

Oregon Administrative Rule (OAR)
- Climate-Friendly and Equitable Communities Rulemaking -
Amendment Recommendations

Relationship to CEAP Goals and Policies:

URBAN FORM, LAND USE & TRANSPORTATION

Goal • Reduce community and City employee vehicle miles traveled and greenhouse gas emissions.

Strategy ULT-2. Make Ashland more bike- and pedestrian-friendly.

ULT-2-2. Explore opportunities to convert to shared streets where appropriate to provide multimodal connectivity.

ULT-4-2. Revise community development plans to favor walkable neighborhoods and infill density.

CONSUMPTION & MATERIALS MANAGEMENT

Goal - Reduce consumption of climate- intensive food, products, and services.

Strategy CM-1. Reduce consumption of carbon-intensive goods and services.

Status and Next Steps

In response to the Governor’s Executive Order 20-04, the Land Conservation and Development Commission directed (via the Commission’s [Rulemaking Charge](#)) that the Department of Land Conservation and Development develop amendments to the Oregon Administrative Rules related to housing and transportation which will:

- A. Require jurisdictions to allow high levels of development in climate-friendly areas, including city and town centers, and corridors with high levels of transit
- B. Require high quality pedestrian, bicycle, and transit infrastructure planning.
- C. Limit minimum off-street parking mandates.
- D. Limit use of motor vehicle congestion standards.
- E. Prioritize and select projects within transportation system plans that generally support achievement of GHG reduction targets.
- F. Support electric vehicle charging facilities.
- G. Require jurisdictions to allow high levels of development in climate-friendly areas, including city and town centers, and corridors with high levels of transit.

The LCDC rules apply to all cities, counties, and metropolitan planning organizations in Oregon. The CPC’s recommendations have the potential to affect all of Oregon.

The Oregon Department of Land Conservation and Development is actively soliciting recommendations for changes to the rules. The Department has convened a Rule-making Advisory Committee to assist them in this effort. The CPC’s amendment recommendations will be most effective earlier rather than later in the process. The draft rule is expected to be forwarded to LCDC in the fall 2021.

LCDC will amend the following rules, as needed:

- 1) [Transportation Planning Rules](#) (OAR Chapter 660, Division 12)
- 2) Metropolitan Greenhouse Gas Reduction Target Rules (OAR Chapter 660, Division 44)
- 3) Metropolitan Housing Rules (OAR Chapter 660, Division 7)
- 4) [Interpretation of Goal 10 Housing Rules](#) (OAR Chapter 660, Division 8)

Only items 1 and 4 apply to Ashland. This memo focuses exclusively on the Transportation Planning Rule. Review and recommendations regarding the interpretation of Goal 10, Housing, will be developed in advance of the June CPC meeting.

Motion: I move that the CPC forward the following recommended amendments to OAR 660-12 to the City Council for approval and distribution to the Department of Land Conservation and Development.

Amendment recommendations are shown on the following pages.

Deletions are shown with ~~strike through~~ and new language is shown in **bold**.

