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# NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 660

**LAND CONSERVATION AND DEVELOPMENT DEPARTMENT**

**FILED: 10/29/2026 8:31 AM**

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Transportation Planning Rules Updates

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/20/2026 11:55 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:
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HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 12/03/2026
TIME: 8:00 AM
OFFICER: LCDC

IN-PERSON HEARING DETAILS
ADDRESS: Eugene City Hall, 500 E 4th Ave., Eugene, OR 97401
SPECIAL INSTRUCTIONS:
Sign up to testify: https://www.oregon.gov/lcd/Commission/Pages/Public-Comment.aspx

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 1-253-205-0468
CONFERENCE ID: 98233803246
SPECIAL INSTRUCTIONS:
Passcode: 696556
Sign up to testify: https://www.oregon.gov/lcd/Commission/Pages/Public-Comment.aspx

NEED FOR THE RULE(S):

This rulemaking includes amendments to 19 rules and repeal of 2 rules. The proposed amendments do not include any new rules. The proposed amendments are principally meant to clarify requirements for local land use and transportation planning. The most significant changes are: the repeal of OAR 660-012-0210, which would require significant review of certain land use decisions, and would take effect in 2028; and the repeal of OAR 660-044-0060, a duplicative requirement for Metro to report regularly on progress toward a set of targets.

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DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Statewide Planning Goal 12. Available at https://www.oregon.gov/lcd/OP/Documents/goal12.pdf

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STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

The State of Oregon requires that a rulemaking notice include a "statement identifying how adoption of the rule will affect racial equity in this state." ORS 183.335(2)(b)(F). For the purposes of this statement, racial equity has been defined as treating people of all races fairly, justly, and without bias. The agency is required to attempt to determine the racial groups that will be affected by the rule, and how the rule will increase or decrease disparities currently experienced by those groups. In this context, a disparate treatment of racial groups may be supportable if it addresses current disparities.

The department does not expect the proposed amendments to negatively impact racial equity or equitable outcomes. The amendments clarify existing requirements for local land use and transportation planning. The department does not expect any benefits and costs associated with the amended rules to have an impact on disparities between racial groups.

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FISCAL AND ECONOMIC IMPACT:

As part of the rulemaking process, ORS 183.335 requires a Fiscal Impact Statement to assess the expected degree to which state agencies, units of local government, tribes, and the public may be economically affected by the adoption, amendment or repeal of the rule and to estimate the economic impact on those entities. ORS 183.335(2)(b)(E) also requires that, in determining economic impact, the agency shall "project any significant economic effect of that action on businesses which shall include a cost of compliance effect on small businesses affected."

The department does not expect the proposed amendments to have a substantial fiscal impact on state agencies, units of local government, tribes, or the public. The department does not expect the proposed amendments to have a significant economic effect on businesses. The amendments clarify existing requirements for local government land use and transportation planning.

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COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

State Agencies

The amendments clarify land use and transportation planning requirements for local governments. The department expects few economic impacts to state agencies from these amendments.

Units of Local Government

The amendments clarify land use and transportation planning requirements for local governments. This clarity will make it easier for local government to administer local land use and transportation planning processes. The repeal of OAR 660-012-0210 removes a future requirement which could have created additional costs and uncertainty for local governments. The repeal of OAR 660-044-0060 removes a duplicative requirement for Metro, reducing costs.

Members of the Public

The amendments clarify land use and transportation planning requirements for local governments. The department does not expect the amendments to affect the public at large.

Small Businesses

The amendments clarify land use and transportation planning requirements for local governments. The rules apply to local governments. No small businesses are subject to the rules. As the requirements may provide benefits to local planning processes, this may provide more regulatory certainty for small businesses in affected areas. Small businesses engaged in the development of land will avoid impacts associated with local compliance with the future implementation of OAR 660-012-0210.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Representatives from small businesses were involved in the initial development of many of the affected rules. The department invited advisory committee members from those earlier processes to participate in this rulemaking process.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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HOUSING IMPACT STATEMENT:

Description of proposed change: 1. Repeal OAR 660-012-0210. 2. Amend OAR 660-012-0900 about progress reports consistent with direction from the commission. 3. Repeal OAR 660-044-0060. 4. Correct small typos, inconsistencies, and errors in OAR chapter 660, division 12.
Description of the need for, and objectives of the rule: The amendments are needed to provide additional clarity for local government implementation.
List of rules adopted or amended: Amend: 660-012-0005, 660-012-0020, 660-012-0055, 660-012-0100, 660-012-0130, 660-012-0135, 660-012-0155, 660-012-0190, 660-012-0315, 660-012-0320, 660-012-0325, 660-012-0350, 660-012-0405, 660-012-0415, 660-012-0610, 660-012-0805, 660-012-0830, 660-012-0900, 660-012-0920 Repeal: 660-012-0210, 660-044-0060
Materials and labor costs increase or savings: The department does not expect changes in material or labor costs.
Estimated administrative construction or other costs increase or savings: The department believes there may be administrative cost savings in some situations. The repeal of OAR 660-012-0210 may result in future land development projects avoiding the cost to determine whether the proposed development would increase vehicle miles travelled and avoiding costs to mitigate any increase.
Land costs increase or savings: The department does not expect changes in land costs.
Other costs increase or savings: The department does not expect changes or savings.

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RULES PROPOSED:
660-012-0005, 660-012-0012, 660-012-0020, 660-012-0055, 660-012-0100, 660-012-0130, 660-012-0135, 660-012-0155, 660-012-0190, 660-012-0210, 660-012-0315, 660-012-0320, 660-012-0325, 660-012-0350, 660-012-

0405, 660-012-0415, 660-012-0610, 660-012-0805, 660-012-0830, 660-012-0900, 660-012-0920, 660-044-0060

AMEND: 660-012-0005

RULE SUMMARY: Minor change to update a definition.

CHANGES TO RULE:

660-012-0005
Definitions ¶

For the purposes of this division, the definitions contained in ORS 197.015, 197.303, and 197.627 shall apply unless the context requires otherwise. In addition, the following definitions apply:¶
(1) "Access Management" means measures regulating access to streets, roads and highways from public roads and private driveways. Measures may include but are not limited to restrictions on the siting of interchanges, restrictions on the type and amount of access to roadways, and use of physical controls, such as signals and channelization including raised medians, to reduce impacts of approach road traffic on the main facility.¶
(2) "Accessible dwelling unit" means a dwelling unit constructed to standards capable of accommodating persons with disabilities, in compliance with ORS 447.210 through 447.280.¶
(3) "Accessible" means complying with the applicable standards of ORS 447.210 through 447.280, and where applicable, with ORS 447.310.¶
(4) "Accessway" means a walkway that provides pedestrian and or bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.¶
(5) "Affected Local Government" means a city, county, or metropolitan service district that is directly impacted by a proposed transportation facility or improvement.¶
(6) "Approach Road" means a legally constructed, public or private connection that provides vehicular access either to or from or to and from a highway and an adjoining property.¶
(7) "Area, net" means the total area of a development site exclusive of proposed or existing public rights of way, public parks, public open space, protected natural features, and any other areas permanently precluded from development due to development constraints, easements, or similar legal instruments.¶
(8) "At or near a major transit stop": "At" means a parcel or ownership that is adjacent to or includes a major transit stop generally including portions of such parcels or ownerships that are within 200 feet of a transit stop. "Near" generally means a parcel or ownership that is within 300 feet of a major transit stop. The term "generally" is intended to allow local governments through their plans and ordinances to adopt more specific definitions of these terms considering local needs and circumstances consistent with the overall objective and requirement to provide convenient pedestrian access to transit.¶
(9) "Bicycle boulevard" means bicycle facilities on streets with low motorized traffic volumes and speeds, designated and designed to give bicycle travel priority. Bicycle boulevards use signs, markings, traffic diverters, or other measures to discourage through trips by motor vehicles. A bicycle boulevard may also include traffic control features to create safe, convenient bicycle crossings of intersecting streets.¶
(10) "Climate-friendly area" means an urban mixed-use area containing, or planned to contain, a mixture of higher-density housing, jobs, businesses, and services. These areas are served by, or planned for service by, high-quality pedestrian, bicycle, and transit infrastructure and services to provide frequent and convenient connections to key destinations within the city and region. These areas feature a well-designed and connected pedestrian environment. To maximize community benefits these areas typically do not contain or require large parking lots, and are provided with abundant tree canopy and vegetation to provide shade, cooling, and other amenities to visitors, residents, and employees. Climate-friendly areas will reduce the reliance on light duty motor vehicle trips for residents, workers, and visitors by providing more proximate destinations within climate-friendly areas, improved connectivity to key destinations elsewhere in the community, and enhanced alternative transportation options.¶
(11) "Climate pollution" means emissions of greenhouse gases as defined in ORS 468A.210.¶
(12) "Commercial parking lot" means a site where the primary use is renting or leasing vehicle parking spaces. It does not include shared parking.¶
(13) "Committed transportation facilities" means those proposed transportation facilities and improvements that

are consistent with the acknowledged comprehensive plan and have approved funding for construction in a public facilities plan or the ~~Six-Year Highway or~~ Transportation Improvement Program.¶
(14) "Demand management" means actions that are designed to change travel behavior in order to improve performance of transportation facilities and to reduce need for additional road capacity. Methods may include, but are not limited to, the use of non-driving modes, ride-sharing and vanpool programs, trip-reduction ordinances, shifting to off-peak periods, and reduced or paid parking.¶
(15) "Equitable outcomes" means outcomes that burden underserved populations less than, and benefits underserved populations as much or more as, the city or county population as a whole. Examples of equitable outcomes include:¶
(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 options with better connectivity to destinations people want to reach;¶
(c) Adequate housing with access to employment, education, 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;¶
(h) Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas; and¶
(i) Increased opportunities for people with disabilities to be actively engaged in community-based decision-making processes, with supports as needed.¶
(16) "Freeway" means a limited-access highway with access points exclusively from interchanges with other streets and highways. Limited access may be provided for rural land uses in rural areas where no other access is available.¶
(17) "Horizon year" means the final year of the twenty-year planning period.¶
(18) "Influence area of an interchange" means the area 1,320 feet from an interchange ramp terminal measured on the crossroad away from the mainline.¶
(19) "Local streets" means streets that are functionally classified as local streets to serve primarily local access to property and circulation within neighborhoods or specific areas. Local streets do not include streets functionally classified as collector or arterials.¶
(20) "Local Street Standards" include but are not limited to standards for right-of-way, pavement width, travel lanes, parking lanes, curb turning radius, and accessways.¶
(21) "Major" means, in general, those facilities or developments that, considering the size of the urban or rural area and the range of size, capacity or service level of similar facilities or developments in the area, are either larger than average, serve more than neighborhood needs or have significant land use or traffic impacts on more than the immediate neighborhood:¶
(a) "Major" as it modifies transit corridors, stops, transfer stations, and new transportation facilities means those facilities that are most important to the functioning of the system or that provide a high level, volume, or frequency of service;¶
(b) "Major" as it modifies industrial, institutional, and retail development means such developments that are larger than average, serve more than neighborhood needs, or that have traffic impacts on more than the immediate neighborhood;¶
(c) Application of the term "major" will vary from area to area depending upon the scale of transportation improvements, transit facilities, and development that occur in the area. A facility considered to be major in a smaller or less densely developed area may, because of the relative significance and impact of the facility or development, not be considered a major facility in a larger or more densely developed area with larger or more intense development or facilities.¶
(22) "Major transit stop" means existing and planned transit stations, including light rail stations and other transit transfer stations, except for temporary facilities; other planned stops designated as major transit stops in a transportation system plan and existing stops that:¶
(a) Have or are planned for an above average frequency of scheduled, fixed-route service when compared to region wide service. In urban areas of 1,000,000 or more population, major transit stops are generally located along routes that have or are planned for 15-minute or better service frequency throughout the day and on weekends; and¶
(b) Are located in a transit-oriented development or within one-quarter mile of an area planned and zoned for:¶

