

# Council Business Meeting

January 4, 2022

<b>Agenda Item</b>	Climate Friendly and Equitable Communities rulemaking comments	
<b>From</b>	Stu Green	Climate and Energy Analyst
<b>Contact</b>	<a href="mailto:Stu.Green@ashland.or.us">Stu.Green@ashland.or.us</a> ; 552-2085	

## **SUMMARY**

The Climate Policy Commission asks council to approve and forward the attached comments to representatives of the Oregon Land Conservation and Development Commission and Oregon Transportation Commission. The intent of these comments is to strengthen climate-friendly transportation language in the State's draft rule. For maximum beneficial impact, these comments must be submitted to the State by mid-January 2022.

## **POLICIES, PLANS & GOALS SUPPORTED**

### **Overall CEAP Goals Supported**

- Goal 1: Reduce Community GHG Emissions.
- Goal 2: Prepare Ashland to be more resilient to climate change

### **Climate Focus Area Goals, Strategies, and Actions Supported**

#### Urban Form, Land Use, and Transportation

- Goal 2: Reduce community and City employee vehicle miles traveled and greenhouse gas emissions.
- Strategy ULT-2: Make Ashland more bike- and pedestrian-friendly.
- Action ULT-2-2: Explore opportunities to convert to shared streets where appropriate to provide multimodal connectivity.
- Action ULT-4-2: Revise community development plans to favor walkable neighborhoods and infill density.

#### Consumption and Materials Management

- Goal 3. Reduce consumption of climate- intensive food, products, and services.
- Strategy CM-1. Reduce consumption of carbon-intensive goods and services.

#### Cross-cutting and Communication

- Strategy CC-4. Engage with other governments and organizations around regional/statewide/national and international climate policy and action.

## **PREVIOUS COUNCIL ACTION**

N/A

## **BACKGROUND AND ADDITIONAL INFORMATION**

In response to the Governor's Executive Order 20-04, the Land Conservation and Development Commission (LCDC) 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. The rulemaking will significantly strengthen Oregon's rules about transportation and housing planning, particularly in the eight areas with populations over 50,000 people (Albany, Bend, Corvallis, Eugene/Springfield, Grants Pass, Medford/Ashland, Portland Metro, Salem/Keizer).

The Ashland Conservation and Climate Outreach Commission and the Transportation Commission are scheduled to review the attached letter and supporting materials at their 12/15 and 12/16 meetings, respectively.

**FISCAL IMPACTS**

There is no cost to residents, or to the City of Ashland approving and forwarding these comments.

**STAFF RECOMMENDATION**

Staff recommends approval of the attached letter.

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

I move to approve the Climate Policy Commissions letter regarding the Climate Friendly and Equitable Communities rulemaking.

**REFERENCES & ATTACHMENTS**

Attachment 1: CPC Climate-Friendly and Equitable Communities Rulemaking Comments - City Council Letter.pdf

To: LCDC Commissioner Stuart Warren and Transportation Commission member Julie Brown

Dear Commissioners,

We are writing to ask for your assistance to ensure that the Land Conservation and Development Commission's (LCDC) Climate Friendly Rule improves the safety for all road users and maximizes reductions in greenhouse gases from the transportation sector. At the most basic level we hope the Rule will serve to:

- 1) Significantly reduce greenhouse gas emissions from the transportation sector by 2035 and achieve net zero by 2050;
- 2) Transform land use in downtowns and other strategic locations to stimulate business development and boost residential use;
- 3) Redirect transportation investments to ensure that people of all ages and abilities can safely bike or walk from anywhere to everywhere; and
- 4) Make living without an automobile a practical choice in cities, and thus reduce the cost of living and improve housing affordability for Oregon's diverse households.

LCDC's Transportation Planning Rule (TPR) (OAR 660-12) included in its purpose 1(c) "to provide for safe and convenient ... pedestrian, and bicycle access and circulation" and in 3(c) a key outcome was to reduce "reliance on single occupant automobile."

