the October draft.

- 13 (1) Cities and counties outside of the planning area of Metro shall report annually on progress toward  
14 meeting the requirements in division 44 and this division.
- 15 (2) Metro shall prepare a report annually on progress toward meeting the requirements in division 44  
16 and this division. Cities and counties within the planning area of Metro shall coordinate with  
17 Metro and provide information to Metro. Cities and counties within the planning area of Metro  
18 are not required to report directly to the department as provided in this rule.
- 19 (3) Cities, counties, and Metro shall submit the report to the director.
- 20 (4) Reports are due to the director no later than May 31 of each year for the report for the previous  
21 calendar year. The director shall review reports as provided in OAR 660-012-0905.
- 22 (5) Reporting cities, counties under section (11), and Metro under section (2) shall submit either a  
23 minor report, as provided in section (6), or a major report, as provided in section (7), each year.
- 24 (a) Minor reports shall be submitted each year where a major report is not submitted.
- 25 (b) Major reports shall be submitted for each year in which the metropolitan planning  
26 organization representing the city or county approved a regional transportation plan as  
27 provided in 23 CFR 450.324.
- 28 (6) A minor report must include the following information:
- 29 (a) A narrative summary of the state of coordinated land use and transportation planning in  
30 the planning area over the reporting year, including any relevant activities or projects  
31 undertaken or planned by the city or county;
- 32 (b) A copy of the order approving the report from the previous reporting year as provided in  
33 OAR 660-012-0905;
- 34 (c) The planning horizon date of the acknowledged transportation system plan, a summary of  
35 any amendments made to the transportation system plan over the reporting year, and a  
36 forecast of planning activities over the near future which may include amendments to the  
37 transportation system plan;



- 1 (d) The findings from reports made in the reporting year for progress towards centering the  
2 voices of underserved populations in processes at all levels of decision-making as  
3 provided in OAR 660-012-0125 and a summary of any equity analyses conducted as  
4 provided in OAR 660-012-0130;
- 5 (e) Any temporary projects implemented as provided in OAR 660-012-0145;
- 6 (f) Any alternatives reviews undertaken as provided in OAR 660-012-0830, including those  
7 underway or completed; and
- 8 (g) For reporting cities and counties:
- 9 (A) A description of what immediate actions the city or county has considered to be  
10 taken to reduce greenhouse gas emissions as provided in ORS 184.899(2); and
- 11 (B) A description of the consultations with the metropolitan planning organization on  
12 how the regional transportation plan could be altered to reduce greenhouse gas  
13 emissions as provided in ORS 184.899(2).
- 14 (7) A major report must include the following information:
- 15 (a) All information required in a minor report as provided in section (6);
- 16 (b) Reporting for each regional and local performance measures as provided in OAR 660-  
17 012-0910 or OAR 660-044-0110 including:
- 18 (A) Baseline data;
- 19 (B) Baseline projections of expected outcomes from existing adopted plans;
- 20 (C) An assessment of whether the city, county, or Metro has met or is on track to  
21 meet each performance target for each reporting year between the base year and  
22 planning horizon year as provided in OAR 660-012-0915;
- 23 (D) For any performance targets that were not met, a proposal for the corrective  
24 actions that will be taken to meet the performance target by the next major report;
- 25 (E) An assessment of whether the reporting city or county has adopted local  
26 amendments to implement the approved land use and transportation scenario plan  
27 as provided in OAR 660-044-0130;
- 28 (F) For any amendments to implement the approved land use and transportation  
29 scenario plan as provided in OAR 660-044-0130 that have not yet been adopted,  
30 a proposal for the corrective actions that will be taken to adopt the amendments;  
31 and
- 32 (G) Status of any corrective actions identified in prior reports.
- 33 (8) Upon a written request for an exemption submitted to the department prior to the due date of a  
34 report, the director may grant a city or county an exemption to a requirement to include any  
35 required element of a report under sections (6) or (7) when the director determines that the  
36 requestor has established that collection and reporting of the information would not be possible or  
37 would place an undue burden on the city or county.
- 38 (9) Counties need only report for those portions of the county within an Urban Growth Boundary  
39 inside the metropolitan area. A county may jointly report with a city for the entire urban growth  
40 area of the city.
- 41 (10) Reports as provided by this rule are not land use decisions.

1 **0905: Orders Approving a Report**

2 This rule provides a process for receipt, review, and approval of submitted reports. The rule gives the  
3 director of DLCD the opportunity to review a report for completeness, then either approve the report or  
4 refer it to the commission. There is an appeal process for approved reports to the commission. The  
5 commission may either approve or remand a report that was referred or appealed to the commission.

6 **Since the October draft, this rule has been reworked due to additional legal review. The substance of**  
7 **the review process has not changed for major (every 4-5 years) reports, however the review process**  
8 **has been streamlined for minor (annual) reports.**

- 9 (1) For the purposes of this rule, “local government” means a city, county, or Metro that is  
10 submitting a report as required by OAR 660-012-0900.
- 11 (2) Upon receipt of a submitted minor report as provided in OAR 660-012-0900(6);
- 12 (a) The director shall make a preliminary of completeness within 30 calendar days of receipt  
13 and shall notify the reporting local government of any missing items required under OAR  
14 660-012-0900(6) that is not subject to an exemption under OAR 660-012-0900(8).
- 15 (b) The reporting local government must submit information to the department within 30  
16 days of the director’s notification under subsection (a), unless the local government  
17 requests, and the director grants, an extension of time to submit the missing information,  
18 for a period not to exceed 90 additional days.
- 19 (c) If the local government does not submit the missing information within the time allotted  
20 by the director, the director may request the commission to take action as provided in  
21 OAR 660-012-0905(11).
- 22 (d) Once a report submitted as provided in OAR 660-012-0900(6) is determined to be  
23 complete, the report is final.
- 24 (3) Upon receipt of a submitted major report as provided in OAR 660-012-0900(7);
- 25 (a) The director shall make a preliminary determination of completeness within 30 calendar  
26 days of receipt and shall notify the reporting local government of any missing items  
27 required under OAR 660-012-0900(7) that is not subject to an exemption under OAR  
28 660-012-0900(8).
- 29 (b) The reporting local government must submit information to the department within 30  
30 days of the director’s notification under subsection (a), unless the local government  
31 requests, and the director grants, an extension of time to submit the missing information,  
32 for a period not to exceed 90 additional days. If the reporting local government does not  
33 submit additional information, the director shall proceed with review of the submission as  
34 provided in sections (4) and (5).
- 35 (c) If the director does not notify the reporting local government of missing items within 30  
36 days of submittal, the director shall proceed with review of the submission as provided in  
37 sections (4) and (5).
- 38 (4) Upon completion of the process in section (3), the director shall:
- 39 (a) Post a complete copy of the submitted report on the department’s website along with the  
40 alternative findings the director may make in section (5), and a statement that any person  
41 may file a written comment regarding the submitted report no more than 21 days after the  
42 posting of the report.

- 1 (b) Provide notice to persons described under ORS 197.615(3)(a), directing them to the  
 2 posting described in subsection (a) and informing them that they may file a written  
 3 comment regarding the submitted report no more than 21 days after the posting of the  
 4 report.
- 5 (5) Within 60 days of completion of the process in section (3), the director shall;
- 6 (a) Find that the local government has met the performance targets, and has adopted local  
 7 amendments to implement any approved land use and transportation scenario plan as  
 8 provided in OAR 660-044-0130;
- 9 (b) Find that the local government has proposed adequate corrective actions to address any  
 10 performance targets that were not met and adequate to implement any approved land use  
 11 and transportation scenario plan as provided in OAR 660-044-0130;
- 12 (c) Find, that the local government has not met any performance targets and that the local  
 13 government has proposed inadequate corrective actions; or
- 14 (d) Find that the local government has not implemented an approved land use and  
 15 transportation scenario plan as provided in OAR 660-044-0130 and that the local  
 16 government proposed inadequate corrective actions.
- 17 (6) If the director has made findings described in subsections (5)(a) or (b);
- 18 (a) The director shall issue an order approving the report. The department shall post an  
 19 approval order on a public website and send notice to the reporting local government, and  
 20 persons who provided written comment under section (4). The order must include  
 21 information on the process to appeal the director's order as described in this rule.
- 22 (b) A person who has provided written comment under section (4) may appeal the director's  
 23 order to the commission. For the appeal to be valid, the appeal must clearly identify a  
 24 deficiency in the submitted report based on the requirements of this division and may not  
 25 raise issues that were not raised in the person's written comments regarding the submitted  
 26 report.
- 27 (c) The director shall determine if the appeal filed is valid, and the director's determination  
 28 of validity is final.
- 29 (d) If no valid appeals are filed in response to the director's order, the order is final.
- 30 (e) If any valid appeals are filed in response to the director's order, the director shall  
 31 schedule a compliance hearing before the Land Conservation and Development  
 32 Commission at its next regularly scheduled meeting. If the next regularly scheduled  
 33 meeting begins less than 30 days after the date a valid appeal is filed with the department,  
 34 the director shall schedule the hearing for the next subsequent regularly scheduled  
 35 meeting.
- 36 (7) If the director has made findings described in subsections (5)(c) or (d);
- 37 (a) The director shall schedule a compliance hearing before the Land Conservation and  
 38 Development Commission at its next regularly scheduled meeting. If the next regularly  
 39 scheduled meeting begins less than 30 days after the date the director makes findings, the  
 40 director shall schedule the hearing for the next subsequent regularly scheduled meeting.
- 41 (b) The department shall post notice of a compliance hearing on a public website and send  
 42 notice to the reporting local government, and persons who provided written comment  
 43 under section (4).

- 1 (8) At the compliance hearing the commission shall:
- 2 (a) Consider the director’s written and oral report;
- 3 (b) Consider oral testimony and written testimony provided at least 14 days prior to the  
4 hearing from the local government and any persons who provided written comment under  
5 section (43); and
- 6 (c) Approve an order that either;
- 7 (A) Remands the submitted report to the reporting local government with specific  
8 directions for needed changes, consistent with the requirements of this division;  
9 or
- 10 (B) Approves the submitted report.
- 11 (9) Compliance includes, but is not limited to, meeting deadlines established in this division and in  
12 OAR 660-044-0015, submitting reports, or implementing corrective actions as provided in OAR  
13 660-012-0900.
- 14 (10) The commission may evaluate the compliance of the cities and counties within a metropolitan area  
15 in a collective evaluation, or the commission may evaluate the compliance of an individual city or  
16 county separately.
- 17 (11) If the commission finds a local government or a collection of local governments out of compliance  
18 with the requirements of this division, the commission may use any authority granted to  
19 commission, including but not limited to the actions below.
- 20 (a) Issue an enforcement order as provided in ORS 197.319 through 197.335.
- 21 (b) Issue an order to invalidate the acknowledgement of local transportation system plans  
22 that are not consistent with an approved Land use and Transportation Scenario Plan.
- 23 (c) Provide notice to the Oregon Department of Transportation and the United States  
24 Department of Transportation of the lack of compliance with state planning requirements.
- 25 (12) The director shall mail the order of the commission’s decision to be issued, with copies sent to the  
26 reporting local government, and all parties that participated in the hearing.
- 27 (13) A final commission order under this rule may be reviewed as provided in ORS 183.484 for orders  
28 in other than a contested case. Reports and orders as provided in this rule are not land use decisions.