- 1) Amend OAR 660-12-0000(3) to read: The extent of planning required by this division and the outcome of individual transportation plans will vary depending on community size, needs and circumstances. Generally, larger and faster growing communities and regions will need to prepare more comprehensive and detailed plans, while smaller communities and rural areas will have more general plans. For all communities, the mix of planned **and programed** transportation facilities and services should be sufficient to ensure **the transformation of a largely monomodal transportation system into a truly multi-modal system of transportation which ensures Oregonians who don't own an automobile can safely and conveniently travel within urban areas or urban fringe with equivalent or better access than those driving motor vehicles. The planned transportation system should also be** economic, sustainable and environmentally sound mobility and accessibility **and when combined with transportation plans of all other communities throughout Oregon achieve the State Transportation Strategy 2050 target** ~~for all Oregonians~~. Coordinating land use and transportation planning will also complement efforts to meet other state and local objectives, including containing urban development, reducing the cost of public services, protecting farm and forest land, reducing air, water and noise pollution, conserving energy and reducing emissions of greenhouse gases that contribute to global climate change.
- 2) Amend OAR 660-12-0000(3)c to read: (c) Within metropolitan areas, coordinated land use and transportation plans are intended to improve livability and accessibility by promoting changes in the transportation system and land use patterns. A key outcome of this effort is a reduction in reliance on single occupant automobile use, particularly during peak periods. To accomplish this outcome, this division promotes increased planning **and improvements** for alternative modes and street connectivity and encourages land use patterns throughout urban areas that make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs. The result of applying these portions of the division will vary within metropolitan areas. Some parts of urban areas, such as downtowns, pedestrian districts, transit-oriented developments and other mixed-use, pedestrian-friendly centers, will be highly convenient for a variety of modes, including walking, bicycling and transit, while others will be auto-oriented and include more modest measures to accommodate access and circulation by other modes.
- 3) Amend OAR 660-12-0005 to include the following definitions:
"Bicycle facilities, within an urban area or urban fringe," means transportation improvements that:
 - a) **Are designed and constructed consistent with the National Association of City Transportation Official's [Designing for All Ages and Abilities Designs, Contextual Guidance for High-Comfort Bicycle Facilities](#) (see Figure 2),**
 - b) **Are suitable for use by all ages and abilities.**

NOTE: LCDC and the Department cannot continue to rely upon FHWA or ODOT bicycle facility standards. Oregon has to choose to follow the “best in the nation” design standards for bicycle facilities (or preferably in the world – like those used in Copenhagen) or allow for the construction of bicycle facilities that serve that purpose in name only. Existing ODOT designs standards are ill suited for all ages and abilities. Consequently, bicycling, as a mode of travel, has not become a viable, safe and convenient mode of travel as intended pursuant to the Transportation Planning Rule and the [Statewide Transportation Land Use Goal](#), adopted in 1991 and 1974, respectively. ODOT’s standards will never serve to attract the majority of the public (more than 50 percent of the residents living in urban areas of the State) whom are “interested in cycling but concerned for their safety” (see Figure 1) These people are afraid to share the roadway with autos.

Figure 1.