(A) Medium or high-density residential development; or¶
(B) Intensive commercial or institutional uses within one-quarter mile of land uses in paragraph (A); or¶
(C) Uses likely to generate a relatively high level of transit ridership.¶
(23) "Metropolitan area" means the local governments that are responsible for adopting local or regional transportation system plans within a metropolitan planning organization (MPO) boundary. This includes cities, counties, and, in the Portland Metropolitan Area, Metro.¶
(24) "Metro Region 2040 Center" means the area within a boundary adopted by a city or county under Title 6 of the acknowledged Metro Urban Growth Management Functional Plan for the central city, regional centers, and town centers on Metro's 2040 Growth Concept map.¶
(25) "Metropolitan Planning Organization (MPO)" means an organization located within the State of Oregon and designated by the Governor to coordinate transportation planning in an urbanized area of the state including such designations made subsequent to the adoption of this rule. The Longview-Kelso-Rainier and Walla Walla Valley MPOs are not considered MPOs for the purposes of this division.¶
(26) "Minor transportation improvements" include, but are not limited to, signalization, addition of turn lanes or merge/deceleration lanes on arterial or collector streets, provision of local streets, transportation system management measures, modification of existing interchange facilities within public right of way and design modifications located within an approved corridor. Minor transportation improvements may or may not be listed as planned projects in a TSP where the improvement is otherwise consistent with the TSP. Minor transportation improvements do not include new interchanges; new approach roads within the influence area of an interchange; new intersections on limited access roadways, highways, or expressways; new collector or arterial streets, road realignments or addition of travel lanes.¶
(27) "Multi-unit housing" means five or more attached housing units on a single lot or parcel. A dwelling unit may be attached to another dwelling unit vertically or horizontally. Multi-unit housing does not include middle housing types, as defined in ORS 197.758, but does include five or more attached condominium dwelling units located on a collectively managed lot or parcel.¶
(28) "ODOT" means the Oregon Department of Transportation.¶
(29) "Parking benefit district" means a designated area where some of the revenues from parking fees or permits for public parking within the designated area are dedicated to public improvements in the area.¶
(30) "Parking mandates" means requirements to include or retain a carport, garage, or minimum number of off-street parking spaces with development, redevelopment, alterations, changes of use, or, for residential development, a fee-in-lieu of providing parking. It does not include requirements for parking spaces under the Americans with Disabilities Act or ORS 447.233.¶
(31) "Parking maximums" means limits on the number of off-street parking spaces that can be included in a development.¶
(32) "Parking spaces" means on and off-street spaces designated for automobile parking, other than parking spaces reserved for:¶
(a) automobiles for sale or rent;¶
(b) fleet vehicles;¶
(c) carpools or vanpools; or¶
(d) parking under the Americans with Disabilities Act.¶
(33) "Pedestrian district" means a comprehensive plan designation or implementing land use regulations, such as an overlay zone, that establish requirements to provide a safe and convenient pedestrian environment in an area planned for a mix of uses likely to support a relatively high level of pedestrian activity. Such areas include but are not limited to:¶
(a) Lands planned for a mix of commercial or institutional uses near lands planned for medium to high-density housing; or¶
(b) Areas with a concentration of employment and retail activity; and¶
(c) That have, or could develop, or have planned a network of streets and accessways that provide convenient pedestrian circulation.¶
(34) "Pedestrian facility" means a continuous, unobstructed, reasonably direct route between two points that is intended and suitable for pedestrian use. Pedestrian facilities include but are not limited to sidewalk s, walkways, accessways, stairways and pedestrian bridges. On developed parcels, pedestrian facilities are generally hard surfaced. In parks and natural areas, pedestrian facilities may be soft-surfaced pathways. On undeveloped parcels and parcels intended for redevelopment, pedestrian facilities may also include rights of way or easements for future pedestrian improvements.¶
(35) "Pedestrian plaza" means a small semi-enclosed area usually adjoining a sidewalk or a transit stop that provides a place for pedestrians to sit, stand or rest. They are usually paved with concrete, pavers, bricks, or similar material and include seating, pedestrian scale lighting, and similar pedestrian improvements. Low walls or planters and landscaping are usually provided to create a semi-enclosed space and to buffer and separate the plaza from

adjoining parking lots and vehicle maneuvering areas. Plazas are generally located at a transit stop, building entrance, or an intersection and connect directly to adjacent sidewalks, walkways, transit stops, and buildings. A plaza including 150-250 square feet would be considered "small."¶
(36) "Pedestrian scale" means site and building design elements that are dimensionally less than those intended to accommodate automobile traffic, flow, and buffering. Examples include ornamental lighting of limited height; bricks, pavers, or other modules of paving with small dimensions; a variety of planting and landscaping materials; arcades or awnings that reduce the height of walls; and signage and signpost details that can only be perceived from a short distance.¶
(37) "People with disabilities" means people who have a record or history of physical, mental, intellectual, or sensory impairments that in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.¶
(38) "Performance measure" means an indicator used to evaluate progress towards meeting performance targets in accordance with OAR 660-012-0910.¶
(39) "Performance standard" means an indicator used to review comprehensive plan and land use regulation amendments in accordance with OAR 660-012-0060.¶
(40) "Planning period" means the twenty-year period beginning with the date of adoption of a TSP to meet the requirements of this division.¶
(41) "Preliminary Design" means an engineering design that specifies in detail the location and alignment of a planned transportation facility or improvement.¶
(42) "Priority transit corridor" means a corridor that has a high existing or planned level of transit service relative to other transit service in the community, including service frequency and span of service. The corridor may be described as a series of stations when served by high-capacity transit services with widely spaced stations.¶
(43) "Reasonably direct" means either a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.¶
(44) "Refinement Plan" means an amendment to the transportation system plan, that resolves, at a systems level, determinations on function, mode or general location which were deferred during transportation system planning because detailed information needed to make those determinations could not reasonably be obtained during that process.¶
(45) "Regional Transportation Plan" or "RTP" means the long-range transportation plan prepared and adopted by a metropolitan planning organization for a metropolitan area as provided for in federal law.¶
(46) "Roads" means streets, roads, and highways.¶
(47) "Rural community" means areas defined as resort communities and rural communities in accordance with OAR 660-022-0010(6) and (7). For the purposes of this division, the area need only meet the definitions contained in the Unincorporated Communities Rule although the area may not have been designated as an unincorporated community in accordance with OAR 660-022-0020.¶
(48) "Separated or protected bicycle facilities" means bicycle facilities that are physically separated, or that are protected from motor vehicle traffic by elements designed to inhibit intrusion into the bicycle facility. Protection may include parked motor vehicles, curbs, or a raised elevation of the bicycle facility. Separated or protected bicycle facilities may be unidirectional or two-way. Separated or protected bicycle facilities are designed to address conflicting traffic at intersections and other vehicular accesses to the street or highway.¶
(49) "Shared parking" means parking spaces used to meet the parking mandates for two or more uses, structures, or parcels of land.¶
(50) "Transit-Oriented Development (TOD)" means a mix of residential, retail, and office uses and a supporting network of roads, bicycle, and pedestrian ways focused on a major transit stop designed to support a high level of transit use. The key features of transit-oriented development include:¶
(a) A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian and bicycle travel from the surrounding area;¶
(b) High density of residential development proximate to the transit stop sufficient to support transit operation and neighborhood commercial uses within the TOD;¶
(c) A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian access within the TOD and high levels of transit use.¶
(51) "Transportation Facilities" means any physical facility that moves or assist in the movement of people or goods including facilities identified in OAR 660-012-0020 but excluding electricity, sewage, and water systems.¶
(52) "Transportation System Management Measures" means techniques for increasing the efficiency, safety, capacity, or level of service of a transportation facility without increasing its size. Examples include, but are not limited to, traffic signal improvements, traffic control devices including installing medians and parking removal, channelization, access management, ramp metering, and restriping of high occupancy vehicle (HOV) lanes.¶
(53) "Transportation Needs" means estimates of the movement of people and goods consistent with an acknowledged comprehensive plan and the requirements of this division. Needs are typically 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 division, and attaining the state's goals for greenhouse gas emissions reduction, especially those for avoiding principal reliance on any one mode of transportation.¶
(54) "Transportation Needs, Local" means needs for movement of people and goods within communities and portions of counties and the need to provide access to local destinations.¶
(55) "Transportation Needs, Regional" means needs for movement of people and goods between and through communities and accessibility to regional destinations within a metropolitan area, county, or associated group of counties.¶
(56) "Transportation Needs, State" means needs for movement of people and goods between and through regions of the state and between the state and other states.¶
(57) "Transportation Options Provider" means an entity providing services that work to change travel behavior in order to increase transportation system efficiency.¶
(58) "Transportation Project Development" means implementing the transportation system plan (TSP) by determining the precise location, alignment, and preliminary design of improvements included in the TSP based on site-specific engineering and environmental studies.¶
(59) "Transportation Service" means a service for moving people and goods, such as intercity bus service and passenger rail service.¶
(60) "Transportation System Plan (TSP)" means a plan for one or more transportation facilities that are planned, developed, operated, and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.¶
(61) "Urban Area" means lands within an urban growth boundary, two or more contiguous urban growth boundaries, and urban unincorporated communities as defined by OAR 660-022-0010(9). For the purposes of this division, the area need only meet the definition contained in the Unincorporated Communities Rule although the area may not have been designated as an unincorporated community in accordance with OAR 660-022-0020.¶
(62) "Unbundled parking" means a requirement that parking spaces for each unit in a development be rented, leased, or sold separately from the unit itself. The parking space(s) must be rented, leased, or sold at market rates for comparable local off-street parking. The renter, lessor, or buyer of the unit must be allowed to opt out of renting, leasing, or buying the parking space.¶
(63) "Urban Fringe" means:¶
(a) Areas outside the urban growth boundary that are within five miles of the urban growth boundary of an MPO area; and¶
(b) Areas outside the urban growth boundary within two miles of the urban growth boundary of an urban area containing a population greater than 25,000.¶
(64) "Vehicle Miles Traveled (VMT)" means all jurisdiction household-based light vehicle travel regardless of where the travel occurs.¶
(65) "Walkway" means a hard surfaced area intended and suitable for use by pedestrians, including sidewalks and surfaced portions of accessways.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.712, ORS 197.717, ORS 197.732, ORS 197.012

AMEND: 660-012-0012

RULE SUMMARY: Minor changes for consistency.