29 ***0910: Land Use and Transportation Performance Measures***

30 This rule requires reporting on local action performance measures to demonstrate that the actions  
31 necessary to achieve the greenhouse gas reduction targets are being implemented. transportation  
32 system plans are required to include policies and projects that will meet the local target for each  
33 performance measure.

34 No substantive changes have been made to this rule since the October draft.

- 35 (1) Cities, counties, and Metro must use land use and transportation system performance measures as  
36 means of measuring progress towards developing and implementing land use and transportation  
37 systems plans that meet the Metropolitan Greenhouse Reduction Targets in OAR 660-044-0020  
38 and 660-044-0025.

- 1 (2) Cities, counties, and Metro that have a land use and transportation scenario approved by the  
2 commission as provided in OAR 660-044-0050 or OAR 660-044-0120 shall report on the  
3 performance measures from the approved regional scenario plan.
- 4 (3) Cities and counties that do not have a land use and transportation scenario approved by the  
5 commission as provided in OAR 660-044-0120 shall report on the specific actions, including  
6 capital improvements and the adoption of policies that they have or will undertake to reduce  
7 pollution and increase equitable outcomes for underserved populations. At a minimum, this report  
8 must include the following performance measures:
- 9 (a) Compact Mixed-use Development
- 10 (A) Number of publicly supported affordable housing units in climate friendly areas.
- 11 (B) Number of existing and permitted dwelling units in climate friendly areas and  
12 percentage of existing and permitted dwelling units in climate friendly areas  
13 relative to total number of existing and permitted dwelling units in the  
14 jurisdiction.
- 15 (C) Share of retail/service jobs in climate friendly areas relative to retail/service jobs  
16 in the jurisdiction.
- 17 (b) Active Transportation
- 18 (A) Percent of collector and arterials streets in climate friendly areas and underserved  
19 population neighborhoods with bicycle and pedestrian facilities with Level of  
20 Traffic Stress 1 or 2.
- 21 (B) Percent of collector and arterial roadways in climate friendly areas and  
22 underserved population neighborhoods with safe and convenient marked  
23 pedestrian crossings.
- 24 (C) Percent of transit stops with safe and marked pedestrian crossings within 100  
25 feet.
- 26 (c) Transportation Options
- 27 (A) Number of employees covered by an Employee Commute Options Program.
- 28 (B) Number of households engaged with Transportation Options activities.
- 29 (C) Percent of all Transportation Options activities that were focused on underserved  
30 population communities.
- 31 (d) Transit
- 32 (A) Share of households within ½ mile of a priority transit corridor.
- 33 (B) Share of low-income households within ½ mile of a priority transit corridor.
- 34 (C) Share of key destinations within ½ mile of a priority transit corridor.
- 35 (e) Parking Costs and Management
- 36 (A) Average daily public parking fees in climate friendly areas.

- 1 (f) Transportation Systems Investments
- 2 (A) Percent of jurisdiction transportation budget spent in climate friendly areas and
- 3 underserved population neighborhoods.
- 4 (B) Share of investments that support low carbon modes of transportation.
- 5 (4) Cities and counties shall use the performance measures and targets adopted in section (2) of this
- 6 rule to develop and implement transportation and land use plans, projects, and policies that will
- 7 help meet the applicable Metropolitan Greenhouse Gas Reduction Targets in OAR 660-044-0020
- 8 and 660-044-0025.

9 **0915: Land Use and Transportation Performance Targets**

10 This rule requires cities and counties to set performance targets for the implementation of actions  
 11 necessary to achieve the greenhouse gas reduction targets. If a city or county has an approved regional,  
 12 they will set performance targets included in that plan. If a city or county does not have an approved  
 13 regional plan, they will set performance targets in a major update to their transportation systems plan  
 14 or a major report, whichever comes first. Performance targets must be set at levels that are reasonably  
 15 likely to achieve the greenhouse gas reduction targets and the Statewide Transportation Strategy  
 16 targets.

17 No substantive changes have been made to this rule since the October draft.

- 18 (1) Cities and counties must set performance targets for each reporting year for each performance
- 19 measure provided in OAR 660-044-0110 and OAR 660-012-0910 in their local transportation
- 20 system plan. Performance targets for the performance measures provided in OAR 660-012-0910
- 21 must be set at levels that are reasonably likely to achieve the regional performance targets from
- 22 an approved land use and transportation scenario plan as provided in OAR 660-044-0110(7)(a) or
- 23 the regional performance targets from the Statewide Transportation Strategy as adopted by the
- 24 Oregon Transportation Commission.
- 25 (2) Cities and counties that have a land use and transportation scenario approved by the commission
- 26 as provided in OAR 660-044-0120 must set targets for equity performance measures in a
- 27 transportation system plan as provided in OAR 660-044-0110(7)(c).
- 28 (3) Cities and counties shall set the performance targets in any major update to their transportation
- 29 systems plan as provided in OAR 660-012-0105. If a city or county has not yet set targets and is
- 30 submitting a major report as provided in OAR 660-012-0900(4), then the city or county shall set
- 31 the performance targets and include as a minor update to their transportation system plan.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



## MEETING 10

**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members  
**FROM:** Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff  
**SUBJECT:** **RAC 10 Item 11: Draft Housing Rules Amendments**  
**DATE:** December 6, 2021

This document includes revised amendments to the Housing Rules (OAR Chapter 660, Division 8). The rules have not been revised from the version that was in the RAC 9 Packet, but have been included for reference. Proposed amendments to the adopted rules are shown with underline.

*This is an existing rule that provides for how cities are to determine the amount of buildable land necessary to accommodate anticipated planning needs over a future planning period, which is typically 20 years. The amended language adds a new requirement for cities over 10,000 population within metropolitan areas to maintain climate friendly areas sufficient to accommodate at least 30% of their housing needs as they grow. Additionally, Section (3) requires the same cities to designate additional climate friendly areas after June 30, 2027, if expanding their urban growth boundaries to accommodate a residential land need.*

### 660-008-0010

#### **Allocation of Buildable Land**

(1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

(2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provision shall apply to local governments also subject to the requirements of OAR 660-012-0310. Following the initial designation of climate friendly areas as required in OAR 660-012-0315, local governments shall maintain sufficient lands within climate friendly areas to accommodate at least thirty percent of identified needed housing. Land sufficiency for climate friendly areas shall be calculated consistent with the provisions of OAR 660-012-0315(2). Demonstration of compliance with this requirement shall be included in each subsequent Housing Capacity Analysis. Land use requirements in climate friendly areas as provided in OAR 660-012-0320 shall be established for any newly designated climate friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

(3) Beginning June 30, 2027, a local government subject to the requirements of OAR 660-012-0310 that has identified a need to expand the urban growth boundary due to an identified residential land need shall designate and zone additional climate friendly area as provided in OAR 660-012-0315(1), (4), (5), and (6) concurrent with expansion of the urban growth boundary. The newly designated and zoned climate friendly area shall be of sufficient size to accommodate one half of the additional housing units that

cannot be accommodated within the current urban growth boundary as provided in ORS 197.296(5). The local government may choose to designate a portion of the newly expanded urban growth boundary area as climate friendly area if the area qualifies for designation as provided in OAR 660-012-0310(1), or may chose to designate additional climate friendly area in other locations within the UGB that qualify for designation. Additional climate friendly area may be accommodated within one or more locations within the urban growth boundary. The designation and zoning of additional climate friendly area shall comply with all applicable requirements for climate friendly areas as provided in OAR 660-012-0310 through OAR 660-012-0325.

*This is an existing rule that provides for how cities are to prepare Housing Production Strategy Reports one year after their required update to their Housing Capacity Analyses. Amended language in Section (4)(a) establishes requirements to promote the production of affordable housing, mitigate or avoid the displacement of members of state and federal classes, and remove barriers and increase housing choices for these populations in climate friendly areas, or within Region 2040 Centers within the Portland Metro region.*

## 660-008-0050

### Housing Production Strategy Report Structure

As provided in ORS 197.290(2), a city with a population of more than 10,000 people must develop and adopt a Housing Production Strategy Report that includes a list of specific actions, including the adoption of measures and policies that the city shall undertake to promote development within the city to address a housing need identified under ORS 197.296(3) or ORS 197.296(10) for the most recent 20-year period described in the city's Housing Capacity Analysis. At a minimum, this Report must include the following components:

(4) Achieving Fair and Equitable Housing Outcomes – A Housing Production Strategy Report must include a narrative summarizing how the selected Housing Production Strategies, in combination with other city actions, will achieve equitable outcomes with regard to the following factors:

(a) Location of Housing - How the city is striving to meet statewide greenhouse gas emission reduction goals, established under Executive Order No. 20-04, by creating compact, mixed-use neighborhoods available to people who are members part of state and federal protected classes. Within a metropolitan service district, cities subject to this rule shall describe actions taken by the city to promote the production of affordable housing, to mitigate or avoid the displacement of members of state and federal protected classes, and to remove barriers and increase housing choice for members of state and federal protected classes within Region 2040 centers. Cities subject to this rule and to OAR 660-012-0310 shall describe actions taken by the city to promote the production of affordable housing, to mitigate or avoid the displacement of members of state and federal protected classes, and to remove barriers and increase housing choice for members of state and federal protected classes within climate friendly areas;

(b) Fair Housing - How the city is affirmatively furthering fair housing for all state and federal protected classes. Affirmatively furthering fair housing means addressing disproportionate housing needs, patterns of integration and segregation, racially or ethnically concentrated areas of poverty, and disparities in access to housing opportunity;

(c) Housing Choice – How the city is facilitating access to housing choice for communities of color, low-income communities, people with disabilities, and other state and federal protected classes. Housing choice includes access to existing or new housing that is located in neighborhoods with high-quality



community amenities, schooling, employment and business opportunities, and a healthy and safe environment.

(d) Housing options for residents experiencing homelessness – How the city is advocating for and enabling the provision of housing options for residents experiencing homelessness and how the city is partnering with other organizations to promote services that are needed to create permanent supportive housing and other housing options for residents experiencing homelessness;

(e) Affordable Homeownership and Affordable Rental Housing – How the city is supporting and creating opportunities to encourage the production of affordable rental housing and the opportunity for wealth creation via homeownership, primarily for state and federal protected classes that have been disproportionately impacted by past housing policies; and

(f) Gentrification, Displacement, and Housing stability – How the city is increasing housing stability for residents and mitigating the impacts of gentrification, as well as the economic and physical displacement of existing residents resulting from investment or redevelopment.

# Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

## MEETING 10



**TO:** Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members

**FROM:** Bill Holmstrom, DLCD Rulemaking Lead Staff  
Kevin Young, DLCD Rulemaking Lead Staff  
Matt Crall, DLCD Planning Services Division Manager  
Cody Meyer, DLCD Land Use and Transportation Planner

**SUBJECT:** **RAC 10 Item 12: Proposed Amendments to Division 44**

**DATE:** December 6, 2021

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### Summary of Proposed Changes:

Staff last released draft rules for metropolitan scenario planning (Division 44) in the March RAC 5 packet. Staff have updated those draft rules by incorporating guidance from the Rules Advisory Committee (RAC), community conversations, consultation with affected local governments and interested parties, legal counsel from the Department of Justice, and direction from the Land Conservation and Development Commission.

Staff has since completed work on the Transportation Planning Rules (TPR or Division 12) that incorporate some of the rules that were initially developed in Division 44. Specifically, the monitoring and reporting rules that were originally found in 660-044-0140 and 044-0150, have now been moved to the Division 12 rules 660-012-0900 through 0915. Major changes since RAC 5 draft rules include:

- Updating the equitable outcomes terminology to ‘underserved populations’
- Rules on reporting requirements prior to scenario planning (660-044-0200 and 0210) can now be found in the Transportation Planning Rules (660-012-0900-0915)
- Rules on corrective actions and enforcement now can be found in the Transportation Planning Rules (660-012-0905)

In preparing these draft rules for advisory committee review, staff suggest that the committee members focus on the **new rules** listed below that are proposed additions to the existing rules. The draft rules do include minor amendments to existing rules, but the most change can be found in the rules shown below.

- 0000 – New purpose statement
- 0015 – Schedule for cities and counties to do scenario planning
- 0100 – Work programs for scenario planning

- 0110 – Required contents of a scenario plan
- 0120 – Department and commission review
- 0130 – Local plan amendments to implement the scenario plan

We appreciate RAC members review and discussion of these proposed updates to Division 44. If members would like to propose specific revisions to the text, please let us know. We will provide a file in MS Word format so that members can use the track changes feature to propose updates directly. Please send an email to [DLCD.CFEC@state.or.us](mailto:DLCD.CFEC@state.or.us) if you would like to comment in this way.

Proposed Amendments to Oregon Administrative Rules  
 Chapter 660 – Land Conservation and Development Commission  
**Division 44 – Metropolitan Greenhouse Gas Reduction Targets**

0000 Purpose

*This is a new purpose statement to entirely replace the existing purpose statement.*

- (1) This division implements Oregon Land Use Planning Goal 12 (Transportation), and the state goal in ORS 468A.205 to reduce greenhouse gas emissions. The purpose of this division is to significantly, and as rapidly as possible, reduce climate pollutants that are causing increasing climate disruption. Cities, counties, metropolitan planning organizations, and Metropolitan Service District serving the Portland metro area (Metro) are encouraged to take actions beyond the minimum requirements of this division to make large reductions in pollution rapidly.
- (2) This division requires cities, counties, and Metro to change transportation and land use plans to significantly reduce pollution from light vehicles. This division places specific requirements on Metro in recognition of its unique status in the Portland region. This division also requires cities and counties within other metropolitan regions to work together to prepare a preferred land use and transportation scenario that describes a future set of aspirational transportation facilities, alternative future land use patterns, and policies that will reduce greenhouse gas pollution from light vehicles. This division requires the cities and counties within a metropolitan area to prepare a transportation and land use scenario plan that will define and implement a preferred scenario, identifies performance measures for tracking progress, and works to not only avoid or mitigate any impacts to underserved populations, but to improve outcomes for these communities over time.
- (3) It is the purpose of this division to reduce inequities for underserved populations. The land use and transportation scenario planning process and the local implementation process must prioritize underserved populations so that the actions that reduce pollution also reduce the historic inequities from prior transportation and land use plans.

## 0005 Definitions

*Major additions to the definitions include the RAC's Equitable Outcomes to help operationalize the statement in this division.*

For the purposes of this division, the definitions in ORS 197.015 and the statewide planning goals apply. In addition, the following definitions shall apply:

- (#) "Climate Friendly Area" means land uses designated under OAR 660-012-0005(6).
  
- (#) "Community-based conversations" means accessible and inclusive community meetings held for areas with above-average concentrations of underserved community members.
  
- (1) "Design type" means the conceptual areas described in the Metro Growth Concept text and map in the Metro regional framework plan, including central city, regional centers, town centers, station communities, corridors, main streets, neighborhoods, industrial areas and employment areas.
  
- (#) "Equitable outcomes" means outcomes including:
  - (a) Increased stability of underserved populations, lowering the likelihood of displacement due to gentrification from public and private investments;
  - (b) More accessible, safe, affordable and equitable transportation choices with better connectivity to destinations people want to reach (e.g. education, jobs, services, shopping, places of worship, parks and open spaces, and community centers);
  - (c) Adequate housing with access to employment, education, and fresh food, goods, services, recreational and cultural opportunities, and social spaces;
  - (d) Increased safety for people in public spaces, transportation and community development;
  - (e) Equitable access to parks, nature, open spaces and public spaces;
  - (f) Better and more racially equitable health outcomes across the lifespan, particularly health outcomes connected to transportation choices, air pollution, and food;
  - (g) Recognizing and remedying impacts of past practices such as redlining, displacement, exclusionary zoning, and roadway and other public infrastructure siting decisions that harmed underserved communities; and
  - (h) Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas.
  
- (2) "Framework plan" or "regional framework plan" means the plan adopted by Metro as defined by ORS 197.015(16).
  
- (3) "Functional plan" or "regional functional plan" means an ordinance adopted by Metro to implement the regional framework plan through city and county comprehensive plans and land use regulations.

(4) “Greenhouse gas” has the meaning given in ORS 468A.210. Greenhouse gases are measured in terms of carbon dioxide equivalents, which means the quantity of a given greenhouse gas multiplied by a global warming potential factor consistent with a state-approved emissions reporting method.

(5) “Greenhouse gas emissions reduction target” or “target” means a reduction from 2005 emission levels of per capita greenhouse gas emissions from travel in light vehicles. Targets are the reductions beyond reductions in emissions that are likely to result from the use of improved vehicle technologies and fuels. Travel in light vehicles includes all travel by members of households or university group quarters living within a metropolitan area regardless of where the travel occurs, and local commercial vehicle travel that is a function of household labor or demand regardless of where the travel occurs. Examples include commuting to work, going to school, going shopping, traveling for recreation, delivery vehicles, service vehicles, travel to business meetings, and travel to jobsites.

(6) “Land use and transportation scenario planning” means the preparation and evaluation by local governments of two or more land use and transportation scenarios and the cooperative selection of a preferred land use and transportation scenario that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area and an increase in equitable outcomes for underserved community members. Land use and transportation scenario planning may include preparation and evaluation of alternative scenarios that do not meet targets specified in this division.

(7) “Light vehicles” means motor vehicles with a gross vehicle weight rating of 10,000 pounds or less.

(8) “Metro” means the metropolitan service district organized for the Portland metropolitan area under ORS chapter 268.

(9) “Metropolitan planning area” or “metropolitan area” means lands within the planning area boundary of a metropolitan planning organization.

(10) “Metropolitan planning organization” means an organization located wholly within the State of Oregon and designated by the Governor to coordinate transportation planning in an urbanized area of the state pursuant to 49 USC § 5303(c). The Longview-Kelso-Rainier metropolitan planning organization and the Walla Walla Valley metropolitan planning organization are not metropolitan planning organizations for the purposes of this division.

(11) “Planning period” means the period of time over which the expected outcomes of a scenario plan are estimated, measured from a 2005 base year, to a future year that corresponds with greenhouse gas emission targets set forth in this division.

(12) “Preferred land use and transportation scenario” means a plan for a metropolitan area that achieves the targets for reducing greenhouse gas emissions set forth in OAR 660-044-0020 and 660-0440-0025 as provided in OAR 660-044-0040 and 660-044-0110.

(#) “Underserved Populations” means the same as provided in OAR 660-012-0120 (2).

(13) “Statewide Transportation Strategy” means the statewide strategy adopted by the Oregon Transportation Commission as part of the state transportation policy to aid in achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205 as provided in Oregon Laws 2010, chapter 85, section 2.

## 0015 Applicability – Compliance Schedule

*This is a **new rule** that expands the scenario planning requirements to cities and counties beyond the Portland metropolitan area. The rule provides compliance dates for the cities and counties in the Eugene-Springfield metropolitan area that conducted regional scenario planning in 2011-2015 to adopt and implement that work. The [preferred scenario](#) which resulted from that work will be used as the foundation for meeting the new requirements in this section.*

*This rule also provides compliance dates in the Salem-Keizer metropolitan area that has not yet undertaken scenario planning as described in this division.*

*This section allows for other regions to voluntarily opt into the regional scenario planning program and provides a process for how the commission could require scenario planning in the Albany, Bend, Corvallis, Grants Pass, and Rogue Valley metropolitan areas in the future.*

- (1) OAR 660-044-0000 through OAR 660-044-0020, OAR 660-044-030, and OAR 660-044-0040 through OAR 660-044-0060 of this division apply to Metro. OAR 660-044-0055 applies to the cities and counties within Metro.
- (2) OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this division apply to the cities and counties within the metropolitan planning area of the Central Lane Metropolitan Planning Organization as provided in subsections (a) and (b).
  - (a) These cities and counties must:
    - (A) Submit a work program containing all of the elements provided in OAR 660-044-0100 to the department for review under section (4) by December 31, 2022;
    - (B) Prepare a land use and transportation scenario plan based provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by December 31, 2023 or another date in the approved work program;
    - (C) Adopt local amendments as provided in OAR 660-044-0130 by December 31, 2024, or other date in the approved work program.
  - (b) These cities and counties may use the preferred scenario submitted to the commission and legislature in 2015 as required by Oregon Laws 2010, Chapter 865, as the basis for

the land use and transportation scenario plan. If these cities and counties use the preferred scenario from 2015, then they:

- (A) Are neither required to redo the prior work that produced the preferred scenario, nor comply with requirements of OAR 660-044-0110 specific to the preferred scenario.
  - (B) Are required to produce the additional elements that build on the preferred scenario to prepare a complete transportation and land use scenario plan, including OAR 660-044-0110(3) and 660-044-0110(7) through (10).
- (3) OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this division apply to the cities and counties within the metropolitan planning area of the Salem-Keizer Area Transportation Study. These cities and counties must:
- (a) Submit a work program containing all of the elements provided in OAR 660-044-0100 to the department by June 30, 2023;
  - (b) Submit an assessment of how close the adopted local plans would come to achieving the regional performance targets from the Statewide Transportation Strategy as adopted by the Oregon Transportation Commission by June 30, 2023;
  - (c) Prepare a land use and transportation scenario plan as provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by June 30, 2025, or another date in the approved work program; and
  - (d) Adopt local amendments as provided in OAR 660-044-0130 by June 30, 2026, or another date in the approved work program.
- (4) Cities and counties may request, and the director or commission may approve, applying OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this division to the cities and counties within a metropolitan area and establishing compliance schedule under the following procedures.
- (a) Cities and counties within a metropolitan area may jointly submit a proposed work program or resubmit a revised work program as provided in OAR 660-044-0100.
  - (b) The department shall consult with the Oregon Department of Transportation to review a proposed work program. The director may approve the work program or refer the work program to the commission with recommended revisions.
  - (c) If the director refers a proposed work program to the commission under subsection (b), the commission shall hold a hearing to review the proposed work program and the recommended revisions. The commission may approve the work program based on OAR 660-044-0100 or remand the work program with required revisions.
- (5) The commission may issue an order applying OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this division to cities and counties within a metropolitan area and establishing compliance deadlines using the procedures below.
- (a) The department will provide the cities and counties a draft order with compliance schedule prior to a commission hearing.
  - (b) The commission will hold a hearing and consider any revised or alternate order proposed by cities or counties, and any public testimony.