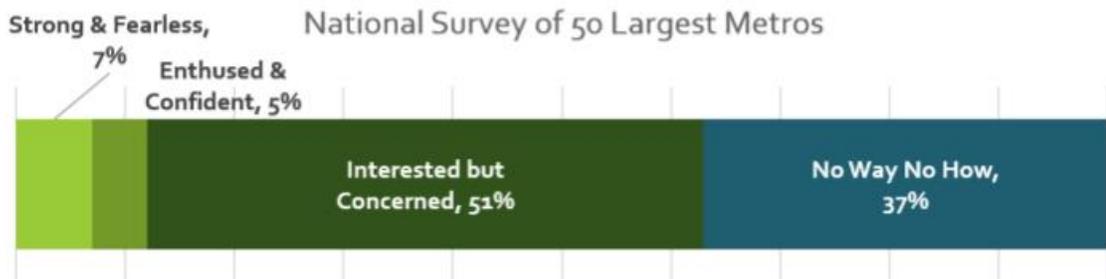
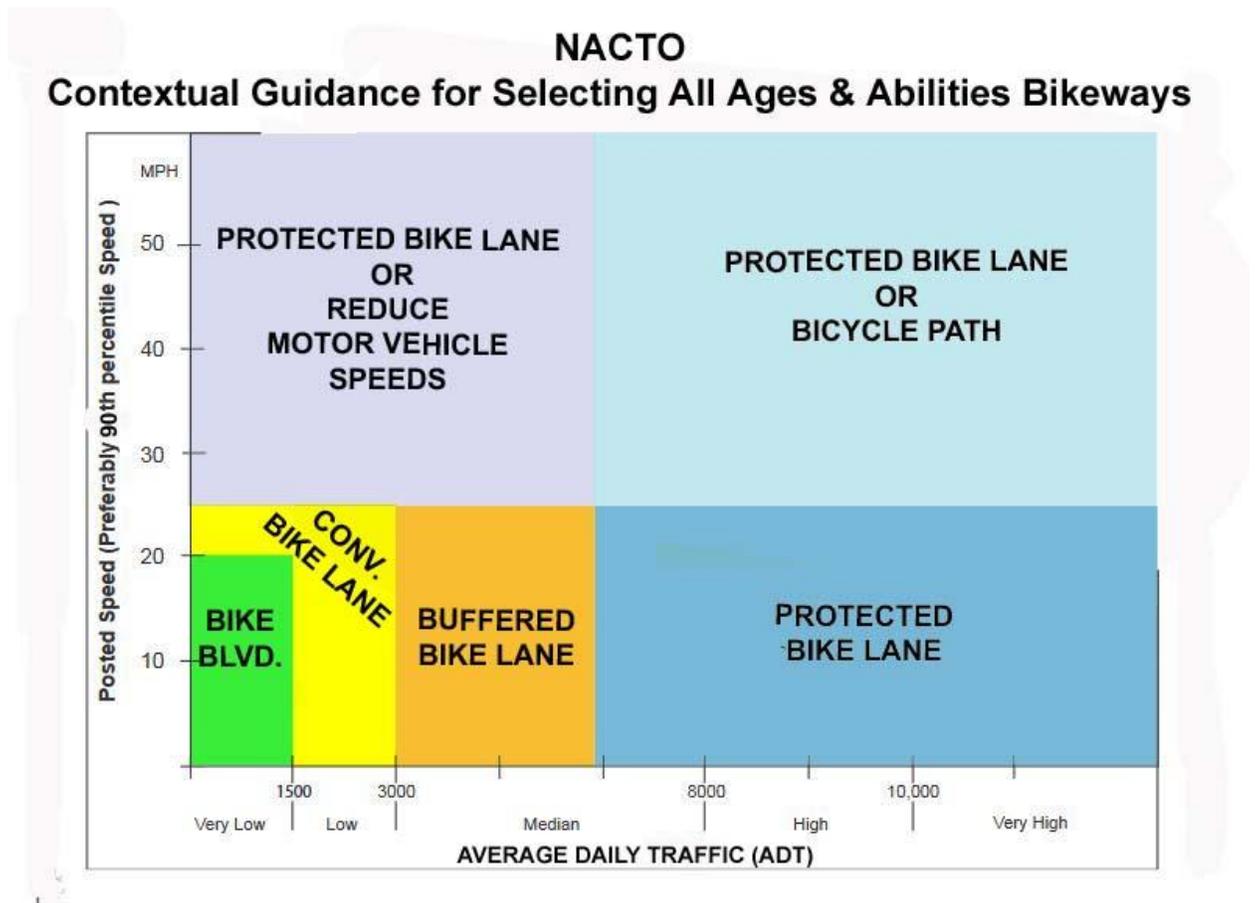


Figure 2



“Convenient bicycle and pedestrian networks,” within an urban area or urban fringe, means that residents and visitors to such areas of all ages and abilities are served by a bicycle and pedestrian system that allows safe and efficient travel, from anywhere to everywhere, and with minimal out of direction travel.

“Safe bicycle networks, within an urban area or urban fringe,” means the accident rate involving people riding bicycles, measured by using the number of accidents per year per mile of travel, is equal to or lower than the rate of accidents involving only motorized vehicles.

"Transportation Needs" means estimates of the movement of people and goods, **explicitly considering people riding bicycles and walking**, consistent with acknowledged comprehensive plan and the requirements of this rule. Needs ~~are typically~~ **shall be** based on projections of future travel demand ~~resulting from a continuation of current trends~~ as modified by policy objectives, including those expressed in Goal 12, ~~and this rule,~~ **and attaining the State Transportation Strategy Target for 2050 with explicit adjustments in order to reflect especially those for avoiding principal reliance on any one mode of transportation.**

Vision Zero means a plan and a discrete set of transportation improvements and transportation management measures that, when combined, will serve to ensure that every urban area and urban fringe will experience no traffic deaths and no serious injuries.

- 4) Amend OAR 660-12-0020, Elements of Transportation System Plans,

2(d) A bicycle and pedestrian plan for a network of bicycle and pedestrian routes throughout the planning area **servicing all ages and abilities, and facilitating travel between anywhere to everywhere while minimizing out of direction travel.**

2(j) A Vision Zero plan.