CHANGES TO RULE:

660-012-0012
Effective Dates and Transition
(1) The rules in this division adopted on July 21, 2022, and amendments to rules in this division adopted on that date, are effective August 17, 2022, except as provided in this rule.¶
(2) A city or county subject to the requirements as provided in OAR 660-012-0100 may make interim updates to the local transportation system plan using requirements as provided in OAR 660-012-0015 if the city or county:¶
(a) Has submitted notice of the proposed change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later than December 31, 2022; or¶
(b) The interim update is not a major transportation system plan update as provided in OAR 660-012-0105, and the city or county has submitted notice of the proposed change to the comprehensive plan to the department as provided in OAR 660-018-0020 no later than June 30, 2027. Interim updates must comply with applicable requirements in this division within the scope of the transportation system plan amendment but need not bring the entire transportation system plan in compliance with all applicable regulations.¶
(3) Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or deadlines in section (4) of this rule.¶
(a) A submitted proposal for alternative dates shall include:¶
(A) A description of any work already underway to begin complying with the new or amended requirements of this division;¶
(B) Proposed dates for accomplishing requirements in lieu of effective dates or deadlines provided in this rule; and¶
(C) A schedule for updating local transportation system plans to comply with new or amended requirements of this division.¶
(b) Proposed alternative dates must demonstrate consistent progress toward meeting the updated requirements of this division. Proposed alternative dates must include completion of all elements included in the alternative dates, except for a major update to the transportation system plan, by December 31, 2029.¶
(c) Proposed alternative dates should be designed to sequence work in a logical progression, considering acknowledged plans, other work, and the work of other jurisdictions within the metropolitan area. Cities and counties in a metropolitan area may submit joint proposed alternative dates for a metropolitan area.¶
(d) Local governments in regions required to submit a work program as provided in OAR 660-044-0015 may submit a single combined work program that proposes alternative dates as provided in this rule and meets the requirements as provided in OAR 660-044-0100.¶
(e) The director shall review the proposed alternative dates to determine whether the proposed alternative dates meet the following criteria:¶
(A) Ensures urgent action;¶
(B) Coordinates actions across jurisdictions within the metropolitan area;¶
(C) Coordinates with work required as provided in OAR 660-044-0100;¶
(D) Sequences elements into a logical progression; and¶
(E) Considers availability of funding and other resources to complete the work.¶
(f) Upon the director finding the proposed alternative dates meet the criteria in (f), the alternative dates shall be used.¶
(g) The director may modify alternative dates at any time as necessary to achieve the purposes of this division.¶
(4) The dates in this section apply unless alternative dates are approved by the director as provided in section (3).¶
(a) Cities outside the Portland Metropolitan Area with a population over 5,000 in the urban area, and counties outside the Portland Metropolitan Area with an unincorporated population over 5,000 in the urban area, must adopt a major transportation system plan update as provided in OAR 660-012-0105 by December 31, 2029.¶
(b) The provisions of OAR 660-012-0215 requiring the adoption of multiple transportation performance standards take effect upon the adoption of a major update to the local transportation system plan.¶
(c) A city or county that is subject to the requirements of OAR 660-012-0310 shall adopt land use requirements for climate-friendly areas and a climate-friendly comprehensive plan element as provided in OAR 660-012-0315 by December 31, 2024.¶
(d) Metro shall amend its Urban Growth Management Functional Plan in conjunction with its next growth management analysis under ORS 197.296 and no later than December 31, 2024, to require each city and county within Metro to:¶

(A) By December 31, 2025, adopt boundaries for all ~~regional and town c~~Metro Region 2040 Centers identified on Metro's 2040 Growth Concept map for which the city or county has adopted urban land use designations in their comprehensive plan, except for any portions of centers that have boundaries adopted by another city or county;¶
(B) Adopt boundaries for any other ~~regional and town c~~Metro Region 2040 Centers identified on Metro's 2040 Growth Concept map when the city or county adopts urban land use designations for the area of that center in their comprehensive plan, unless portions of the center have boundaries already adopted by another city or county; and¶
(C) Identify boundaries for ~~regional and town c~~Metro Region 2040 Centers that are adopted pursuant to this subsection to be located in the general area of the center as identified in the Metro 2040 Growth Concept map.¶
(e) Cities and counties shall adopt land use regulations to meet the requirements of OAR 660-012-0330 no later than the date of adoption of a major transportation system plan update as provided in OAR 660-012-0105.¶
(f) Cities and counties shall adopt comprehensive plan amendments and land use regulations meeting requirements provided in OAR 660-012-0400, OAR 660-012-0405, and OAR 660-012-0415 through OAR 660-012-0450 no later than June 30, 2023, except as provided below. If a city or county has not done so, it may not enforce parking mandates after that date.¶
(A) Cities and counties that pass population thresholds in OAR 660-012-0400, OAR 660-012-0415, or OAR 660-012-0450 must adopt comprehensive plan amendments and land use regulations meeting requirements within 12 months of passing those population thresholds.¶
(B) If cities and counties adopt an approach in OAR 660-012-0445, policies must take effect no later than June 30, 2023.¶
(C) Cities and counties adopting an approach in OAR 660-012-0435 shall do so concurrently with adoption of any climate-friendly area under OAR 660-012-0315.¶
(g) Cities choosing to report on the share of on-street parking spaces that are priced as provided in OAR 660-012-0450(1)(b) must:¶
(A) Demonstrate at least five percent of on-street parking spaces are priced by September 30, 2023; and¶
(B) Demonstrate at least 10 percent of on-street parking spaces are priced by September 30, 2025.¶
(5) The following dates and provisions may not be adjusted through proposed alternative dates as provided in section (3):¶
(a) The provisions of OAR 660-012-0210 take effect December 31, 2027.¶
(b) A city or county subject to the requirements of OAR 660-012-0310 shall submit a study of climate-friendly areas as provided in OAR 660-012-0315(4) and (5) by December 31, 2023.¶
(c) The provisions of OAR 660-012-0310(4)(a) and (b) take effect June 30, 2023.¶
(d) Cities shall implement the requirements for electric vehicle charging as provided in OAR 660-012-0410 no later than March 31, 2023.¶
(e) Cities and counties shall implement the requirements of OAR 660-012-0430 and 660-012-0440 when reviewing development applications submitted after December 31, 2022.¶
(f) The provisions of OAR 660-012-0350(1)(a) take effect December 31, 2029.¶
(g) The provisions of OAR 660-012-0830(2)(b) take effect upon the adoption of a major update to the local transportation system plan.¶
(6) Cities and counties with voter-approved bond-funded projects where the election occurred before January 1, 2022 may use approved bond funding as a factor when prioritizing projects in an unconstrained project list as provided in OAR 660-012-0170(4).¶
(7) The first reporting year for the reporting requirements provided in OAR 660-012-0900 is 2023, with reports due no later than May 31, 2024.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.712, ORS 197.296, ORS 455.417

AMEND: 660-012-0020

RULE SUMMARY: Minor change to remove an outdated provision.

CHANGES TO RULE:

660-012-0020
Elements of Transportation System Plans ¶

(1) A TSP shall establish a coordinated network of transportation facilities adequate to serve state, regional and local transportation needs.¶
(2) The TSP shall include the following elements:¶
(a) A determination of transportation needs as provided in OAR 660-012-0030;¶
(b) A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections. Functional classifications of roads in regional and local TSP's shall be consistent with functional classifications of roads in state and regional TSP's and shall provide for continuity between adjacent jurisdictions. The standards for the layout of local streets shall provide for safe and convenient bike and pedestrian circulation necessary to carry out OAR 660-012-0045(3)(b). New connections to arterials and state highways shall be consistent with designated access management categories. The intent of this requirement is to provide guidance on the spacing of future extensions and connections along existing and future streets which are needed to provide reasonably direct routes for bicycle and pedestrian travel. The standards for the layout of local streets shall address:¶
(A) Extensions of existing streets;¶
(B) Connections to existing or planned streets, including arterials and collectors; and¶
(C) Connections to neighborhood destinations.¶
(c) A public transportation plan which:¶
(A) Describes public transportation services for the transportation disadvantaged and identifies service inadequacies;¶
(B) Describes intercity bus and passenger rail service and identifies the location of terminals;¶
(C) For areas within an urban growth boundary which have public transit service, identifies existing and planned transit trunk routes, exclusive transit ways, terminals and major transfer stations, major transit stops, and park-and-ride stations. Designation of stop or station locations may allow for minor adjustments in the location of stops to provide for efficient transit or traffic operation or to provide convenient pedestrian access to adjacent or nearby uses.¶
(D) For areas within an urban area containing a population greater than 25,000 persons, not currently served by transit, evaluates the feasibility of developing a public transit system at buildout. Where a transit system is determined to be feasible, the plan shall meet the requirements of paragraph (2)(c)(C) of this rule.¶
(d) A bicycle and pedestrian plan for a network of bicycle and pedestrian routes throughout the planning area. The network and list of facility improvements shall be consistent with the requirements of ORS 366.514;¶
(e) An air, rail, water and pipeline transportation plan which identifies where public use airports, mainline and branchline railroads and railroad facilities, port facilities, and major regional pipelines and terminals are located or planned within the planning area. For airports, the planning area shall include all areas within airport imaginary surfaces and other areas covered by state or federal regulations;¶
(f) For areas within an urban area containing a population greater than 25,000 persons a plan for transportation system management and demand management;¶
(g) ~~A parking plan in MPO areas as provided in OAR 660-012-0045(5)(c);¶~~
~~(h)~~ Policies and land use regulations for implementing the TSP as provided in OAR 660-012-0045;¶
(~~i~~h) For areas within an urban growth boundary containing a population greater than 2500 persons, a transportation financing program as provided in OAR 660-012-0040.¶
(3) Each element identified in subsections (2)(b)-(d) of this rule shall contain:¶
(a) An inventory and general assessment of existing and committed transportation facilities and services by function, type, capacity and condition:¶
(A) The transportation capacity analysis shall include information on:¶
(i) The capacities of existing and committed facilities;¶
(ii) The degree to which those capacities have been reached or surpassed on existing facilities; and¶
(iii) The assumptions upon which these capacities are based.¶
(B) For state and regional facilities, the transportation capacity analysis shall be consistent with standards of facility performance considered acceptable by the affected state or regional transportation agency;¶
(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).¶
(b) A system of planned transportation facilities, services and major improvements. The system shall include a description of the type or functional classification of planned facilities and services and their planned capacities and performance standards;¶
(c) A description of the location of planned facilities, services and major improvements, establishing the general corridor within which the facilities, services or improvements may be sited. This shall include a map showing the general location of proposed transportation improvements, a description of facility parameters such as minimum and maximum road right of way width and the number and size of lanes, and any other additional description that is appropriate;¶
(d) Identification of the provider of each transportation facility or service.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 195.012, ORS 197.040, ORS 197.712, ORS 197.717, ORS 197.732

AMEND: 660-012-0055

RULE SUMMARY: Minor changes for consistency.

CHANGES TO RULE:

660-012-0055
Timing of Adoption and Update of Transportation System Plans; Exemptions ¶

(1) MPOs shall complete regional TSPs for their planning areas by May 8, 1996. For those areas within a MPO, cities and counties shall adopt local TSPs and implementing measures within one year following completion of the regional TSP:¶
(a) If by May 8, 2000, a Metropolitan Planning Organization (MPO) has not adopted a regional transportation system plan that meets the VMT reduction standard in OAR 660-012-0035 and the metropolitan area does not have an approved alternative standard established pursuant to OAR 660-012-0035, then the cities and counties within the metropolitan area shall prepare and adopt an integrated land use and transportation plan as outlined in OAR 660-012-0035. Such a plan shall be prepared in coordination with the MPO and shall be adopted within three years;¶
(b) When an area is designated as an MPO or is added to an existing MPO, the affected local governments shall, within one year of adoption of the regional transportation plan, adopt a regional TSP in compliance with applicable requirements of this division and amend local transportation system plans to be consistent with the regional TSP.¶
(c) Local governments in metropolitan areas may request and the commission may by order grant an extension for completing an integrated land use and transportation plan required by this division. Local governments requesting an extension shall set forth a schedule for completion of outstanding work needed to complete an integrated land use and transportation plan as set forth in OAR 660-012-0035. This shall include, as appropriate:¶
(A) Adoption of a long-term land use and transportation vision for the region;¶
(B) Identification of centers and other land use designations intended to implement the vision;¶
(C) Adoption of housing and employment allocations to centers and land use designations; and¶
(D) Adoption of implementing plans and zoning for designated centers and other land use designations.¶
(d) Local governments within metropolitan areas that are not in compliance with the requirements of this division to adopt or implement a standard to increase transportation choices or have not completed an integrated land use and transportation plan as required by this division shall review plan and land use regulation amendments and adopt findings that demonstrate that the proposed amendment supports implementation of the region's adopted vision, strategy, policies or plans to increase transportation choices and reduce reliance on the automobile.¶
(2) A plan or land use regulation amendment supports implementation of an adopted regional strategy, policy or plan for purposes of this section if it achieves the following as applicable:¶
(a) Implements the strategy or plan through adoption of specific plans or zoning that authorizes uses or densities that achieve desired land use patterns;¶
(b) Allows uses in designated centers or neighborhoods that accomplish the adopted regional vision, strategy, plan or policies; and¶
(c) Allows uses outside designated centers or neighborhood that either support or do not detract from implementation of desired development within nearby centers.¶
(3) For areas outside an MPO, cities and counties shall complete and adopt regional and local TSPs and implementing measures by May 8, 1997.¶
(4) By November 8, 1993, affected cities and counties shall, for non-MPO urban areas of 25,000 or more, adopt land use and subdivision ordinances or amendments required by OAR 660-012-0045(3), (4)(a)-(f) and (5)(d). By May 8, 1994 affected cities and counties within MPO areas shall adopt land use and subdivision ordinances or amendments required by 660-012-0045(3), (4)(a)-(e) and (5)(e). Affected cities and counties which do not have acknowledged ordinances addressing the requirements of this section by the deadlines listed above shall apply 660-012-0045(3), (4)(a)-(g) and (5)(e) directly to all land use decisions and all limited land use decisions.¶
(5)(a) Affected cities and counties that either:¶
(A) Have acknowledged plans and land use regulations that comply with this rule as of May 8, 1995, may continue to apply those acknowledged plans and land use regulations; or¶
(B) Have plan and land use regulations adopted to comply with this rule as of April 12, 1995, may continue to apply the provisions of this rule as they existed as of April 12, 1995, and may continue to pursue acknowledgment of the adopted plans and land use regulations under those same rule provisions provided such adopted plans and land use regulations are acknowledged by April 12, 1996. Affected cities and counties that qualify and make this election under this paragraph shall update their plans and land use regulations to comply with the 1995 amendments to OAR 660-012-0045 as part of their transportation system plans.¶