- (c) When considering whether to issue an order, the commission shall consider the following factors using the best available data:
  - (A) Greenhouse gas emissions including actual measurements, model estimates, recent trends, and future projections under current adopted plans;
  - (B) Local transportation and land use actions that influence greenhouse gas emissions and more equitable outcomes, including adopted plans, recent actions by cities and counties, and development trends;
  - (C) Population growth including recent trends and future projections;
  - (D) Presence or absence of regional cooperation on greenhouse gas emissions reduction;
  - (E) Vehicles miles travelled per capita by residents of the metropolitan area, including actual measurements, model estimates, recent trends, and future projections under current adopted plans; and
  - (F) State and local funding available for scenario planning.

## 0020 Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area

*Minor amendment to an existing rule extending horizon year to incorporate any planning work that goes beyond 2050.*

(1) Metro shall use the greenhouse gas emissions reduction targets in this rule as it develops, reviews, and updates a land use and transportation scenario that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area as required by OAR 660-044-0040 through 660-044-0060.

(2) This rule only applies to the Portland metropolitan area.

(3) The greenhouse gas emissions reduction target is a 20 percent reduction in the year 2035.

(4) Targets for the year 2040 and beyond are:

- (a) By 2040, a 25 percent reduction.
- (b) By 2041, a 26 percent reduction.
- (c) By 2042, a 27 percent reduction.
- (d) By 2043, a 28 percent reduction.
- (e) By 2044, a 29 percent reduction.
- (f) By 2045, a 30 percent reduction.
- (g) By 2046, a 31 percent reduction.
- (h) By 2047, a 32 percent reduction.
- (i) By 2048, a 33 percent reduction.
- (j) By 2049, a 34 percent reduction.
- (k) By 2050 and beyond, a 35 percent reduction.



## 0025 Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas

*This is an existing rule with a change that makes the targets mandatory. Minor amendment extends horizon year to incorporate any planning work that goes beyond 2050.*

### (1) Purpose and effect of targets

Local governments in metropolitan planning areas not covered by OAR 660-044-0020 shall use the targets set forth in section (2) of this rule as they conduct land use and transportation scenario planning to reduce greenhouse gas emissions.

### (2) Targets by year are:

- (a) By 2040 or earlier, a 20 percent reduction.
- (b) By 2041, a 21 percent reduction.
- (c) By 2042, a 22 percent reduction.
- (d) By 2043, a 23 percent reduction.
- (e) By 2044, a 24 percent reduction.
- (f) By 2045, a 25 percent reduction.
- (g) By 2046, a 26 percent reduction.
- (h) By 2047, a 27 percent reduction.
- (i) By 2048, a 28 percent reduction.
- (j) By 2049, a 29 percent reduction.
- (k) By 2050 and beyond, a 30 percent reduction.

## 0030 Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions

*This is an existing rule that provides the methods by which local governments apply the greenhouse gas targets to the scenario planning process.*

(1) **Applicability:** When local governments within a metropolitan area are conducting land use and transportation scenario planning to demonstrate that their plans would meet the greenhouse gas emissions reductions targets established in this division, then they shall use the provisions and options in this rule to project future emissions.

(2) **Projected Emission Rates:** Projections of greenhouse gas emissions must use the emission rates specified in subsection (a) or the flexible option described in subsection (b).

(a) Projections of greenhouse gas emissions may use the emission rates listed below, which are based on the Statewide Transportation Strategy and reflect reductions likely to result by the use of improved vehicle technologies and fuels. Rates are measured in grams of carbon dioxide equivalent per vehicle mile.

(A) In 2040, 140 grams per mile.

- (B) In 2041, 134 grams per mile.
- (C) In 2042, 128 grams per mile.
- (D) In 2043, 123 grams per mile.
- (E) In 2044, 117 grams per mile.
- (F) In 2045, 112 grams per mile.
- (G) In 2046, 108 grams per mile.
- (H) In 2047, 103 grams per mile.
- (I) In 2048, 99 grams per mile.
- (J) In 2049, 94 grams per mile.
- (K) In 2050, 90 grams per mile.

(b) Projections of greenhouse gas emissions may differ from the rates in subsection (a) if local or regional programs or actions can be demonstrated to result in changes to vehicle fleet, technologies, or fuels above and beyond the assumption in the Statewide Transportation Strategy, or agreed to by the Oregon Department of Transportation and the department. One example would be a program to add public charging stations that is estimated to result in use of hybrid or electric vehicles greater than the statewide assumption in the Statewide Transportation Strategy.

(3) Actions in the Statewide Transportation Strategy as adopted by the Oregon Transportation Commission: Projections of greenhouse gas emissions may assume state actions specified in subsection (a) and may use the flexibility for local and regional actions described in subsection (b).

(a) State Actions: Projections of greenhouse gas emissions may include reductions projected to result from state actions, programs, and associated interactions up to, but not exceeding, the levels identified in the Statewide Transportation Strategy.

(b) Local and Regional Actions: Projections of greenhouse gas emissions may include local or regional actions similar to actions in the Statewide Transportation Strategy if the local or regional governments have authority to and have adopted plans that would implement the actions.

## 0035 Review and Evaluation of Greenhouse Gas Reduction Targets

*This is an existing rule that provides for how the department review and evaluate the greenhouse gas targets in this division.*

(1) The commission shall by June 1, 2021, and at four year intervals thereafter, conduct a review of the greenhouse gas emissions reduction targets in OAR 660-044-0020 and 660-044-0025.

(2) The review by the commission shall evaluate whether revisions to the targets established in this division are warranted considering the following factors:

- (a) Results of land use and transportation scenario planning conducted within metropolitan planning areas to reduce greenhouse gas emissions from light vehicles;
- (b) New or revised federal and state laws or programs established to reduce greenhouse gas emissions from light vehicles;
- (c) State plans or policies establishing or allocating greenhouse gas emissions reduction goals to specific sectors or subsectors;
- (d) Policies and recommendations in the Statewide Transportation Strategy adopted by the Oregon Transportation Commission;
- (e) Additional studies or analysis conducted by the Oregon Department of Transportation, the Department of Environmental Quality, the Oregon Department of Energy or other agencies regarding greenhouse gas emissions from light vehicle travel, including but not limited to changes to vehicle technologies, fuels and the vehicle fleet;
- (f) Changes in population growth rates, metropolitan planning area boundaries, land use or development patterns in metropolitan planning areas that affect light vehicle travel;
- (g) Efforts by local governments in metropolitan areas to reduce greenhouse gas emissions from all sources;
- (h) Input from affected local and regional governments and metropolitan planning organizations;
- (i) Land use feasibility and economic studies regarding land use densities; and
- (j) State funding and support for scenario planning and public engagement.

(3) The department shall, in consultation and collaboration with affected local governments, metropolitan planning organizations and other state agencies, prepare a report addressing factors listed in section (2) of this rule to aid the commission in determining whether revisions to targets established in this division are warranted.

## 0040 Preferred Scenario in the Portland Metropolitan Area

*This is an existing rule that provides guidance for Metro as they select a scenario. The Metro region has already selected and adopted a preferred scenario by way of their Climate Smart Communities program. This change is to support any future amendments needed to the plan.*

(1) Within one year of adoption or amendment of a preferred scenario, Metro shall amend the regional framework plan and the regional growth concept to select and incorporate a preferred land use and transportation scenario that meets targets in OAR 660-044-0020 consistent with the requirements of this division.

(2) In preparing, selecting, or amending a preferred land use and transportation scenario Metro shall:

- (a) Consult with affected local governments, representatives of underserved populations, the Port of Portland, TriMet, and the Oregon Department of Transportation;
- (b) Consider adopted comprehensive plans and local aspirations for growth in developing and selecting a preferred land use and transportation scenario;

- (c) Use assumptions about population, housing and employment growth consistent with the coordinated population and employment projections for the metropolitan area for the planning period;
- (d) Use evaluation methods and analysis tools for estimating greenhouse gas emissions that are:
  - (A) Consistent with the provisions of this division;
  - (B) Reflect best available information and practices; and,
  - (C) Coordinated with the Oregon Department of Transportation.
- (e) Make assumptions about state and federal policies and programs expected to be in effect over the planning period, including the Statewide Transportation Strategy, in coordination with the responsible state agencies;
- (f) Evaluate a reference case scenario that reflects implementation of existing adopted comprehensive plans and transportation plans;
- (g) Evaluate at least two alternative land use and transportation scenarios for meeting greenhouse gas reduction targets and identify types of amendments to comprehensive plans and land use regulations likely to be necessary to implement each alternative scenario;
- (h) Develop and apply evaluation criteria that assess how alternative land use and transportation scenarios compare with the reference case in achieving important regional goals or outcomes;
- (i) Evaluate if the preferred scenario relies on new investments or funding sources to achieve the target, the feasibility of the investments or funding sources including:
  - (A) A general estimate of the amount of additional funding needed;
  - (B) Identification of potential/likely funding mechanisms for key actions, including local or regional funding mechanisms; and,
  - (C) Coordination of estimates of potential state and federal funding sources with relevant state agencies (*i.e.* the Oregon Department of Transportation for transportation funding); and,
  - (D) Consider effects of alternative scenarios on development and travel patterns in the surrounding area (*i.e.* whether proposed policies will cause change in development or increased light vehicle travel between metropolitan area and surrounding communities compared to reference case).

(3) The preferred land use and transportation scenario shall include:

- (a) A description of the land use and transportation growth concept providing for land use design types;
- (b) A concept map showing the land use design types;
- (c) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-0020;
- (d) Planning assumptions upon which the preferred scenario relies including:
  - (A) Assumptions about state and federal policies and programs;
  - (B) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030;

- (C) Assumptions or estimates of expected housing and employment growth by jurisdiction and land use design type; and
- (D) Assumptions about proposed regional programs or actions other than those that set requirements for city and county comprehensive plans and land use regulations, such as investments and incentives;
- (e) Performance measures and targets to monitor and guide implementation of the preferred scenario. Performance measures and targets shall be related to key elements, actions and expected outcomes from the preferred scenario. The performance measures shall include performance measures adopted to meet requirements of OAR 660-012-0035(5); and
- (f) Recommendations for state or federal policies or actions to support the preferred scenario.