Now, 30 years after the TPR's adoption in 1991, these outcomes have yet to be realized. Consequently, the costs, congestion, and carbon emissions from all forms of transportation have grown. Alternate forms of transportation, such as bicycling or walking, continue to be dangerous endeavors, and as a result, used by few.

The Climate Friendly Rule can make the vision of the original TPR a reality in Oregon cities.

**It is critical that the Rule ensures that communities construct, not just plan for, safe and convenient networks for non-car/truck modes** and thus encourage residents to walk or roll from anywhere to everywhere (just as practical as using a car or truck is today).

With these improvements, walking and bicycling could account for 25 to 35 percent of all travel by 2035, and could reach 40 percent or more by 2050. Emissions from the transportation sector would decline by roughly the same amounts. These reductions, coupled with electrification of cars and trucks, may be enough to reach net zero by

2050. But to be clear, instituting change at the local level to achieve these outcomes without clear state mandates will be challenging, if not impossible.

Studies<sup>1</sup> show that most adults, roughly 50% of residents, would like to use bicycles for nearby trips but are afraid to share the road with cars and trucks. That is understandable. At speeds above 20 MPH there is a significant risk that a person walking or riding a bicycle, if struck by an automobile, will be seriously injured or die. The risk increases substantially with higher speeds.<sup>2</sup>

The difference between a bicycle network that works for everyone versus one that works for the few is illustrated in Figure 3. Only by creating a functional, practical, safe and convenient bicycle network, including protected bike lanes on arterial and collector streets, will it be possible for the majority of people to feel safe bicycling for short trips in town and, thus, lead to a significant reduction in greenhouse gas emissions from the transportation sector.

Figure 3



### Three Types of Bicyclists

Source: Dill, J., McNeil, N. (2012). Four Types of Cyclists? Examining a Typology to Better Understand Bicycling Behavior and Potential.

**It is essential, therefore, that the Climate Friendly Rule ensures that people riding bicycles and pedestrians (vulnerable users) are physically separated from passing cars and trucks on roadways with higher speeds and volumes.** That will not be achieved with buffered bike lanes. The National Association of City Transportation Officials suggests that a buffered bike lane is only appropriate where almost all cars and trucks

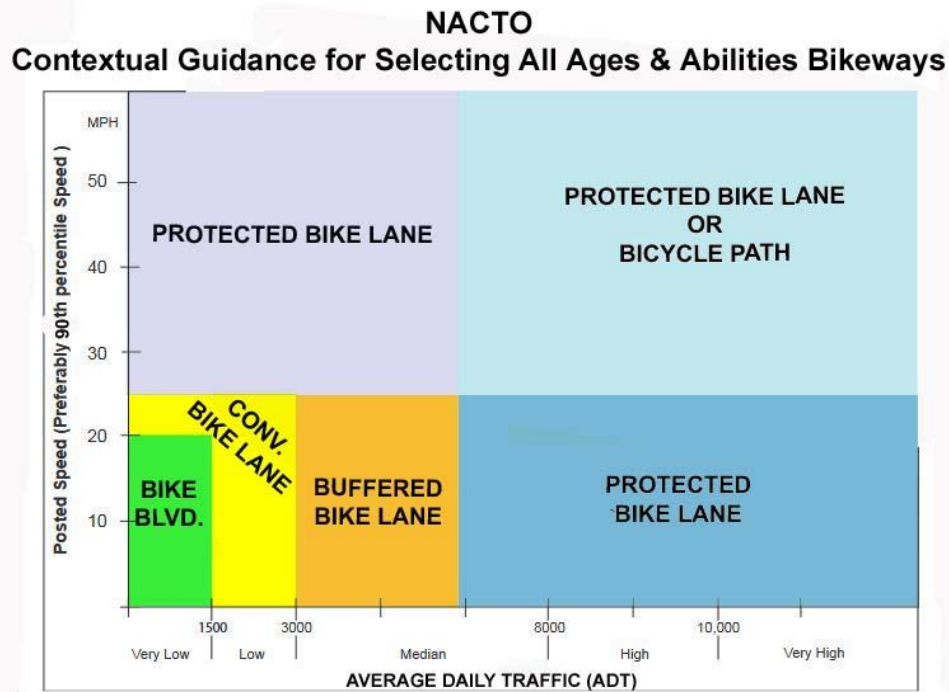
<sup>1</sup> Federal Highway Administration, *Bike Way Selection Guide*, 2019, Page 12, Figure 6