(b) Affected cities and counties that do not have acknowledged plans and land use regulations as provided in subsection (a) of this section, shall apply relevant sections of this rule to land use decisions and limited land use decisions until land use regulations complying with this amended rule have been adopted.¶
(6) Cities and counties shall update their TSPs and implementing measures as necessary to comply with this division at each periodic review subsequent to initial compliance with this division. Local governments within metropolitan areas shall amend local transportation system plans to be consistent with an adopted regional transportation system plan within one year of the adoption of an updated regional transportation system plan or by a date specified in the adopted regional transportation system plan.¶
(7) The director may ~~grant~~approve a whole or partial exemption from the requirements of this division to cities under 10,000 population and counties under 25,000 population, and for areas within a county within an urban growth boundary that contains a population less than 10,000. Eligible jurisdictions may request that the director approve an exemption from all or part of the requirements in this division. Exemptions shall be for a period determined by the director or until the jurisdiction's next periodic review, whichever is shorter.¶
(a) The director's decision to approve an exemption shall be based upon the following factors:¶
(A) Whether the existing and committed transportation system is generally adequate to meet likely transportation needs;¶
(B) Whether the new development or population growth is anticipated in the planning area over the next five years;¶
(C) Whether major new transportation facilities are proposed which would affect the planning areas;¶
(D) Whether deferral of planning requirements would conflict with accommodating state or regional transportation needs; and¶
(E) Consultation with the Oregon Department of Transportation on the need for transportation planning in the area, including measures needed to protect existing transportation facilities.¶
(b) The director's decision to ~~grant~~approve an exemption under this section is appealable to the commission as provided in OAR 660-002-0020 (Delegation of Authority Rule)¶
(8) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter 660, division 18, Post Acknowledgment Procedures.
Statutory/Other Authority: ORS 183, ORS 197.040, ORS 197.245
Statutes/Other Implemented: ORS 19~~5~~7.0~~25,~~40, ORS 19~~7~~5.0~~40,~~25, ORS 197.230, ORS 197.245, ORS 197.610 - 197.625, ORS 197.628 - 197.646, ORS 197.712, ORS 197.717

AMEND: 660-012-0100

RULE SUMMARY: Minor changes for consistency.

CHANGES TO RULE:

660-012-0100
Transportation System Plans in Metropolitan Areas
(1) Cities and counties shall develop and adopt a transportation system plan. Cities and counties shall develop a transportation system plan and amendments to that plan consistent with the provisions of OAR 660-012-0105 through OAR 660-012-0215. A transportation system plan includes the following elements:¶
(a) The core transportation system plan elements as provided in section (2);¶
(b) Funding projections as provided in OAR 660-012-0115;¶
(c) A transportation options element as provided in OAR 660-012-0145;¶
(d) An unconstrained project list as provided in OAR 660-012-0170;¶
(e) A financially-constrained project list as provided in OAR 660-012-0180;¶
(f) Any refinement plans adopted as provided in OAR 660-012-0190;¶
(g) A pedestrian system element as provided in OAR 660-012-0500;¶
(h) A bicycle system element as provided in OAR 660-012-0600;¶
(i) A public transportation system element as provided in OAR 660-012-0700; and¶
(j) A street and highway system element as provided in OAR 660-012-0800.¶
(2) A transportation system plan shall include the following core elements:¶
(a) The base and planning horizon years as provided in section (3) of this rule;¶
(b) The land use assumptions as provided in OAR 660-012-0340;¶
(c) A list of all elements of the plan, and the date of adoption or amendment of each;¶
(d) The coordinated land use and transportation system planning policies in the comprehensive plan;¶
(e) The local transportation system plan goals and policies;¶
(f) Areas with concentrations of underserved populations as provided in OAR 660-012-0125, identified using best available data;¶
(g) A record of the engagement, involvement, and decision-making processes used in development of the plan, as provided in OAR 660-012-0130;¶
(h) A major equity analysis as provided in OAR 660-012-0135 or an engagement-focused equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in population; and¶
(i) The dates of each report made to the director as provided in OAR 660-012-0900, including all applicable city and county reports for the planning area.¶
(3) Cities and counties shall determine the base and horizon years of a transportation system plan as follows:¶
(a) The base year is the present or past year which is used for the development of plan elements. The base year shall be the year of adoption of a major update to the transportation system plan, or no earlier than five years prior.¶
(b) The horizon year is the future year for which the plan contains potential projects and shall be at least twenty years from the year of adoption of a major update to the transportation system plan.¶
(4) The director may ~~grant~~approve a whole or partial exemption from the requirements of this division to cities and counties with a population of less than 10,000 within the urban area. The director may also grant a whole or partial temporary exemption from the requirements of this division to jurisdictions of any size that are newly included in an existing metropolitan area or a newly designated metropolitan area. The director shall use the criteria and process as provided in OAR 660-012-0055(7) to decide to approve an exemption.¶
(5) The development of a transportation system plan shall be coordinated with affected cities, counties, transportation facility owners, and transportation service providers, and transportation options providers.¶
(6) Adoption or amendment of a transportation system plan shall constitute the land use decision regarding the function, mode, general location, and need for transportation facilities, services, and major improvements.¶
(7) Adoption or amendment of a transportation system plan shall include findings of compliance with applicable statewide planning goals, acknowledged comprehensive plan policies, and land use regulations.¶
(8) Cities and counties shall design transportation system plans to achieve transportation performance targets as provided in OAR 660-012-0910.¶
(9) Metro shall adopt a regional transportation system plan provided in OAR 660-012-0140.¶
(10) Cities and counties in the Portland Metropolitan Area shall additionally meet the requirements as provided in OAR 660-012-0140.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.180, ORS 197.200, ORS 197.274, ORS 197.712

AMEND: 660-012-0130

RULE SUMMARY: Update to tribal notification language.

CHANGES TO RULE:

660-012-0130
Decision-Making with Underserved Populations
(1) Cities and counties shall, as a part of an involvement program required as provided in OAR 660-015-0000(1), center the voices of underserved populations in processes at all levels of decision-making under this division. Actions that may accomplish this include, but are not limited to:¶
(a) Reporting regularly on progress made under this rule as provided by section (3);¶
(b) Conducting equity analyses as provided in OAR 660-012-0135;¶
(c) Considering the effect on underserved populations when developing plans, including land use plans and plans for public investment;¶
(d) Developing decision-making factors that recognize and work to reduce historic and current inequities; and,¶
(e) Engaging in additional outreach activities with underserved populations and in areas with concentrations of underserved populations. Such outreach activities should include activities in multiple languages and formats, and be accessible to:¶
(A) People with disabilities,¶
(B) People without internet access, and¶
(C) People with limited transportation and child care options, and with schedule constraints around employment or other critical responsibilities.¶
(2) Cities and counties shall ~~identify federally recognized sovereign tribe~~obtain an updated list of tribal governments ~~w~~hose ~~ancestral lands include the planning area. The city or county shall engage with affect~~lding interest in the land within the planning area from the Oregon Legislative Commission on Indian Services. For purposes of this section, tribal government means the governments of the nine federally recognized ~~t~~Tribes ~~to notify them~~of Oregon. The city or county shall notify identified tribal governments of coordinated land use and transportation planning activities and projects under this division.¶
(3) Cities and counties shall regularly assess and report on progress made under this rule by:¶
(a) Reporting to the department annually as provided in OAR 660-012-0900;¶
(b) Making regular reports to the planning commission and governing body of the city or county; and¶
(c) Making regular public reports to the community.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0135

RULE SUMMARY: Minor changes for readability.

CHANGES TO RULE:

660-012-0135
Equity Analysis
(1) Cities and counties shall determine whether the land use and transportation plans required in this division improve outcomes for underserved populations by using an equity analysis. An equity analysis is intended to determine benefits and burdens on underserved populations, as identified in OAR 660-012-0125.¶
(2) A city or county must engage in either a major equity analysis or an engagement-focused equity analysis as provided in this division, including in the following circumstances:¶
(a) A major equity analysis must be conducted when making a major update to a transportation system plan for an urban area of 5,000 in population or larger, as provided in OAR 660-012-0100(2).¶
(b) An engagement-focused equity analysis must be conducted:¶
(A) When making a major update to a transportation system plan for an urban area under 5,000 in population, as provided in OAR 660-012-0100(2);¶
(B) When making a minor update to a transportation system plan, as provided in OAR 660-012-0105(1);¶
(C) When designating a climate-friendly area, as provided in OAR 660-012-0315(4)(c); and¶
(D) When choosing to authorize a proposed facility, as provided in OAR 660-012-0830(2)(f).¶
(3) A city or county engaging in a major equity analysis shall conduct all the actions in the engagement-focused equity analysis in section (4). In addition, a city or county shall:¶
(a) Assess, document, acknowledge, and address where current and past land use, transportation, and housing policies and effects of climate change have harmed or are likely to harm underserved populations;¶
(b) Assess, document, acknowledge, and address where current and past racism in land use, transportation, and housing has harmed or is likely to harm underserved populations;¶
(c) Identify geographic areas with ~~significantly~~ disproportionate concentrations of underserved populations;¶
(d) Develop key performance measures as required in OAR 660-012-0905, or review existing performance measures, for key community outcomes as provided in subsection (4)(a) over time; and¶
(e) Use the best available data in conducting <u>sub</u>sections (a) through (d).¶
(4) A city or county conducting an engagement-focused equity analysis shall:¶
(a) Engage with members of underserved populations as identified in OAR 660-012-0125 to develop key community outcomes;¶
(b) Gather, collect, and value qualitative and quantitative information, including lived experience, from the community on how the proposed change benefits or burdens underserved populations;¶
(c) Recognize where and how intersectional discrimination compounds disadvantages;¶
(d) Analyze the proposed changes for impacts and alignment with desired key community outcomes and key performance measures under OAR 660-012-0905;¶
(e) Adopt strategies to create greater equity or minimize negative consequences; and¶
(f) Report back and share the information learned from the analysis and unresolved issues with people engaged as provided in subsection (a).
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0155

RULE SUMMARY: Minor change for clarification.