(4) When amending a local Transportation Systems Plan, or comprehensive plan, local governments shall adopt findings demonstrating that implementation of the preferred land use and transportation scenario meets the requirements of this division and can reasonably be expected to achieve the greenhouse gas emission reductions as set forth in the target in OAR 660-044-0020. The findings shall demonstrate:

- (a) Explain how the expected pattern of land use development in combination with land use and transportation policies, programs, actions set forth in the preferred scenario will result in levels of greenhouse gas emissions from light vehicle travel that achieve the target in OAR 660-044-0020;
- (b) The preferred scenario advances equitable outcomes for underserved communities; and
- (c) The preferred scenario is or will be made consistent with other applicable statewide planning goals or rules.

(5) Guidance on evaluation criteria and performance measures.

(a) The purpose of evaluation criteria referred to in subsection (2)(h) is to encourage Metro to select a preferred scenario that achieves greenhouse gas emissions reductions in a way that maximizes attainment of other community goals and benefits. This rule does not require the use of specific evaluation criteria. The following are examples of categories of evaluation criteria that Metro might use:

- (A) Public health;
- (B) Air quality;
- (C) Household spending on energy or transportation;
- (D) Implementation costs;
- (E) Economic development;
- (F) Access to parks and open space; and,
- (G) Equity, specifically promoting equitable outcomes for underserved community members.

(b) The purpose of performance measures and targets referred to in subsection (3)(e) is to enable Metro and area local governments to monitor and assess whether key elements or actions that make up the preferred scenario are being implemented, and

whether the preferred scenario is achieving the expected outcomes. This rule does not establish or require use of particular performance measures or targets. The following are examples of types of performance measures that Metro might establish:

- (A) Transit service revenue hours;
- (B) Mode share;
- (C) People per acre by 2040 Growth Concept design type;
- (D) Percent of workforce participating in employee commute options programs; and
- (E) Percent of households and jobs within one-quarter mile of transit.

## 0045 Regional Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

*This is an existing rule that provides guidance for how the preferred scenario is implemented in the Metro region. Metro has moved beyond the adoption phase and is in the implementation phase.*

(1) Within one year of the commission's order approving Metro's amendments to the regional framework plan to select, incorporate, or amend a preferred land use and transportation scenario, Metro shall adopt regional functional plan amendments to implement the framework plan amendments.

(2) Functional plan amendments shall establish requirements, deadlines and compliance procedures for amendments to local comprehensive plans, transportation system plans and land use regulations as necessary to implement the framework plan amendments. The functional plan amendments shall require affected cities and counties to adopt implementing amendments to comprehensive plans and land use regulations within two years of acknowledgement of Metro's functional plan amendments or by a later date specified in the adopted functional plan.

(3) Functional plan amendments shall include requirements that local governments amend local comprehensive plans, transportation system plans and land use regulations to:

- (a) Use population, housing and employment allocations to specific areas and land use design types that are consistent with estimates in the framework plan including assumptions about densities, infill, and redevelopment;
- (b) Apply comprehensive plan designations and zoning districts that are consistent with land use design type, allowing uses and densities that are consistent with land use design type and limiting uses that would be incompatible with the design type specified in the preferred scenario; and,
- (c) Include other provisions needed to implement the amended framework plan.

(4) As part of its adoption of functional plan amendments under this rule, Metro shall adopt findings demonstrating that actions required by the functional plan amendments are consistent with and adequate to implement the relevant portions of the preferred land use and

transportation scenario set forth in the adopted framework plan amendments. The findings shall demonstrate that assumptions or allocations of housing and employment growth to specific areas are consistent with the estimates or assumptions in the framework plan amendments. In the event Metro’s allocations or assumptions vary from those upon which the framework plan amendments are based, Metro shall demonstrate that the revised assumptions or allocations, in combination with other measures adopted as part of the functional plan will meet the GHG reduction target in OAR 660-044-0020.

(5) Those portions of the preferred scenario in the framework plan that Metro chooses to implement by establishing requirements for city and county comprehensive plans and land use regulations shall be set forth in amendments to the functional plan. The amendments shall meet the following minimum planning standards:

- (a) For adoption of amendments to the regional framework plan, the Metro Council shall follow the process set forth in the Metro Charter;
- (b) For adoption of amendments to the functional plan, the Metro Council shall follow the process set forth in the Metro Charter for adoption of ordinances;
- (c) The Metro Council shall strive for flexibility when establishing new requirements for cities and counties, and shall consider offering optional compliance paths to cities and counties, such as adoption of a model ordinance developed by Metro;
- (d) Metro shall make new requirements for cities and counties included in the functional plan amendments adopted under this rule enforceable by Metro pursuant to ORS 268.390(6).

(6) When it adopts an updated regional transportation system plan required by OAR chapter 660, division 12, Metro shall demonstrate that the updated plan is consistent with framework plan amendments adopting a preferred scenario as provided in OAR 660-044-0040(3).

## 0050 Commission Review of Regional Plans in the Portland Metropolitan Area

*This is an existing rule that provides guidance for commission review of the implementation or the preferred scenario in regional plans. The amendments extends commission review to amendment of the regional plan.*

(1) The commission shall review Metro’s framework plan amendments adopting or amending a preferred land use and transportation scenario and amendments to functional plans to implement the framework plan amendments in the manner provided for periodic review under ORS 197.628 to 197.650.

(2) The commission’s review of framework plan amendments adopting a preferred land use and transportation scenario shall determine whether the preferred scenario can reasonably be expected to achieve greenhouse gas emission reductions as set forth in the targets in OAR 660-044-0020, other requirements of this division, and any applicable statewide planning goals.

(3) The commission’s review of amendments to functional plans shall determine whether the adopted functional plans are consistent with and adequate to carry out relevant portions of the framework plan amendments.

(4) The commission may conduct review of Metro’s framework plan amendments adopting a preferred scenario in conjunction with review of a UGB update or an update to the regional transportation system plan.

## 0055 Adoption of Local Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

*This is an existing rule that specifies a process for local governments in Metro to implement the preferred scenario.*

(1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the preferred land use and transportation scenario as set forth in Metro’s functional plans or amendments. “Consistent” for the purpose of this section means city and county comprehensive plans and implementing ordinances, on the whole, conforms with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

(2) Beginning one year from Metro’s adoption or amendment of the preferred scenario, local governments in the Portland metropolitan area shall, in updating or adopting an amendment to a comprehensive plan or transportation system plan, demonstrate that the proposed update or amendment is consistent with the preferred land use and transportation scenario.

## 0060 Monitoring and Reporting in the Portland Metropolitan Area

*This is an existing rule that specifies a process for monitoring and reporting implementation of the preferred scenario in the Metro region.*

(1) Metro shall prepare a report monitoring progress in implementing the preferred scenario including status of performance measures and performance targets adopted as part of the preferred scenario as part of regular updates to the Regional Transportation Plan and preparation of Urban Growth Reports.

(2) Metro’s report shall assess whether the region is making satisfactory progress in implementing the preferred scenario; identify reasons for lack of progress, and identify possible corrective actions to make satisfactory progress. Metro may update and revise the preferred scenario as necessary to ensure that performance targets are being met.



(3) The commission shall review the report and shall either find Metro is making satisfactory progress or provide recommendations for corrective actions to be considered or implemented by Metro prior to or as part of the next update of the preferred scenario.

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## 0100 Scenario Planning Work Programs

*This is a **new rule** that describes the process for scenario planning in cities and counties beyond the Portland Metro region. A work program is the first step in the process. The work program provides the basic framework for doing conducting the greenhouse gas reduction scenario planning.*

As used in this division, a work plan must include:

- (1) A governance structure for regional cooperation: a proposed mechanism for regional cooperation. The governance structure may be an existing metropolitan planning organization, a new regional inter-governmental entity, an intergovernmental agreement for collaboration among local governments, or other mechanism. The governance structure must describe how the entity or entities will make decisions and complete tasks. The governance structure must, at a minimum, include cities and counties and describe how transit providers will be involved in the planning process.
- (2) A scope of work: A list of tasks to develop scenarios, analyze scenarios, select a preferred scenario, assemble a land use and transportation scenario plan, and amend local plans and ordinances consistent with the land use and transportation scenario plan.
- (3) A community engagement plan: A community engagement plan with a focus on outreach to and inclusion of underserved populations including community-based conversations.
- (4) A funding estimate: A general estimate of needs for state funding for regional entities to develop and select scenarios and for each city and county to adopt local amendments to implement the selected scenario. The funding estimate must include a schedule of requested amounts in current and future budget periods.
- (5) A schedule: The work plan must include the schedule for submitting the land use and transportation scenario plan and for adopting local amendments to implement the approved preferred land use and transportation scenario.
- (6) Cities and counties may submit a proposed work program to the department with alternative deadlines as those found in OAR 660-044-0015.
- (7) The department shall consult with the Oregon Department of Transportation to review the proposed work program. The director may approve the work program or refer the work program to the commission with recommended revisions.
- (8) If the director refers a proposed work program to the commission under section (7), the commission shall hold a hearing to review the proposed work program and the recommended revisions. The commission may approve the work program or remand the work program with required revisions.

## 0110 Land use and Transportation Scenario Plan Contents

*This **new rule** lists the elements of a scenario plan. The core element is a preferred scenario that would meet the pollution reduction targets. The scenario plan includes additional elements to implement the preferred scenario, to track progress and to report on the planning process. The rule specifies how cities and counties will report and monitor plan implementation, actions taken, and on equitable outcomes.*

As used in this rule, a land use and transportation scenario plan must include:

- (1) A horizon year at least 20 years in the future.
- (2) An assessment of the housing and transportation needs of underserved populations;
- (3) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-025.
- (4) Planning assumptions used to develop the scenario including:
  - (a) Projects reasonably likely to be funded through the horizon year;
  - (b) Projects that would require additional funding;
  - (c) General estimates of the amount of additional funding required; and
  - (d) Potential sources of additional funding.
- (5) Projections of land uses at the horizon year including:
  - (a) Residential densities and locations;
  - (b) Employment densities and locations;
  - (c) Climate Friendly Areas as designated under OAR 660-012-0310 and 660-012-0315; and
  - (d) Total regional population consistent with forecasts under OAR 660-032-0020.
- (6) Analysis of local development regulations to identify any changes needed to enable development of the projected land uses, such as:
  - (a) Comparison of zoning maps with projected land use needed to meet the target;
  - (b) Parking requirements; and
  - (c) Electric vehicle charging requirements.
- (7) Projection of future greenhouse gas emissions at the horizon year using methods described in OAR 660-044-0030 using a preferred land use and transportation scenario to meet the targets in OAR 660-044-0025.
- (8) Assumptions used to project future greenhouse gas emissions including:
  - (a) Assumptions about state and federal policies and programs;
  - (b) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030; and
  - (c) Assumptions about proposed regional programs or actions such as investments and incentives not already included in the list of transportation projects and projections of future land uses.
- (9) Performance measures and methodologies that cities and counties will use to report on implementation of the preferred land use and transportation scenario, including:
  - (a) Regional performance measures to determine whether outcomes are progressing to achieve the projected reductions in greenhouse gas emissions. The regional performance measures must include actual performance for the data elements used to project greenhouse gas emissions as described in OAR 660-044-0030.