<sup>2</sup> *Literature Review on Vehicle Travel Speeds and Pedestrian Injuries Among Selected Racial/Ethnic Groups*, U. S. Department of Transportation, National Highway Traffic Safety Administration, 1991

(90<sup>th</sup> percentile speeds) are traveling at, or less than 25 MPH.<sup>3</sup> Most, if not all, motorists travel faster than that on arterial and collector streets.

Figure 2 illustrates the relatively narrow range of speed and traffic volumes where buffered bike lanes are suitable **for all ages and abilities**. As noted earlier, speeds on arterial and collector streets are faster than 25 MPH and most have volumes greater than 6,333 average daily traffic (ADT). That is too high, according to the National Association of City Transportation Officials, for buffered bike lanes.

Figure 2.



Source: National Association of City Transportation Officials, NACTO, [Designing for All Ages and Abilities](#), 2020 – Graphical Summary of Table on page 4

Similarly, on lower volume and speed streets people must be safe regardless of age, ability, or choice of mode. These changes will help Ashland and other cities ensure that kids can get to the library, school, playgrounds, friend’s or relative’s homes, or downtown by walking or rolling. This outcome will take time, but the Rule should provide cities with direction and a timeframe to get there.

**LCDC should set a performance standard for protected and separated bikeways that ensures sufficient width to allow one bicyclist to overtake and pass another slower bicyclist.** Today, users of bicycle infrastructure travel at a wide range of speeds. E-bikes can travel at a maximum, sustained speed of 20 MPH. That is contrasted with pedal

<sup>3</sup> [Designing for All Ages & Abilities: Contextual Guidance for High-Comfort Bicycle Facilities](#), National Association of City Transportation Officials, December 2017, page 4

bicycles which are typically operated at speeds of 12 MPH and scooters that travel even slower. A protected or separated bikeway without sufficient width to allow passing would not be convenient or safe. In practical terms, that means that protected bikeways should be a minimum of seven feet wide and a recommended width of eight.

The draft Rule has many excellent provisions that will reduce greenhouse gas emissions from the transportation sector, make communities safer for all road users, and boost housing affordability by reducing, for some, the cost of transportation. Yet, the Rule can be improved by requiring protected bike lanes on arterial and collector streets throughout cities and between cities when they are close by.

In closing, we ask that you please revise the Draft Transportation Planning Rule, 660-12-0610(3) as shown below (deletions are shown in ~~strike-out~~ and new language is in **bold typeface**).

**660-12-0610(3)**

~~b) Cities and counties must plan for separated or protected bicycle facilities on arterials and collectors in climate friendly areas.~~

c) Cities and counties must plan for a **separated or protected** ~~minimum of a buffered~~ bicycle lane on arterials ~~or~~ **and collectors streets within urban growth/containment boundaries and between urban areas when separated by a distance of six or fewer miles (equal to an 18-minute e-bike ride when operated at 20 MPH).** ~~where separated or protected bicycle facilities are not otherwise planned.~~

d) **Separated and protected bicycle facilities shall be of sufficient width to allow one bicyclist to overtake and pass another slower bicyclist.**

Thank you for this opportunity to comment in this important rulemaking process.

Sincerely,

Ashland City Council

CC: Land Conservation and Development Commission  
Oregon Transportation Commission