3(C) The transportation facility condition analysis shall describe the general physical and operational condition of each transportation facility (e.g., very good, good, fair, poor, very poor) **and include the width (excluding the drain pan) of bicycle facilities.**

- 5) Amend OAR 660-12-0035(3) to read: The following standards shall be used to evaluate and select alternatives:

(a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;

(b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan **and the State Transportation Strategy 2050 Target;**

(c) The transportation system shall minimize adverse economic, social, environmental and energy consequences **and avoid disproportionate impact on minority, economically disadvantaged or culturally unique neighborhoods or communities;**

(d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and

(e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas, **including the cities within such boundaries**, this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) **and shift planned transportation investments away from motorized transport and focus on the improvement, safety, convenience, and quality of bicycle and pedestrian infrastructure within urban area or urban fringe.**

6) Amend section OAR 660-12-0030(4): In MPO areas, regional and local TSPs shall be designed to ~~achieve adopted standards for increasing~~ transportation choices and ~~reducing~~ reliance on the automobile **pursuant to standards specified in OAR 660-12-0035(6)**. ~~Adopted standards are intended as means of measuring progress of metropolitan areas towards developing and implementing transportation systems and land use plans that increase transportation choices and reduce reliance on the automobile.~~ It is anticipated that metropolitan areas will accomplish reduced reliance by changing land use patterns and transportation systems so that walking, cycling, and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.

7) Delete section 660-12-0035(5) which allows MPO's to adopt "alternative measures" as an alternative to reducing VMT per capita.

NOTE: The RVMPO alternative measures were 1) largely developed to satisfy the requirements of OAR 660-12, 2) did not guide the selection of projects, 3) were not met, 4) when not met, were not amended, and 5) were treated as RVMPO goals and not those of the cities within the MPO.

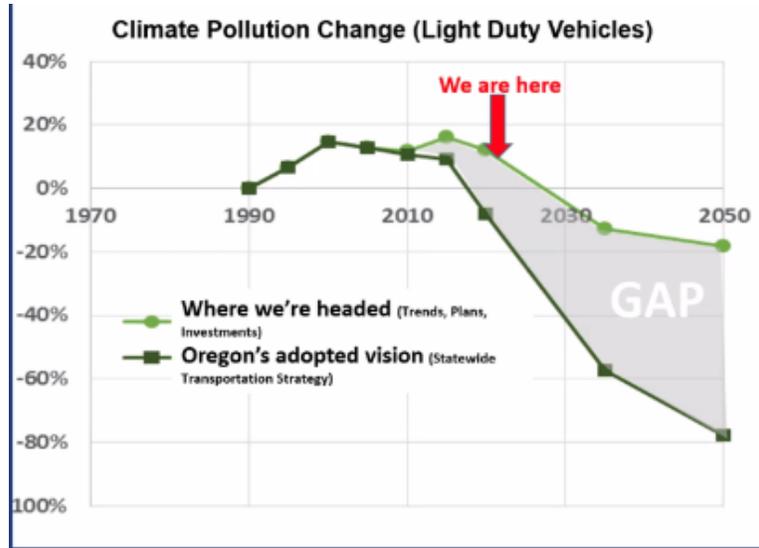
8) Amended OAR 660-12-0035(6) as follows:

A metropolitan area ~~may also~~ shall accomplish compliance with requirements of subsection (3)(e), **and sections (4) and (5)** by demonstrating to the commission that adopted plans and measures are likely to achieve a ~~five~~ **15** percent reduction in **light-duty vehicle** VMT per capita **during over each decade between 2020 and 2050 or an alternative rate of reduction that is demonstrated, in combination with VMT reductions within all MPO's within the state, to meet the State Transportation Strategy 2050 Target.**

~~the 20-year planning period. The commission shall consider and act on metropolitan area requests under this section by order. A metropolitan area that receives approval under this section shall adopt interim benchmarks for VMT reduction and shall evaluate progress in achieving VMT reduction at each update of the regional transportation system plan.~~