- (b) Local implementation performance measures to determine whether cities and counties are taking the actions necessary to implement the preferred land use and transportation scenario.
- (c) Equity performance measures to determine whether implementation of the preferred land use and transportation scenario is improving equitable outcomes for underserved communities.
- (10) The performance measures in section (9) must include:
  - (a) A set of performance measures including methods, details, and assumptions to calculate the value;
  - (b) Baseline current data, or historical data, for each performance measure;
  - (c) A reporting schedule repeating every four or five years through the horizon year;
  - (d) A target for each performance measure for each reporting point; and
  - (e) Best available demographic information for underserved populations.
- (11) Report on community-based conversations and other efforts to solicit input from underserved communities.
- (12) An assessment of benefits and burdens of the scenario on underserved community members compared to the population as a whole.

## 0120 Commission Review of a Land Use and Transportation Scenario Plan

*This **new rule** describes the review process for scenario plans in cities and counties beyond the Portland metropolitan area. Before the formal review, state and local staff will collaborate on the plan and resolve most questions. If there are no remaining issues, the cities and counties will formally submit the plan and the DLCDC Director will approve it. If there are unresolved questions, the process goes to the commission for a public hearing and decision.*

- (1) Cities and counties shall submit a land use and transportation scenario plan to the director.
- (2) Upon receipt of a land use and transportation scenario plan, the director shall determine whether the submittal is complete based on the applicable criteria in this division.
  - (a) If there is any missing information, the director must inform the cities and counties with sufficient specificity to allow the cities and counties to provide missing information.
    - (A) The cities and counties must supply additional information within 30 days of the director's notification. If the cities and counties do not supply additional information, the director shall review the original submission as provided in subsection (b).
    - (B) If the director does not send a notice of missing information within 30 days of submittal, the submittal shall be deemed complete.
  - (b) Upon completeness, the department shall:
    - (A) Post the complete land use and transportation scenario plan on the department's website; and
    - (B) Provide notice to persons described under ORS 197.615(3).
    - (C) The notice provided shall describe;

- (i) How and where the land use and transportation scenario plan may be freely obtained; and
  - (ii) That objections to the land use and transportation scenario plan may be submitted to the department within 14 days of the notice.
- (c) Review the submittal for compliance with this division and either:
  - (A) Issue an order approving the submittal, with responses to any objections submitted; or
  - (B) Refer the submittal to the commission for review and action under section (5).
- (d) If the director does not issue an order approving the submittal or make a referral to the commission within 60 days of completeness, the submittal is deemed approved, and an order sent under section (3).
- (3) The director shall send an approval order to the cities and counties, post on a public website using the Internet or a similar electronic method, and provide a copy of the order to the commission at its next regular meeting. The approval order must include information on the process to appeal the director's order as described in this rule.
- (4) A person who has filed an objection may appeal a director's approval order to the commission. An appeal must be submitted within 30 days of the date of the commission meeting(s) at which the commission received the order. An appeal must clearly identify an alleged deficiency in the submittal based the requirements of this division.
- (5) The commission shall hold a hearing on a submittal referred by the director under section (2) or appealed under section (4).
  - (a) The commission will consider the contents of the land use and transportation scenario plan, the director's staff report, testimony from cities or counties that submitted the plan, and testimony from any persons who filed objections to the plan.
  - (b) The commission may:
    - (A) Remand the submittal with specific directions for needed changes consistent with the requirements of this division; or
    - (B) Approve the submittal.
- (6) The director shall issue an order of the commission's decision to the cities and counties and to all participants in the hearing.

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## 0130 Local Amendments to Implement Approved Land use and Transportation Scenario Plan

*This **new rule** describes the process for local governments outside of the Portland Metro area to individually implement the regional scenario plan they jointly developed.*

- (1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the land use and transportation scenario plan approved by an order under OAR 660-044-0120. "Consistent" for the purpose of this rule means city and county comprehensive plans and

implementing ordinances, on the whole, conform to the purposes of the performance standards in the approved land use and transportation scenario plan.

- (2) Cities and counties with an approved land use and transportation scenario plan under OAR 660-044-0120 may only adopt amendments to a comprehensive plan, land use regulation, or transportation system plan that are consistent with the approved land use and transportation scenario plan.

Materials following this page were distributed at the meeting.



**DLCD**



Source: DLCD

# Climate-Friendly and Equitable Communities

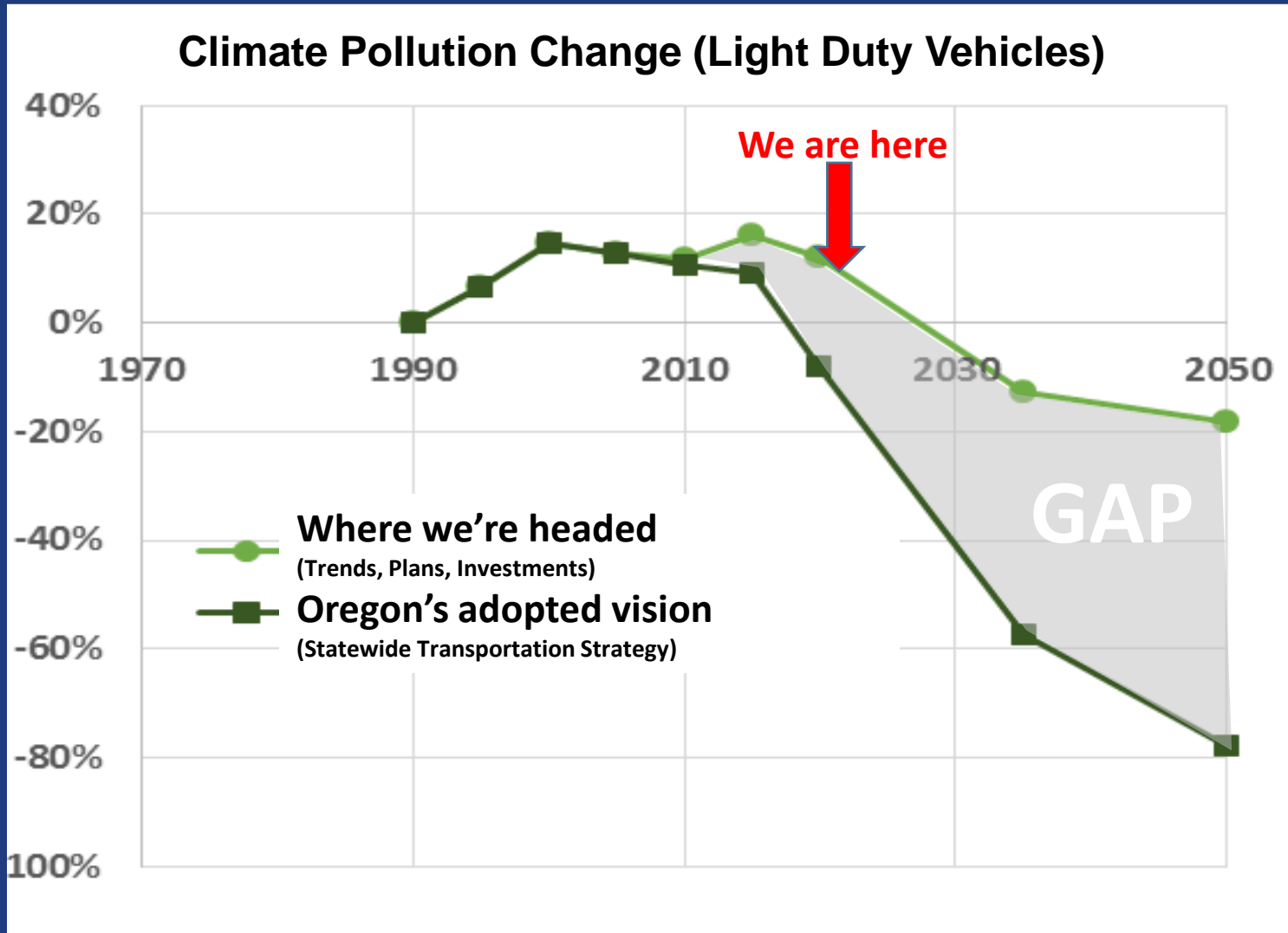


Source: Metro

Metro Technical Advisory Committee and  
Transportation Policy Alternatives Committee  
Workshop