CHANGES TO RULE:

660-012-0155
Prioritization Framework
(1) Cities, counties, Metro, and state agencies shall use the framework in this rule for decision making regarding prioritization of transportation facilities and services. Cities, counties, Metro, and state agencies shall consider the following:¶
(a) Prioritization factors as provided in section (3);¶
(b) Classification of facilities or segments as provided in section (4);¶
(c) The planned land use context as provided in section (5); and¶
(d) Expected primary users as provided in section (6).¶
(2) Cities, counties, Metro, and state agencies may use local values determined through engagement as provided in OAR 660-012-0120 to weight various prioritized factors when making prioritization decisions as provided in this division.¶
(3) Cities, counties, Metro, and state agencies shall prioritize transportation facilities and services based on the following factors:¶
(a) Meeting greenhouse gas reduction targets, including:¶
(A) Reducing per-capita vehicle miles traveled to meet greenhouse gas reduction targets provided in OAR 660-044-0020 or OAR 660-044-0025;¶
(B) Supporting compact, pedestrian-friendly patterns of development in urban areas, particularly in climate-friendly areas and Metro Region 2040 Centers;¶
(C) Reducing single-occupant vehicle travel as a share of overall travel; and¶
(D) Meeting performance targets set as provided in OAR 660-012-0910.¶
(b) Improving equitable outcomes for underserved populations identified in OAR 660-012-0125;¶
(c) Improving safety, particularly reducing or eliminating fatalities and serious injuries;¶
(d) Improving access for people with disabilities;¶
(e) Improving access to destinations, particularly key destinations identified as provided in OAR 660-012-0360;¶
(f) Completing the multimodal transportation network, including filling gaps and making connections;¶
(g) Supporting the economies of the community, region, and state; and¶
(h) Other factors determined in the community.¶
(4) Cities, counties, Metro, and state agencies shall consider the functional classification of planned or existing transportation facilities or segments when making decisions about appropriate transportation facilities and services. Cities, counties, Metro, and state agencies may establish mode-specific functional classifications for each mode on any facility or segment that they own and operate.¶
(5) Cities, counties, Metro, and state agencies shall consider the planned land use context around an existing or planned transportation facility or segment when making decisions about appropriate transportation facilities and services.¶
(a) Within climate-friendly areas, cities, counties, Metro, and state agencies shall prioritize pedestrian, bicycle, and public transportation facilities and services. Cities, counties, Metro, and state agencies shall ensure facilities are planned for these modes to experience safe, low stress, and comfortable travel for people of all ages and abilities within climate-friendly areas with minimal interference from motor vehicle traffic.¶
(b) In areas with concentrations of underserved populations, cities, counties, Metro, and state agencies shall prioritize transportation projects addressing historic and current marginalization. Proposed transportation projects in these areas must work to rectify previous harms and prevent future harms from occurring. These areas may have suffered from disinvestment or harmful investments, including transportation system investments. Such harms include but are not limited to displacement, increased exposure to pollutants, destruction and division of neighborhoods, heat islands, and unsafe conditions for pedestrians, cyclists, transit users, and others.¶
(6) Cities, counties, Metro, and state agencies shall consider the expected primary users of an existing or planned transportation facility or segment when making decisions about appropriate transportation facilities and services. In particular:¶
(a) In areas near schools or other locations with expected concentrations of children, or areas with expected concentrations of older people or people with disabilities, cities, counties, Metro, and state agencies must prioritize safe, protected, and continuous pedestrian and bicycle networks connecting to key destinations, including transit stops.¶
(b) In industrial areas, along routes accessing key freight terminals, and other areas where accommodations for

freight are needed, cities, counties, Metro, and state agencies must consider the needs of freight users. Pedestrian, bicycle, and public transportation system connections must be provided in industrial areas at a level that provides safe access for workers.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.180, ORS 197.712, ORS 468A.205

AMEND: 660-012-0190

RULE SUMMARY: Minor change for readability.

CHANGES TO RULE:

660-012-0190
Transportation System Refinement Plans
(1) A city or county may, when adopting a major update to the transportation system plan as provided in OAR 660-012-0105, defer decisions regarding function, general location, and mode to~~f~~ a refinement plan if findings are adopted that:¶
(a) Identify the transportation need for which decisions regarding function, general location, or mode are being deferred;¶
(b) Demonstrate why information required to make final determinations regarding function, general location, or mode cannot reasonably be made available within the time allowed for preparation of the transportation system plan;¶
(c) Explain how deferral does not invalidate the assumptions upon which the transportation system plan is based or preclude implementation of the remainder of the transportation system plan;¶
(d) Describe the nature of the findings that will be needed to resolve issues deferred to a refinement plan; and¶
(e) Set a deadline for adoption of a refinement plan.¶
(2) Where a Corridor Environmental Impact Statement (EIS) is prepared pursuant to the requirements of the National Environmental Policy Act of 1969, the development of the refinement plan shall be coordinated with the preparation of the Corridor EIS. The refinement plan shall be adopted prior to the issuance of the Final EIS.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.200, ORS 197.712

REPEAL: 660-012-0210

RULE SUMMARY: Repeal rule.

CHANGES TO RULE:

~~660-012-0210~~
~~Transportation Modeling and Analysis~~
~~(1) This rule does not become effective until December 31, 2027.¶~~
~~(2) A city or county relying on transportation models or mathematical analysis of the transportation system to make a land use decision shall do so consistently with this rule.¶~~
~~(3) The model or analysis must account for changes in vehicle miles traveled per capita that would result from any transportation projects proposed as a part of the land use decision.¶~~
~~(4) The assumptions and inputs used with the modeling or analysis must be consistent with acknowledged plans.¶~~
~~(5) The modeling or analysis must demonstrate that the land use decision will not increase vehicle miles traveled per capita.~~
~~Statutory/Other Authority: ORS 197.040~~
~~Statutes/Other Implemented: ORS 197.012, ORS 197.712~~

AMEND: 660-012-0315

RULE SUMMARY: Minor changes for consistency and updates to rule references.

CHANGES TO RULE:

660-012-0315
Designation of Climate-Friendly Areas
(1) The designation of climate-friendly areas refers to the process of studying potential climate-friendly areas and adopting land use requirements and climate-friendly elements into comprehensive plans, as provided in this rule. Cities and counties subject to the requirements of OAR 660-012-0310 with a population greater than 10,000 shall designate climate-friendly areas sufficient to accommodate at least 30 percent of the total identified number of housing units necessary to meet all current and future housing needs by calculating zoned building capacity as provided in section (2), or using an alternative method~~ology~~ as provided in OAR 660-012-0320(10).¶
(a) A local government may designate one or more climate-friendly areas to accommodate at least 30 percent of housing units.¶
(b) The total number of housing units necessary to meet all current and future housing needs shall be determined from the local government's most recently adopted and acknowledged analysis of housing capacity and needed housing consistent with ORS 197.296 at the time it was adopted, by adding the total number of existing dwelling units identified in the buildable land inventory to the anticipated number of future needed housing units over the planning period of the housing capacity analysis.¶
(2) Cities and counties subject to section (1) shall calculate the housing unit capacity within climate-friendly areas, as follows:¶
(a) Regardless of existing development in a climate-friendly area, determine the potential square footage of zoned building capacity for each net developable area based on proposed development standards for the climate-friendly area, including applicable setbacks, allowed building heights, open space requirements, on-site parking requirements, and all other applicable regulations that would impact the developable site area. Within developed areas with no blocks greater than 5.5 acres, analysis of net developable areas may be conducted for each city block, without regard to property boundaries within the block. Within areas of 5.5 acres or more bounded by streets, the local government shall assume the same ratio of gross land area to net land area as that which exists in the most fully developed urban center within the city or county.¶
(b) Where the local government has not established a maximum building height, assumed building height shall be 85 feet. For the purpose of calculating zoned building capacity, cities and counties may assume the following number of floors within multistory buildings, based on allowed building heights:¶
(A) Thirty feet allows two floors.¶
(B) Forty feet allows three floors.¶
(C) Fifty feet allows for four floors.¶
(D) Sixty feet allows for five floors.¶
(E) Seventy-five feet allows for six floors.¶
(F) Eighty-five feet allows for seven floors.¶
(c) If a local government allows height bonuses above the maximum building heights used for calculations in subsection (b), the local government may include 25 percent of that additional zoned building capacity when the bonuses:¶
(A) Allow building heights above the minimums established in OAR 660-012-0320(8); and,¶
(B) Allow height bonuses for publicly-subsidized housing serving households with an income of 80 percent or less of the area median household income, or height bonuses for the construction of accessible dwelling units, as defined in OAR 660-008-00<u>0</u>5~~0(4)(a)~~, in excess of minimum requirements.¶
(d) Local governments shall assume that residential dwellings will occupy 30 percent of the zoned building capacity calculated in subsections (a), (b), and (c) within climate-friendly areas. Public parks and open space areas within climate-friendly areas that are precluded from development shall not be included in calculations of zoned building capacity, but may be counted towards minimum area and dimensional requirements for climate-friendly areas. Zoning and development standards for public parks and open space areas are exempted from compliance with the land use requirements in OAR 660-012-0320 if the existing zoning standards do not allow residential, commercial, or office uses.¶
(e) Local governments shall assume an average dwelling unit size of 900 square feet. Local governments shall use the average dwelling unit size to convert the square footage of zoned residential building capacity calculated in subsection (d) into an estimate of the number of dwelling units that may be accommodated in the climate-friendly area.¶
(3) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of 10,000 or less shall

designate at least 25 acres of land as climate-friendly area.¶
(4) Cities and counties must submit a study of potential climate-friendly areas to the department as provided in this rule. The study of potential climate-friendly areas shall include the following information:¶
(a) Maps showing the location and size of all potential climate-friendly areas. Cities and counties shall use the study process to identify the most promising area or areas to be chosen as climate-friendly areas but are not required to subsequently adopt and zone each studied area as a climate-friendly area.¶
(b) Cities and counties subject to section (1) shall provide preliminary calculations of zoned residential building capacity and resultant residential dwelling unit capacity within each potential climate-friendly area consistent with section (2), or using an alternative method~~ology~~ as provided in OAR 660-012-0320(10), and using land use requirements within each climate-friendly area as provided in OAR 660-012-0320. Potential climate-friendly areas must be cumulatively sized and zoned to accommodate at least 30 percent of the total identified number of housing units as provided in section (1).¶
(c) A community engagement plan for the designation of climate-friendly areas, including the process to adopt associated amendments to the comprehensive plan and zoning code, consistent with the requirements of OAR 660-012-0120 through 660-012-0130. The community engagement plan shall be consistent with the requirements for an engagement-focused equity analysis as provided in OAR 660-012-0135(4).¶
(d) Analysis of how each potential climate-friendly area complies, or may be brought into compliance, with the requirements of OAR 660-012-0310(2).¶
(e) A preliminary evaluation of existing development standards within the potential climate-friendly area(s) and a general description of any changes necessary to comply with the requirements of OAR 660-012-0320.¶
(f) Plans for achieving fair and equitable housing outcomes within climate-friendly areas, as identified in OAR 660-008-00~~50(4)(a)-(f~~75(1)(c)(G). Analysis of OAR 660-008-00~~50(4~~75(1)(c)(~~f~~E) shall include analysis of spatial and other data to determine if the rezoning of potential climate-friendly areas would be likely to displace residents who are members of state and federal protected classes. The local government shall also identify actions that may be employed to mitigate or avoid potential displacement.¶
(5) Cities and counties shall submit climate-friendly area study reports required in section (4). Following submittal, the department shall review reports as follows:¶
(a) Within 30 days of receipt of the report, the department shall:¶
(A) Post a complete copy of the submitted report on the department's website along with a statement that any person may file a written comment regarding the submitted report no more than 21 days after the posting of the report.¶
(B) Provide notice to persons described under ORS 197.615(3)(a), directing them to the posting described in paragraph (A) and informing them that they may file a written comment regarding the submitted report no more than 21 days after the posting of the report.¶
(b) Within 60 days of posting of the report on the department's website, the department shall provide written comments to the local government regarding the report information and the progress made to identify suitable climate-friendly areas. The department shall also provide the local government with any written comments submitted by interested persons, as provided in subsection (a).¶
(6) Cities and counties must adopt land use requirements as provided in OAR 660-012-0320, and clearly identify the climate-friendly areas in their comprehensive plan maps, comprehensive plans, zoning maps, or zoning codes; indicated by land use designation, overlay zone, or similar mechanisms. Adoption of land use requirements and findings for the plan, code, or map amendment shall include the following:¶
(a) Cities and counties subject to section (1) shall provide maps showing the location of all adopted climate-friendly areas, and supplemental materials to demonstrate that climate-friendly areas contain sufficient zoned residential building capacity to accommodate 30 percent of total housing units as provided in section (2), or using an alternative method~~ology~~ as provided in OAR 660-012-0320(10), and based on adopted land use requirements in these areas as provided in OAR 660-012-0320. Cities and counties subject to section (3) shall provide maps showing the location of the adopted climate-friendly area. Local governments subject to (1) or (3) shall include findings containing the information and analysis required in section (4) for any climate-friendly areas that were not included in the initial study specified in section (4).¶
(b) Documentation of the number of total existing dwelling units, accessible dwelling units, and income-restricted dwelling units within all climate-friendly areas. Where precise data is not available, local governments may provide estimates based on best available information.¶
(c) Documentation that all adopted and applicable land use requirements for climate-friendly areas are consistent with the provisions of OAR 660-012-0320.¶
(d) Adopted findings shall demonstrate compliance with the provisions of OAR 660-012-0310 through 660-012-0325, and shall include:¶
(A) Identification of all ongoing and newly-added housing production strategies the local government shall use to promote the development of affordable housing in climate-friendly areas. The local government may use the