Note: It is anticipated, in order to meet the reduction target for light duty vehicles included in the State Transportation Strategy for 2050, that the VMT per capita reduction will need to decline by approximately 15 percent per decade between 2020 and 2050. Such reductions will largely be met through increases in bicycle and walking mode shares. (see Figure 3)

Figure 3. Oregon's Pollution Reduction Target



- 9) Amended OAR 660-12-0035(7) as follows:
 Regional and local TSPs shall include **five-year** benchmarks to assure satisfactory progress towards meeting the approved standard or standards adopted pursuant to this rule **and set mode share targets for bicycles, pedestrians, and transit.** at regular intervals over the planning period. MPOs and local governments shall evaluate progress, **using the Oregon Household Travel Survey to demonstrate conformance with Section 6.** Where benchmarks **mode share targets** are not met, the relevant TSP shall be amended to include new or additional efforts adequate to meet **such targets and** the requirements of this rule.

Note: The interim targets help to answer the question; "how are MPO's and local governments going to reduce VMT per capita" and would also serve to focus project selection.

- 10) Delete OAR 660-12-0035(9) ~~Where existing and committed transportation facilities and services have adequate capacity to support the land uses in the acknowledged comprehensive plan, the local government shall not be required to evaluate alternatives as provided in this rule.~~
- 11) Amend OAR 660-12-0045(2)g as follows: Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities **and planned high-capacity transit corridors** identified in the TSP.
- 12) Amend OAR 660-12-0045 (3)b(B) as follows: ~~Bikeways~~ **Protected cycle-tracks** shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways,
- 13) Amend OAR 660-12-0045(d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes, facilities and improvements which:

(A) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or **bicycle** travel for short trips. **Streets with traffic**

volumes greater than 1,500 vehicles per day or where traffic speeds are in excess of 20 miles per hour discourage bicycle travel and require bicycle facilities to be separated and, where speeds are greater than 25 MPH and/or volumes greater than 6,500 vehicles per day, protected from adjacent motor vehicle traffic.

(B) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and

(C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile **and travel by bicycle is typically three to four miles in length (and further for electric bicycles).**

(D) Safe bicycle and pedestrian systems shall be those where pedestrian and bicycle accidents occur at a rate, when measured in accidents per mile of travel, equal those for motor vehicles collisions.

14) Amend OAR 660-12-0045(4)b(C) as follows:

In addition to paragraphs (A) and (B) above, on sites at major transit stops **and along high-capacity transit corridors within urban growth boundaries** provide the following:

15) Amend OAR 660-12-0045(5)c as follows:

c) Implements a parking plan which:

- (A) Achieves a 10 percent reduction in the number of parking spaces per capita in the MPO area **each decade between 2020 and 2050** ~~over the planning period~~. This may be accomplished through a combination of restrictions on development of new parking spaces and requirements that existing parking spaces be redeveloped to other uses;
- (B) Aids in achieving the measurable standards set in the TSP in response to OAR 660-012-0035(4);
- (C) Includes land use and subdivision regulations setting minimum and maximum parking requirements in appropriate locations, such as downtowns, designated regional or community centers, **high-frequency transit corridors**, and transit oriented-developments; and
- (D) Is consistent with demand management programs, transit-oriented development requirements and planned transit service.

~~16)~~ Amend OAR 660-12-0045(5)d as follows:

d) In addition, the parking plan shall provide for an increasing share of off-street parking spaces to be reserved for electric vehicles (EV) leading to half of all off-street parking being reserved for EV's by 2050. EV parking spaces shall include vehicle charging stations the cost of which shall be identified in the jurisdiction's capital improvement program and the regional Transportation Improvement Program. As an alternative to (c) above, local governments in an MPO may instead revise ordinance requirements for parking as follows:

~~(A) Reduce minimum off-street parking requirements for all non-residential uses from 1990 levels;~~

~~(B) Allow provision of on-street parking, long-term lease parking, and shared parking to meet minimum off-street parking requirements;~~

(C) Establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments;

(D) Exempt structured parking and on-street parking from parking maximums;

(E) Require that parking lots over 3 acres in size provide street-like features along major driveways (including curbs, sidewalks, and street trees or planting strips); and

(F) Provide for designation of residential parking districts.