December 15, 2021

# Missing Oregon's Pollution Reduction Targets



## CLIMATE & ENVIRONMENT >

### The world needs to cut its emissions seven times as fast to hit climate goals, U.N. report finds

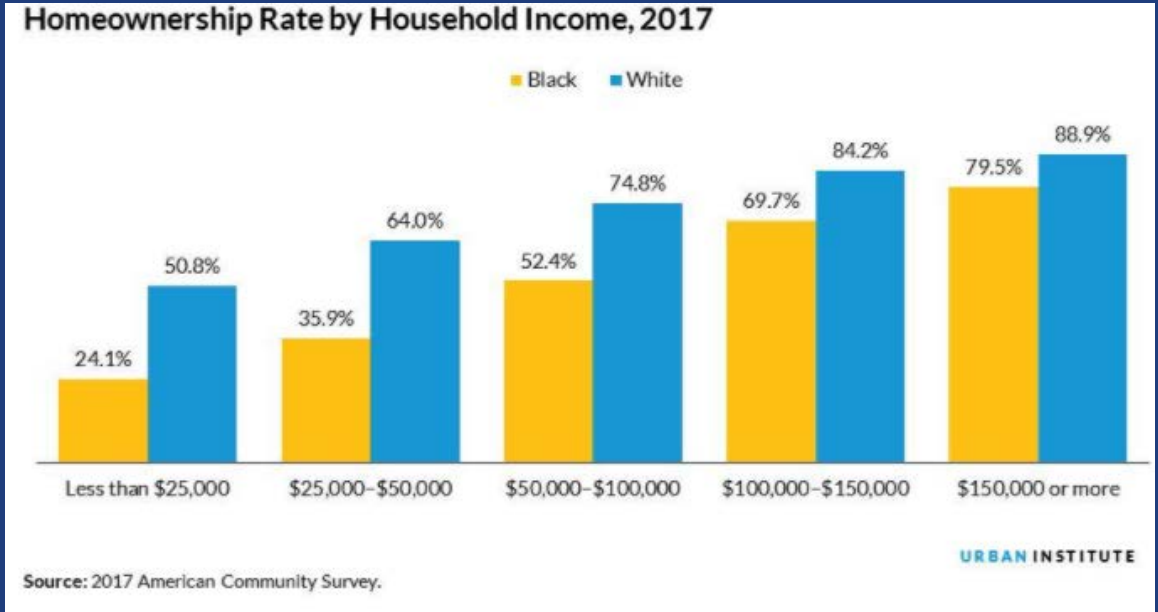
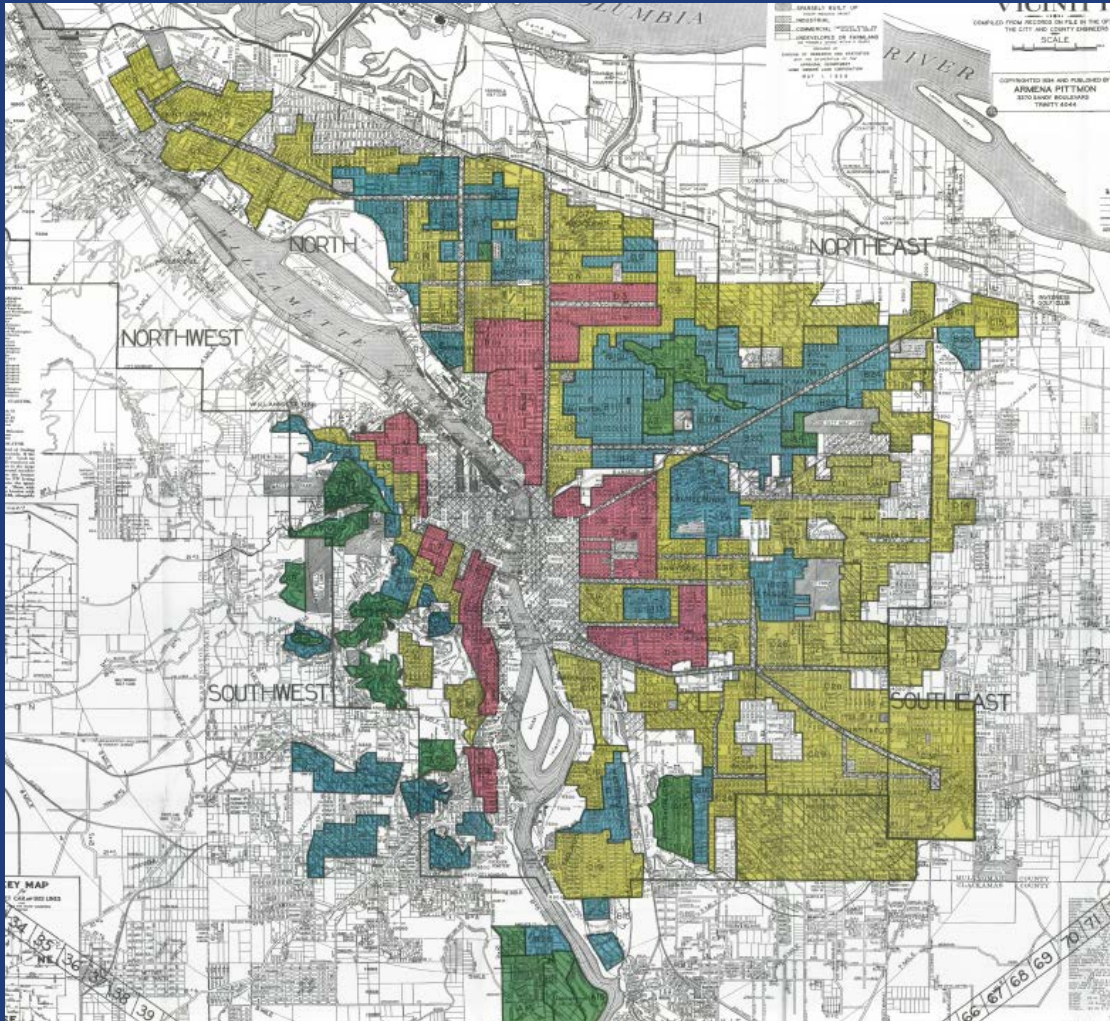
"We're just so far off track," says one co-author, calling for bolder and more urgent action from major emitters.

By Brady Dennis





# Inequity and Generational Wealth



71.9% of white households own homes  
41.8% of Black households own homes

The 30.1% gap is wider than it was when race-based discrimination against homebuyers was legal.  
(2017, Urban Institute)

## America's Households by the Numbers

**28%**  
Single people living alone



**25%**  
Couples (no children)



**20%**  
Adults sharing with other adults



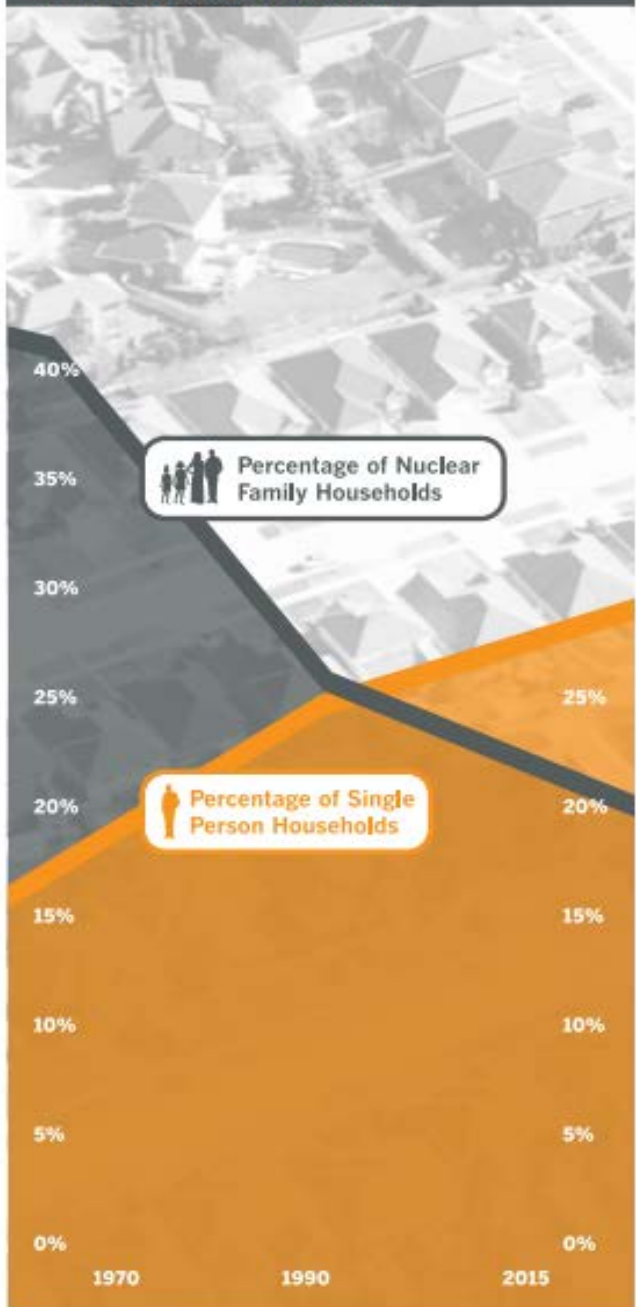
**20%**  
Nuclear Families (two parents, children 21 or under)



**7%**  
Single parent families (one parent, children 21 or under)

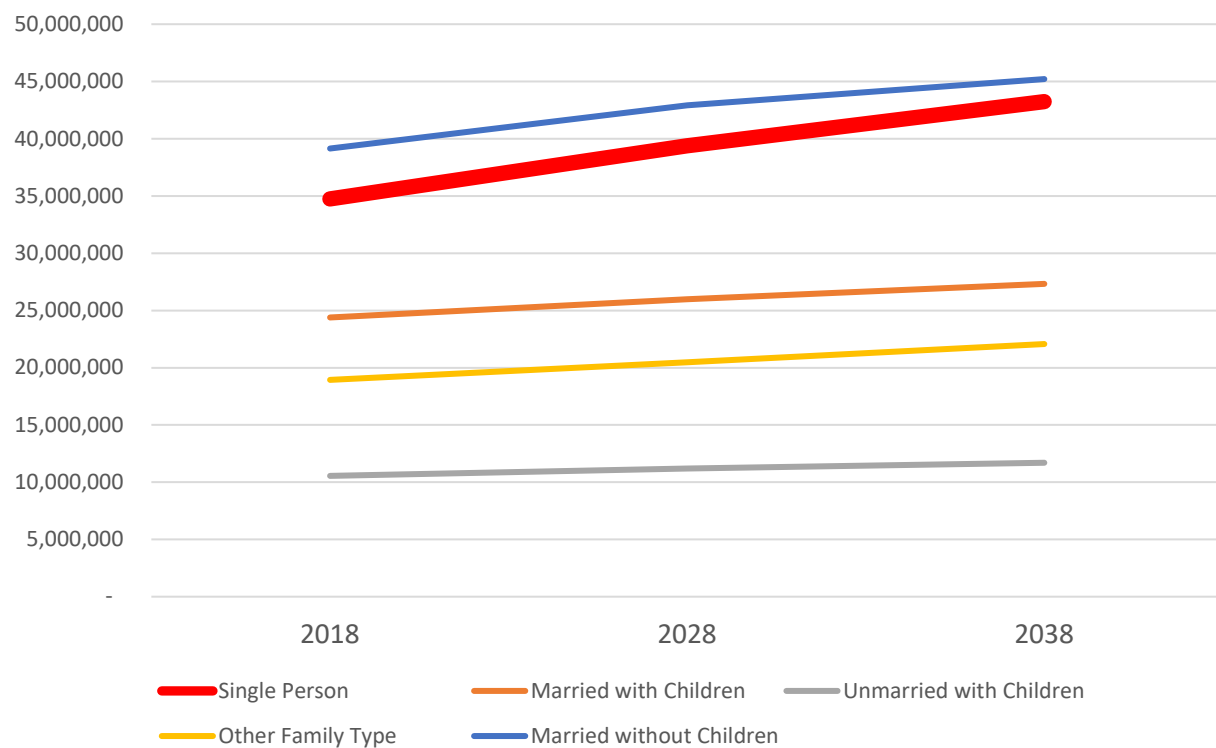


## Single-Person Households Exceed Nuclear Family Households



# Changing Needs

## Likely to have many more single-person households



Manvel, Evan based on data from Harvard Joint Center on Housing Studies

[https://www.jchs.harvard.edu/sites/default/files/media/imp/Harvard\\_JCHS\\_Spader\\_Tenure\\_Projections\\_2018-2038.pdf](https://www.jchs.harvard.edu/sites/default/files/media/imp/Harvard_JCHS_Spader_Tenure_Projections_2018-2038.pdf)





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 dangerous impacts of climate change and remaining below this target requires that global emissions be reduced by at least 80 percent by 2050.