Housing Production Strategy Guidance for Cities to review and identify potential strategies, as provided in OAR 660-008-02050(32). These strategies shall be incorporated into future housing production strategy reports, as provided in OAR chapter 660, division 8.¶
(B) Identification of all ongoing and newly-added housing production strategies the local government shall use to prevent the displacement of members of state and federal protected classes in climate-friendly areas. Findings shall include a description of how the strategies will be implemented based on consideration of identified neighborhood typologies and the most effective measures to prevent displacement based on typology. The local government may use the Housing Production Strategy Guidance for Cities, along with the department's "Anti-Displacement and Gentrification Toolkit" to identify the most effective measures to prevent displacement based on neighborhood typologies. These strategies shall be incorporated into future housing production strategy reports, as provided in OAR chapter 660, division 8.¶
(7) For cities and counties identified in section (1), the information provided in compliance with subsections (6)(b) and (d) shall provide a basis for subsequent Housing Production Strategy Reports to assess progress towards fair and equitable housing production goals in climate-friendly areas, as provided in OAR 660-008-0050(4)(a).
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0320

RULE SUMMARY: Minor changes for consistency.

CHANGES TO RULE:

660-012-0320
Land Use Requirements in Climate-Friendly Areas
(1) Cities and counties subject to the provisions of OAR 660-012-0310 shall incorporate the requirements in sections (2) through (7) of this rule into policies and development regulations that apply in all climate-friendly areas. Cities and counties shall either incorporate the provisions in section (8) into development regulations for climate-friendly areas, or shall demonstrate with adopted findings and analysis that alternative development regulations for climate-friendly areas will comply with the requirements in section (9). If adopting more than one climate-friendly area, a city or county may demonstrate compliance with either section (8) or section (9) for each climate-friendly area, provided that all requirements for each respective climate-friendly area are met.¶
(2) Except as noted in subsection (a) and section (3), development regulations for a climate-friendly area shall allow single-use and mixed-use development within individual buildings and development sites, including the following outright permitted uses:¶
(a) Multi-unit housing and attached single-unit housing. Other residential building types may be allowed, subject to compliance with applicable minimum density requirements in section (8) of this rule, or alternative land use requirements as provided in section (9). Notwithstanding this section, local governments may require ground floor commercial and office uses within otherwise single-use multi-unit buildings, unless a multi-unit building will contain units subject to a recorded agreement that runs with the land and requires affordability for an established income level for a defined period of time.¶
(b) Office-type uses.¶
(c) Non-auto dependent retail, services, and other commercial uses.¶
(d) Child care, schools, and other public uses, including public-serving government facilities.¶
(3) Portions of abutting residential or employment-oriented zoned areas within a half-mile walking distance of a mixed-use area zoned as provided in section (1) may count towards climate-friendly area requirements, if in compliance with subsections (a) or (b). Notwithstanding existing development, zoned residential building capacity shall be calculated for the abutting areas based on allowed building heights and existing development standards in these areas, as provided in OAR 660-012-0315(2) or using an alternative method~~ology~~ as provided in OAR 660-012-0320(10). Residential densities for abutting areas shall correspond to the climate-friendly area type, provided in subsections (8)(a), (b), or (c) or (9)(a), (b), or (c). Employment densities for abutting areas shall comply with the thresholds in subsection (b). If subsections (a) or (b) are met, no changes to existing zoning or development standards are required for these areas.¶
(a) Residential areas with minimum residential densities or existing residential development equal to or greater than the densities provided in section (8); or¶
(b) Existing employment uses equal to or greater than the number of jobs per acre provided in paragraphs (A), (B), or (C) as applicable.¶
(A) Qualifying areas within local governments with a population greater than 5,000 up to 25,000 shall provide at least 20 jobs per net acre.¶
(B) Qualifying areas within local governments with a population greater than 25,000 up to 50,000 shall provide at least 30 jobs per net acre.¶
(C) Qualifying areas within local governments with a population greater than 50,000 shall provide at least 40 jobs per net acre.¶
(4) Local governments shall prioritize locating government facilities that provide direct service to the public within climate-friendly areas and shall prioritize locating parks, open space, plazas, and similar public amenities in or near climate-friendly areas that do not contain sufficient parks, open space, plazas, or similar public amenities. Local governments shall amend comprehensive plans to reflect these policies, where necessary. Streetscape requirements in climate-friendly areas shall include street trees and other landscaping, where feasible.¶
(5) Local governments shall establish maximum block length standards as provided below. For the purpose of this rule, a development site consists of the total site area proposed for development, absent previously dedicated rights-of-way, but including areas where additional right-of-way dedication may be required.¶
(a) For development sites less than 5.5 acres in size, a maximum block length of 500 feet or less. Where block length exceeds 350 feet, a public pedestrian through-block easement shall be provided to facilitate safe and convenient pedestrian connectivity in climate-friendly areas. Substantial redevelopment of sites of two acres or more within an existing block that does not meet the standard shall provide a public pedestrian accessway allowing direct passage through the development site such that no pedestrian route will exceed 350 feet along any block

face. Local governments may grant exemptions to street and accessway requirements as provided in OAR 660-012-0330(2).¶
(b) For development sites of 5.5 acres or more, a maximum block length of 350 feet or less. Local governments may grant exemptions to street requirements as provided in OAR 660-012-0330(2).¶
(6) Development regulations may not include a maximum density limitation.¶
(7) Local governments shall adopt policies and development regulations in climate-friendly areas that implement the following:¶
(a) The transportation review process in OAR 660-012-0325;¶
(b) The land use requirements as provided in OAR 660-012-0330;¶
(c) The applicable parking requirements as provided in OAR 660-012-0435; and¶
(d) The applicable bicycle parking requirements as provided in OAR 660-012-0630.¶
(8) Local governments shall adopt either the following provisions into development regulations for climate-friendly areas, or the requirements in section (9). Local governments are not required to enforce the minimum residential densities below for mixed-use buildings (buildings that contain residential units, as well as office, commercial, or other non-residential uses) if the mixed-use buildings meet a minimum floor area ratio of 2.0. A floor area ratio is the ratio of the gross floor area of all buildings on a development site, excluding areas within buildings that are dedicated to vehicular parking and circulation, in proportion to the net area of the development site on which the buildings are located. A floor area ratio of 2.0 would indicate that the gross floor area of the building was twice the net area of the site. Local governments are not required to enforce the minimum residential densities below for redevelopment that renovates and adds residential units within existing buildings, but that does not add residential units outside the existing exterior of the building.¶
(a) Local governments with a population greater than 5,000 up to 25,000 shall adopt the following development regulations for climate-friendly areas:¶
(A) A minimum residential density requirement of 15 dwelling units per net acre; and¶
(B) Maximum building height no less than 50 feet.¶
(b) Local governments with a population greater than 25,000 up to 50,000 shall adopt the following development regulations for at least one climate-friendly area with a minimum area of 25 acres. Additional climate-friendly areas may comply with the following standards or the standards in subsection (a).¶
(A) A minimum residential density requirement of 20 dwelling units per net acre; and¶
(B) Maximum building height no less than 60 feet.¶
(c) Local governments with a population greater than 50,000 shall adopt the following development regulations for at least one climate-friendly area with a minimum area of 25 acres. Additional climate-friendly areas may comply with the following standards or the standards in subsections (a) or (b):¶
(A) A minimum residential density requirement of 25 dwelling units per net acre; and¶
(B) Maximum building height no less than 85 feet.¶
(9) As an alternative to adopting the development regulations in section (8), local governments may demonstrate with adopted findings and analysis that their adopted development regulations for climate-friendly areas will provide for equal or higher levels of development in climate-friendly areas than those allowed per the standards in section (8). Additional zoned building capacity of 25 percent may be included for development regulations that allow height bonuses for additional zoned building capacity above established maximums that are consistent with OAR 660-012-0315(2)(c)(B). Specifically, the local government must demonstrate that the alternative development regulations will consistently and expeditiously allow for the levels of development described in subsections (a)-(c). Alternative development regulations must require either a minimum residential density of 15 dwelling units per net acre or a minimum floor area ratio of 1.0, as described in section (8).¶
(a) Local governments with a population greater than 5,000 up to 25,000 shall adopt development regulations to allow a zoned building capacity of at least 60,000 square feet per net acre, based on regulations impacting buildable site area as described in OAR 660-012-0315(2)(a) and (b) and allowed building heights.¶
(b) Local governments with a population greater than 25,000 up to 50,000 shall adopt development regulations for at least one climate-friendly area of at least 25 acres to allow a zoned building capacity of at least 90,000 square feet per net acre, based on regulations impacting buildable site area as described in OAR 660-012-0315(2)(a) and (b) and allowed building heights. Additional climate-friendly areas may comply with this standard or with the standard in subsection (a).¶
(c) Local governments with a population greater than 50,000 shall adopt development regulations for at least one climate-friendly area of at least 25 acres to allow a zoned building capacity of at least 120,000 square feet per net acre, based on regulations impacting buildable site area as described in OAR 660-012-0315(2)(a) and (b) and allowed building heights. Additional climate-friendly areas may comply with this standard or with the standard in subsections (a) or (b).¶
(10) A local government may provide an alternative methodology for zoned residential building capacity calculations that differs from OAR 660-012-0315(2). The methodology must clearly describe all assumptions and

calculation steps, and must demonstrate that the method~~ology~~ provides an equal or better system for determining the zoned residential building capacity sufficient to accommodate at least 30 percent of the total identified number of housing units necessary to meet all current and future housing needs within climate-friendly areas. The alternative method~~ology~~ shall be supported by studies of development activity in the region, market studies, or similar research and analysis.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0325

RULE SUMMARY: Minor change to clarify application of a requirement related to plan adoption.