# Governor Brown's Executive Order 20-04

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

Prioritize equity, underserved populations,  
specifically historically marginalized  
communities



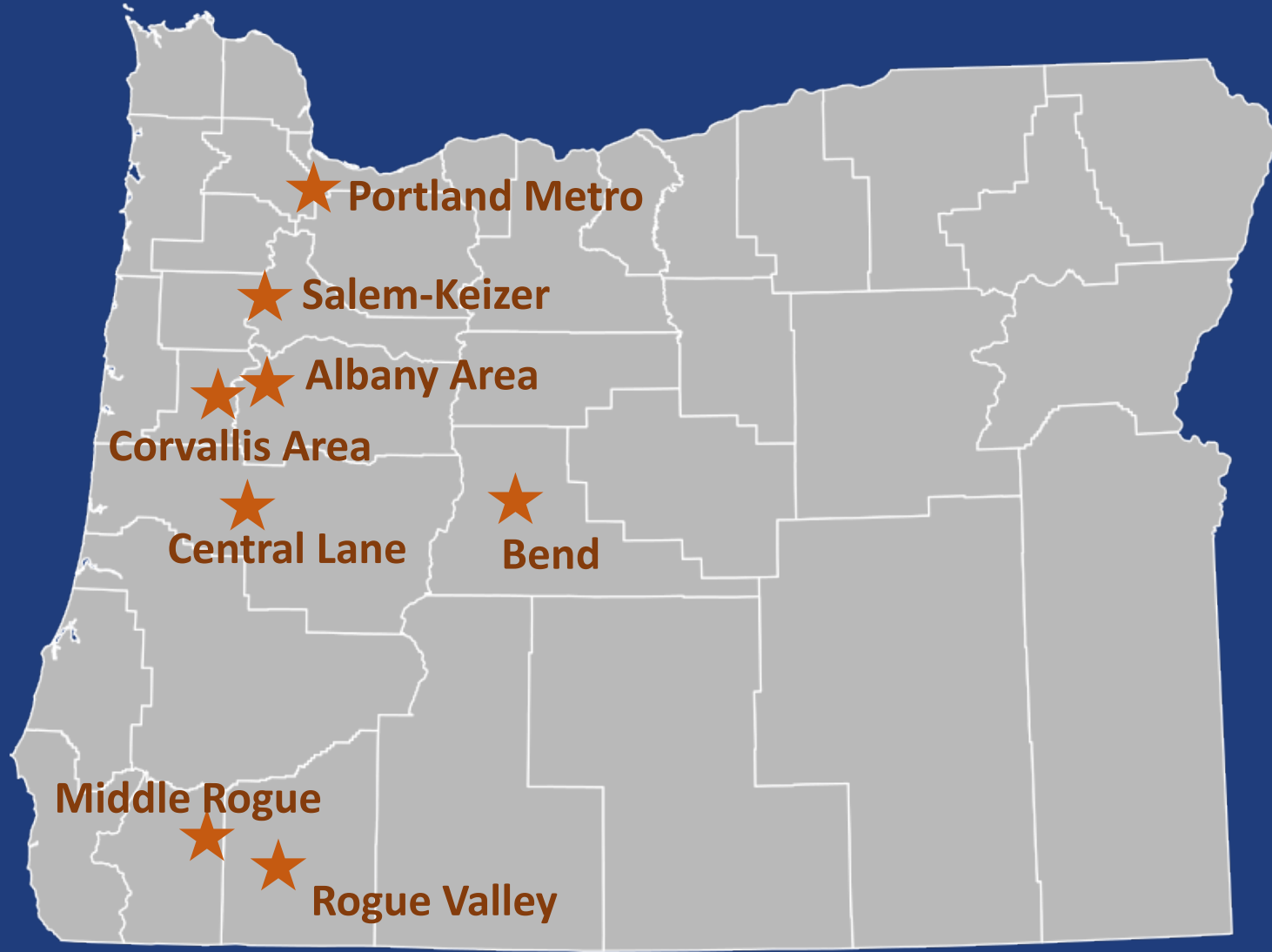
## A More Equitable, Cleaner Future

More people meet  
their daily needs  
with shorter car  
trips, some transit,  
bike, or walk

McMinnville downtown



# Oregon's Eight Metropolitan Areas





**Series of interviews**

**Rulemaking charge and charter**

**40+ people advisory committee, including many community-based organizations; representatives of all eight metro areas**

**Nine virtual community conversations**

**Technical work groups meetings**

**Regional practitioner meetings**

**At least two dozen more presentations**

# Climate-Friendly and Equitable Communities

## Process



# Two Categories of Rulemaking

Performance monitoring  
and reporting under both

## Regional Planning to Meet Pollution Reduction Targets

## Updated Land Use and Transportation Rules

- Climate-friendly areas
- Reform parking management
- Support electric vehicle charging
- High quality pedestrian, bicycle, and transit infrastructure
- Go beyond sole focus on motor vehicle congestion standards
- Prioritize and select projects meeting climate/equity outcomes

# Climate Smart Strategy

Regional policies and strategies for reducing emissions



*Adopted in 2014 and approved by Land Conservation and Development Commission in 2015*

*Incorporated and monitored through the Regional Transportation Plan*





# Updated Planning Rules

## Focus Areas

- Climate-friendly areas
- Reform parking management
- Support electric vehicle charging
- High quality pedestrian, bicycle, and transit infrastructure
- Go beyond focus on motor vehicle congestion standards
- Prioritize and select projects meeting climate/equity outcomes



# Climate Friendly Areas within the Portland Metro Region

Proposed Requirements for the Portland Metro Region have been significantly revised:

- Metro to establish requirement for local government adoption of Region 2040 centers and land use regulations no later than December 31, 2024
- Local governments that have yet to do so shall comply by December 31, 2025
- Cities over 10,000 to report on affordable housing production, mitigation of displacement, and increasing housing choices within Region 2040 centers every six years

# Downtown Off-Street Parking in Corvallis



# Albany, OR

Average 30% unused; three sites fully used

Demand averaged 1.23 spaces/unit







## 18<sup>TH</sup> & WILLAMETTE

INTEGRATED FOURPLEX + 1 BEDS + 2 BEDS

4 UNITS \ 1 BUILDING \ 1 LOT

# Eugene

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

Michael Manville\*, Miriam Pinski

*UCLA Luskin School of Public Affairs, Los Angeles, CA 90095, USA*

## ARTICLE INFO

*Keywords:*

Parking  
Transit  
Zoning  
Land Use  
Bundling

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

Michael Manville

University of California, Los Angeles  
mkm253@cornell.edu

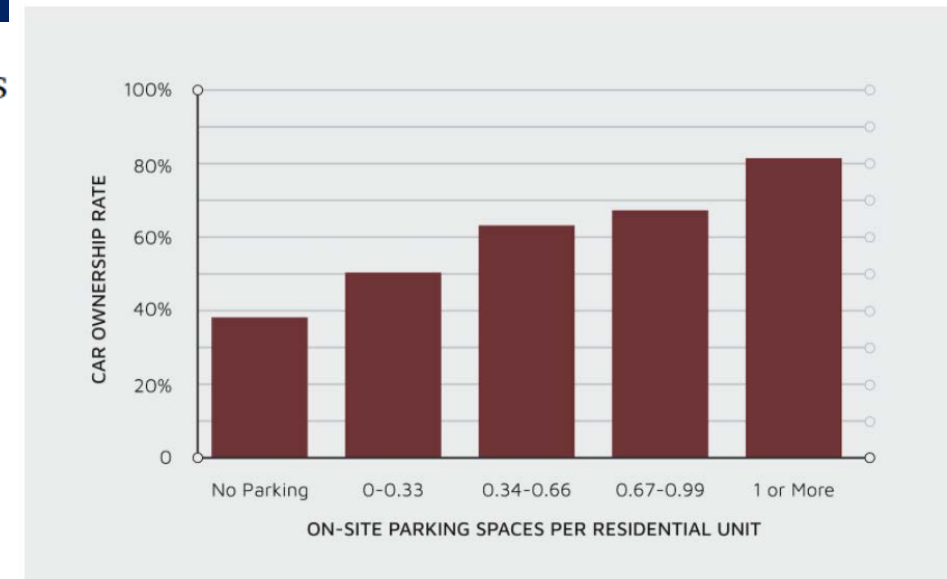
**Abstract:** This article estimates the effect of bundled residential parking—parking whose price is included in the rent or purchase price of housing—on household vehicle ownership. Using data from the Amer-

### Article history:

Received: January 19, 2017

Received in revised form:

Figure 1. More parking leads to more car ownership in San Francisco



# Improving Parking Management

- ✓ Implement best practices for parking code details
- ✓ Cities choose a parking reform approach



- ✓ Populous communities do more parking management

# Improving Parking Management

Examples of development *types* with reduced parking mandates:

- ✓ Multifamily
- ✓ Residences under 750 sq ft
- ✓ Affordable housing
- ✓ Treatment facilities and homes for people with disabilities

*Areas* where parking mandates would be reduced:

- ✓ Priority transit corridors
- ✓ Climate-friendly areas





# Most Populous Communities (100,000+)

Set parking maximums in climate-friendly areas and priority transit corridors  
(no higher than 1.2 studio/2 spaces/unit)

Parking studies every three years in metered areas; adjust prices

Try other things before building parking garages

If continuing parking mandates:

- Price 5+% of on-street spaces (2023)
- Price 10+% of on-street spaces (2025)

at least 50 cents/day or \$15/month

# Electric Vehicle Charging








- Applies for 5+ parking spaces
- Must provide Level 2+ *conduit* for 50% of residential/mixed-use spaces, 20% of commercial
- Must provide *service capacity* for 20% of spaces
- DC fast charger can provide less
- Conformance requirements for major retrofit in cities over 50,000 (cost exemption if 20%+)



- Rules have required coordinated planning for decades
- Need to do more to meet our climate and equity goals
- Build on what we have



## Transportation Planning Rules

- Focus on planning for:
  - Pedestrian   
  - Bicycle  
  - Public Transportation  
- Connected, safe, complete networks
- Prioritize:
  - Climate friendly areas
  - Neighborhoods with underserved populations
  - To access key destinations



# Transportation Planning Rules

- Selecting projects based on variety of prioritization factors
  - Projects across a city in a plan must work to meet climate goals
- How we measure success in the transportation system
  - Look at a variety of factors, not only moving cars



# Transportation Planning Rules

# Upcoming Rulemaking Schedule

Date	RAC	LCDC
<b>December 17</b>	<ul style="list-style-type: none"> <li>➤ Review revised rules                             <ul style="list-style-type: none"> <li>➤ Including updated scenario planning rules</li> </ul> </li> </ul>	
<b>January 2022 (TBD)</b>	<ul style="list-style-type: none"> <li>➤ Final rules refinements</li> <li>➤ Impact statement review</li> </ul>	
<b>February 3-4</b>		<ul style="list-style-type: none"> <li>➤ Review draft rules and impact statements</li> <li>➤ Discuss policy questions</li> </ul>
<b>March 31-April 1</b>		<ul style="list-style-type: none"> <li>➤ First public hearing</li> </ul>
<b>May 19-20</b>		<ul style="list-style-type: none"> <li>➤ Final public hearing</li> <li>➤ Adoption</li> </ul>



# Timeline and Opportunities for Input

## Non-Commission Input

- Complete Post-Meeting Survey
- Direct staff contact (email or phone) available on website
- Written testimony to Rulemaking Advisory Committee

## Commission Input

- February 3, 2022
- First hearing March 31/Apr 1, 2022
- Adoption hearing May 19, 2022

# Thank You!

## Climate-Friendly and Equitable Communities



Sign up for email updates  
[oregon.gov/LCD/LAR/Pages/CFEC.aspx](http://oregon.gov/LCD/LAR/Pages/CFEC.aspx)