CHANGES TO RULE:

660-012-0325
Transportation Review in Climate-Friendly Areas and Centers
(1) Cities or counties shall use the provisions of this rule to review amendments to comprehensive plans or land use regulations in lieu of the provisions of OAR 660-012-0060 when the amendment is:¶
(a) To adopt a climate-friendly area as provided in OAR 660-012-0310 through OAR 660-012-0320, or a Metro Region 2040 center; or¶
(b) Within an adopted climate-friendly area or Metro Region 2040 center.¶
(2) Cities and counties considering amendments to comprehensive plans or land use regulations to adopt or expand a climate-friendly area as provided in OAR 660-012-0310 through OAR 660-012-0320, or a Metro Region 2040 center, must make findings, including:¶
(a) A multimodal transportation gap summary as provided in section (4); and¶
(b) The multimodal transportation gap summary must include a highway impacts summary as provided in section (5) if the designated climate-friendly area as provided in OAR 660-012-0315 or Region 2040 center contains a ramp terminal intersection, state highway, interstate highway, or adopted ODOT Facility Plan.¶
(3) Cities and counties considering amendments to comprehensive plans or land use regulations within an adopted climate-friendly area or Metro Region 2040 center, other than an amendment to a Transportation System Plan, must make findings including a highway impacts summary as provided in section (5) if:¶
(a) A city or county is reviewing a plan amendment that includes property in an adopted Interchange Area Management Plan, includes property within one-quarter mile of a ramp terminal intersection, or includes property within one-quarter mile of a state highway segment in an adopted ODOT Facility Plan area; or¶
(b) The city or county is reviewing a plan amendment that would be reasonably likely to result in increasing traffic on the state facility that exceeds the small increase in traffic defined in the Oregon Highway Plan adopted by the Oregon Transportation Commission.¶
(4) A multimodal transportation gap summary must be coordinated between the local jurisdiction, transportation facility providers, and transportation services providers to consider multimodal transportation needs in each climate-friendly area as provided in OAR 660-012-0320 or Region 2040 center. The multimodal transportation gap summary must include:¶
(a) A summary of the existing multimodal transportation network within the climate-friendly area;¶
(b) A summary of the gaps in the pedestrian and bicycle networks in the climate-friendly area, including gaps needed to be filled for people with disabilities, based on the summary of the existing multimodal transportation network;¶
(c) If applicable as provided in section (2), a highway impacts summary as provided in section (5); and¶
(d) A list of proposed projects to fill multimodal network gaps identified in subsection (b).¶
(5) A highway impacts summary must identify how the transportation system may be affected by implementation of the climate-friendly area. The highway impacts summary must include:¶
(a) A summary of changes between existing and proposed development capacity of the climate-friendly area based on the proposed changes to the comprehensive plan and land use regulations;¶
(b) A summary of the additional motor vehicle traffic generation that may be expected in the planning period, considering reductions for expected complementary mixed-use development, additional multimodal options, and assuming meeting goals for reductions in vehicle miles traveled per capita; and¶
(c) A summary of traffic-related deaths and serious injuries within the climate-friendly area in the past five years.¶
(6) Cities and counties considering amendments to comprehensive plans or land use regulations that affect areas both inside and outside an adopted climate-friendly area or Metro Region 2040 center may either:¶
(a) Make separate findings for areas inside the climate-friendly area or Metro Region 2040 center as provided in this rule, and findings for areas outside the climate-friendly area or Metro Region 2040 center as provided in OAR 660-012-0060; or¶
(b) Make findings for all affected areas as provided in OAR 660-012-0060.¶
(7) Cities and counties shall provide notice of proposed adoption of a multimodal transportation gap summary or a revised highway impacts summary to ODOT and other affected transportation facility or service providers prior to submitting notice as provided in OAR 660-018-0020.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.610-197.625, ORS 197.712, ORS 197.717

AMEND: 660-012-0350

RULE SUMMARY: Minor change to update a rule reference.

CHANGES TO RULE:

660-012-0350
Urban Growth Boundary Expansions
(1) A city and county must meet the following requirements prior to undertaking an urban growth boundary expansion as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).¶
(a) The city must have an acknowledged transportation system plan as provided in OAR 660-012-0100. If the county has responsibility for planning in urban unincorporated areas as provided in OAR 660-012-0110, the county must also have an acknowledged transportation system plan for the urban area as provided in OAR 660-012-0100.¶
(b) The city must have submitted a major report in the past five years as provided in OAR 660-012-0900 and have had that report approved by order as provided in OAR 660-012-0915.¶
(c) The city and county must have designated climate-friendly areas as provided in OAR 660-012-0315 and must demonstrate compliance with OAR 660-008-0~~010(2~~100(10).¶
(d) The city and county must have adopted land use regulations as provided in OAR 660-012-0330.¶
(2) A city and county must meet the following requirements as part of the urban growth boundary expansion process as provided in OAR 660-024-0020(1) or OAR 660-038-0020(13).¶
(a) Lands otherwise of the same level of priority category for an urban growth boundary expansion as provided in OAR 660-024-0067 or OAR 660-038-0170 may be prioritized by determining the potential level of access to existing urban pedestrian, bicycle, and transit networks, and the ability of those networks to be extended to the candidate areas for expansion as part of the evaluation of the boundary location factors of Goal 14.¶
(b) Transportation system planning assumptions developed to make decisions about an urban growth boundary expansion must be consistent with performance targets set under OAR 660-012-0910.¶
(c) Transportation system planning assumptions developed to make decisions about an urban growth boundary expansion may not assume the construction of any facility required to be reviewed as provided in OAR 660-012-0830 if the proposed facility has not been authorized.¶
(d) The city and county must determine if the designation of additional lands as part of climate-friendly areas will be required to meet the targets for households within these areas, as provided in OAR 660-012-0310.¶
(3) Where an urban growth boundary is intended to follow an existing or planned street, road, or highway right-of-way, the boundary shall be placed on the rural side of the right-of-way or planned right-of-way, so that the right-of-way is inside the urban growth boundary.¶
(4) Cities and counties with areas added to an urban growth boundary after August 17, 2022, where the requirements of OAR 660-012-0060 are not applied at the time of urban growth boundary amendment as provided in OAR 660-024-0020 or OAR 660-038-0020, must update the land use assumptions as provided in OAR 660-012-0340 prior to an update of the transportation system plan as provided in OAR 660-012-0105.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712, ORS 197.798

AMEND: 660-012-0405

RULE SUMMARY: Minor change to remove text erroneously added to the rule.

CHANGES TO RULE:

660-012-0405
Parking Regulation Improvements
(1) Cities and counties shall adopt land use regulations as provided in this section:¶
(a) Designated employee parking areas in new developments with more than 50 parking spaces shall provide preferential parking for carpools and vanpools;¶
(b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and¶
(c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.¶
(2) Cities and counties shall adopt policies for on-street parking and land use regulations for off-street parking that allow and encourage the conversion of existing underused parking areas to other uses.¶
(3) Cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.¶
(4) Cities and counties shall adopt land use regulations for any new development that includes more than one-half acre of new off-street surface parking on a lot or parcel as provided below. The new surface parking area shall be measured based on the perimeter of all new off-street parking spaces, maneuvering lanes, and maneuvering areas, including driveways and drive aisles.¶
(a) Developments not required to comply with OAR 330-135-0010 must provide a climate mitigation action. Climate mitigation actions shall include at least one of the following. Cities and counties are not required to offer all these options:¶
(A) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new off-street parking space. Panels may be located anywhere on the property.~~ The change to this paragraph sets $1,500 as a floor, allowing cities and counties to index it for inflation, and clarifies it just applies to off-street parking spaces.~~¶
(B) Payment of at least $1,500 per new off-street parking space into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;¶
(C) Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting; or¶
(D) A mixture of actions under paragraphs (A) through (C) the city or county deems to meet the purpose of this section.¶
(b) Developments must provide tree canopy. Developments shall provide either trees along driveways or a minimum of 30 percent tree canopy coverage over new parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted must be designed to maintain a continuous canopy except when interrupted by driveways, drive aisles, and other site design considerations. Developments providing 40 percent tree canopy to comply with paragraph (a)(C) comply with this subsection.¶
(c) Developments must provide pedestrian connections throughout the parking lot, connecting at minimum the following, except where not practical due to site-specific conditions:¶
(A) building entrances;¶
(B) existing or planned pedestrian facilities in the adjacent public rights-of-way;¶
(C) transit stops; and¶
(D) accessible parking spaces.¶
(d) Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.¶
(e) In providing trees under subsections (a) and (b), the following standards shall be met. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for tree planting no lower than the 2021 American National Standards Institute A300 standards.¶
(5) Cities and counties shall establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0415

RULE SUMMARY: Minor changes for consistency and to update parking garage requirement language.

CHANGES TO RULE:

660-012-0415
Parking Maximums and Evaluation in More Populous Communities
(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas, and in Metro Region 2040 centers. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440. Cities and counties that have designated priority transit corridors under OAR 660-012-0710 may set parking maximums in those corridors in place of the corridors identified in OAR 660-012-0440(3)(b) and (c).¶
(a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit housing development ~~in climate-friendly areas and within one-half mile walking distance of priority transit corridors~~. These maximums shall include visitor parking;¶
(b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;¶
(c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building; and¶
(d) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.¶
(2) Cities with populations over 200,000 shall, in addition to the requirements in section (1) of this rule:¶
(a) Study the use of priced on-street timed parking spaces in those areas listed in OAR 660-012-0435(2) and OAR 660-012-0440(2) and (3). This study shall be conducted every three years or more frequently. Cities shall adjust prices to ensure availability of on-street parking spaces at all hours. This shall include all spaces in the city paid by minutes, hours, or day but need not include spaces where a longer-term paid residential permit is required;¶
(b) Use time limits or pricing to manage on-street parking spaces in an area at least one year before authorizing any new structured parking on city-owned land including more than 100 spaces in that area after March 31, 2023;¶
(c) Adopt procedures ensuring prior to approval of construction of additional structured parking projects of more than 300 parking spaces designed to serve existing uses, developer of that parking structure must implement transportation demand management strategies for a period of at least six months designed to shift at least 10 percent of existing vehicle trips ending within one-quarter mile of the proposed parking structure to other modes; and¶
(d) Adopt design ~~requirements requiring applicants to demonstrate that the ground floor of new private and public structured parking that fronts a public street and includes more than 100 parking spaces would b~~standards for parking structures with more than 100 parking spaces in climate-friendly areas and Metro Region 2040 Centers. The standards must require that street facing parking areas on the ground floor of parking structures be designed to enable conver~~tible~~sion to other uses~~ in the future, other than driveways needed~~. The design standards may allow for driveways through the street facing area to access areas of the ~~g~~par~~age~~king structure not designed for conversion.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0610

RULE SUMMARY: Minor change to update a reference to the newest edition.

CHANGES TO RULE:

660-012-0610
Bicycle System Requirements
(1) This rule describes the minimum planned bicycle facilities that must be included in plans. Cities or counties may choose to exceed the requirements in this rule. Cities and counties may choose to apply bicycle functional classifications to bicycle facilities.¶
(2) Cities and counties shall plan for a connected network of bicycle facilities that provides a safe, low stress, direct, and comfortable experience for people of all ages and abilities. All ages and abilities includes:¶
(a) School-age children;¶
(b) People over 65 years of age;¶
(c) Women;¶
(d) People of color;¶
(e) Low-income riders;¶
(f) People with disabilities;¶
(g) People moving goods, cargo, or other people; and¶
(h) People using shared mobility services.¶
(3) A connected network is comprised of both the ability to access key destinations within a community and enough coverage of safe and comfortable facilities to ensure most people within the community can travel by bicycle.¶
(a) Cities and counties must design the connected network to connect to key destinations identified as provided in OAR 660-012-0360, and to and within each climate-friendly area or Metro Region 2040 center.¶
(b) Cities and counties must design the connected network to permit most residents of the planning area to access the connected network with an emphasis on mitigating uncomfortable or unsafe facilities or crossings.¶
(c) The connected network shall consist of connected bicycle facilities including, but not limited to, separated and protected bicycle facilities, bicycle boulevards, and multi-use or bicycle paths. The connected network must include a series of interconnected bicycle facilities and provide direct routes to key destinations. Cities and counties must design comfortable and convenient crossings of streets with high volumes of traffic or high-speed traffic.¶
(4) Cities and counties shall plan and design bicycle facilities considering the context of adjacent motor vehicle facilities and land uses.¶
(a) Cities and counties shall design bicycle facilities with higher levels of separation or protection along streets that have higher volumes or speeds of traffic.¶
(b) Cities and counties shall plan for separated or protected bicycle facilities on streets in climate-friendly areas, Metro Region 2040 Centers, and other places with a concentration of destinations. Cities and counties are not required to plan separated or protected bicycle facilities on streets with very low levels of motor vehicle traffic, with slow speeds of motor vehicles, or near a high-quality parallel bicycle facility on the connected network.¶
(c) Cities and counties shall identify locations with existing bicycle facilities along high traffic or high-speed streets where the existing facility is not protected or separated, or parallel facilities do not exist. Cities and counties shall plan for a transition to appropriate facilities in these locations.¶
(5) Cities and counties shall adopt standards for bicycle system planning and facilities that will result in a safe, low stress, and comfortable experience for people of all ages and abilities. In adopting standards, cities and counties may use one or more of the following:¶
(a) The Urban Bikeway Design Guide, ~~secon~~third edition, published by the National Association of City Transportation Officials;¶
(b) Designing for All Ages & Abilities, December 2017, published by the National Association of City Transportation Officials; and¶
(c) For state facilities, The Blueprint for Urban Design, 2019, published by the Oregon Department of Transportation.¶
(6) Cities and counties shall use the transportation prioritization framework in OAR 660-012-0155 when making decisions about bicycle facilities.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0805

RULE SUMMARY: Minor change to clarify application of a requirement related to safety data.

CHANGES TO RULE:

660-012-0805
Street and Highway System Inventory
(1) Street and highway system inventories must include information on all streets and highways, including the functional classification of each facility.¶
(a) For local streets, inventories must include location.¶
(b) For collector streets, inventories must include location, condition, and number of general-purpose travel lanes, and turn lanes.¶
(c) For arterial streets, inventories must include location, condition, and number of general-purpose travel lanes, turn lanes, and lane width.¶
(d) For expressways and other limited-access highways, inventories must include location, condition, number of general-purpose travel lanes, and lane width. Inventories must also include locations and type of interchanges.¶
(2) Street and highway system inventories must include the location of all reported serious injuries and deaths of people related to vehicular crashes. This must include all reported incidents from the most recent five years of available data~~ prior to the year of adoption of the street and highway system inventory~~.¶
(3) Street and highway system inventories must include an overview of pricing strategies in use, including specific facility pricing, area or cordon pricing, and parking pricing. Inventories must include pricing mechanisms and rates.¶
(4) Street and highway system inventories must include the location of designated freight routes, and the location of all key freight terminals within the planning area, including intermodal terminals.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712

AMEND: 660-012-0830

RULE SUMMARY: Minor changes for consistency.

CHANGES TO RULE:

660-012-0830
Enhanced Review of Select Roadway Projects
(1) Cities and counties shall review and may authorize certain proposed facilities to be included as a planned project or unconstrained project in any part of the local comprehensive plan, including the transportation system plan.¶
(a) The following types of proposed facilities must be reviewed as provided in this rule:¶
(A) A new or extended arterial street, highway, freeway, or bridge carrying general purpose vehicle traffic;¶
(B) New or expanded interchanges;¶
(C) An increase in the number of general purpose travel lanes for any existing arterial or collector street, highway, or freeway; and¶
(D) New or extended auxiliary lanes with a total length of one-half mile or more. Auxiliary lane means the portion of the roadway adjoining the traveled way for speed change, turning, weaving, truck climbing, maneuvering of entering and leaving traffic, and other purposes supplementary to through-traffic movement.¶
(b) Notwithstanding any provision in subsection (a), the following proposed facilities need not be reviewed or authorized as provided in this rule:¶
(A) Changes expected to have a capital cost of less than $5 million;¶
(B) Changes that reallocate or dedicate right of way to provide more space for pedestrian, bicycle, transit, or high-occupancy vehicle facilities;¶
(C) Facilities with no more than one general purpose travel lane in each direction, with or without one turn lane;¶
(D) Changes to intersections that do not increase the number of lanes, including implementation of a roundabout;¶
(E) Access management, including the addition or extension of medians;¶
(F) Modifications necessary to address safety needs; or¶
(G) Operational changes, including changes to signals, signage, striping, surfacing, or intelligent transportation systems.¶
(c) Notwithstanding subsection (a), a city or county may carry forward a proposed facility in a major transportation system plan update without review as provided in this rule if it is a planned project in a transportation system plan acknowledged prior to January 1, 2023, and the project meets any of the following at the time of adoption of the update:¶
(A) The project is included in a general obligation bond approved by voters prior to January 1, 2022;¶
(B) The project is included as a project phase other than planning in the State Transportation Improvement Program adopted by the Oregon Transportation Commission, or a metropolitan planning organization's transportation improvement program;¶
(C) The project has received a decision under the National Environmental Policy Act of 1969; or¶
(D) The project has been advertised for construction bids.¶
(2) Cities and counties choosing to authorize a proposed facility as provided in this rule shall:¶
(a) Initiate the authorization process through action of the governing body of the city or county;¶
(b) Include the authorization process as part of an update to a transportation system plan to meet the requirements as provided in OAR 660-012-0100, or have an existing acknowledged transportation system plan meeting these requirements;¶
(c) Have met all applicable reporting requirements as provided in OAR 660-012-0900;¶
(d) Designate the project limits and characteristics of the proposed facility, including length, number of lanes, or other key features;¶
(e) Designate a facility impact area and determine affected jurisdictions as provided in section (3);¶
(f) Conduct an engagement-focused equity analysis of the proposed facility as provided in OAR 660-012-0135;¶
(g) Develop a ~~public involv~~community engagement strategy as provided in section (4);¶
(h) Conduct an alternatives review as provided in sections (5) and (6);¶
(i) Choose to move forward with an authorization report as provided in section (7);¶
(j) Complete an authorization report as provided in section (8); and¶
(k) Publish the authorization report as provided in section (9).¶
(3) A city or county designating a facility impact area and determining affected jurisdictions shall:¶
(a) Coordinate with all cities and counties with planning jurisdictions within two miles of the limits of the proposed facility to determine the extent of the facility impact area;¶
(b) Review the extent of the impact of the proposed facility by including all areas where implementation of the

proposed facility is expected to change levels or patterns of traffic or otherwise change the transportation system or land use development patterns;¶
(c) Take particular care when reviewing the facility impact area in places with concentrations of underserved populations. The city or county must consider the special impact of new facilities in the context of historic patterns of discrimination, disinvestment, and harmful investments;¶
(d) Designate a facility impact area to include, at minimum, areas within one mile of the proposed facility; and¶
(e) Determine affected jurisdictions by including all cities or counties with planning jurisdictions in the designated facility impact area.¶
(4) A city or county developing a ~~public involv~~community engagement strategy shall, in coordination with affected jurisdictions:¶
(a) Develop the ~~public involv~~community engagement strategy as provided in OAR 660-012-0130.¶
(b) Require that the ~~public involv~~community engagement strategy provides for opportunities for meaningful public participation in decision-making over the course of the authorization process;¶
(c) Require that the ~~public involv~~community engagement strategy includes regular reports to the affected governing bodies, planning commissions, and the public on the progress of the authorization process; and¶
(d) Coordinate the ~~public involv~~community engagement strategy with other ~~public involv~~community engagement activities that may be concurrent, including updates to a transportation system plan or authorizations for other proposed facilities.¶
(5) A city or county choosing to undertake an alternatives review shall, in coordination with affected jurisdictions:¶
(a) Have designated the facility impact area, determined affected jurisdictions, transit service providers, and transportation options providers; and developed a ~~public involv~~community engagement strategy as provided in this rule;¶
(b) Develop a summary of the expected impacts of the proposed facility on underserved populations identified as provided in OAR 660-012-0125, particularly, but not exclusively, in neighborhoods with concentrations of underserved populations. These impacts must include, but are not limited to, additional household costs, and changes in the ability to access jobs and services without the use of a motor vehicle;¶
(c) Develop a summary of the estimated additional motor vehicle travel per capita that is expected to be induced by implementation of the proposed facility over the first 20 years of service, using best available science;¶
(d) Investigate alternatives to the proposed facility, as provided in subsections (e) through (h). Cities and counties must use a planning level of analysis, and make use of existing plans and available data as much as practical;¶
(e) Investigate alternatives to the proposed facility through investments in the pedestrian and bicycle systems. The city or county must:¶
(A) Review the transportation system plan for identified gaps and deficiencies in pedestrian and bicycle facilities within the facility impact area;¶
(B) Determine how much of the need for the proposed facility may be met through enhanced investments in the pedestrian and bicycle networks;¶
(C) Identify pedestrian and bicycle system investments that could contribute to meeting the identified need which do not require implementation of the proposed facility; and¶
(D) Identify pedestrian and bicycle system investments that could contribute to meeting the identified need which may be implemented without the proposed facility, and may be retained if the proposed facility is implemented.¶
(f) Investigate alternatives to the proposed facility through investments in the public transportation system. The city or county must:¶
(A) Review the transportation system plan for identified gaps and deficiencies in public transportation facilities and services within the facility impact area;¶
(B) Coordinate with transit service providers to identify opportunities for providing additional transit service within or to the facility impact area; and¶
(C) Identify potential transit facility and service investments that contribute to meeting the identified need which may be implemented without the proposed facility.¶
(g) Investigate alternatives to the proposed facility through investments in transportation options programs; or other means to reduce demand for motor vehicle travel. The city or county must:¶
(A) Review the transportation system plan for identified existing and needed transportation demand management services within the facility impact area;¶
(B) Coordinate with transportation options providers to identify opportunities for providing transportation demand management services in and around the facility impact area; and¶
(C) Identify potential transportation options program investments that contribute to meeting the identified need which may be implemented without the proposed facility.¶
(h) Investigate alternatives to the proposed facility that include system pricing. The city or county must:¶
(A) Determine if various types of pricing could substantially reduce the need for the proposed facility;¶
(B) Investigate a range of pricing methods appropriate for the facility type and need, which may include, but are not

limited to: parking pricing, tolling, facility pricing, cordon pricing, or congestion pricing; and¶
(C) Identify pricing methods where it is reasonably expected to meet the need for the facility, may reasonably be implemented, and can be expected to generate sufficient revenue to cover the costs of operating the collection apparatus.¶
(6) A city or county completing an alternatives review must, in coordination with affected jurisdictions:¶
(a) Review the projects identified in section (5) to determine sets of investments that may be made that could substantially meet the need for the proposed facility without implementation of the proposed facility. A city or county must consider adopted state, regional, and local targets for reduction of vehicle miles traveled to reduce climate pollution when making determinations of substantially meeting the need for the proposed facility; and¶
(b) Complete an alternatives review report upon completion of the alternatives review phase. The alternatives review report must include a description of the effectiveness of identified alternatives. The alternatives review report must include the summaries developed in subsections (5)(b) and (c). The alternatives review report must be provided to the public, and the governing bodies and planning commissions of each affected city or county. The alternatives review report must also be included in the next annual report to the director as provided in OAR 660-012-0900.¶
(7) The governing body of the city or county shall review the alternatives review report and may either:¶
(a) Select a set of investments reviewed in the alternatives review report intended to substantially meet the identified need for the proposed facility. These investments may be added to the unconstrained project list of the transportation system plan as provided in OAR 660-012-0170; or¶
(b) Choose to complete the authorization report for the proposed facility, as provided in section (8).¶
(8) A city or county choosing to complete an authorization report as provided in section (7) shall, after completion of the alternatives review, include the following within the authorization report:¶
(a) A record of the initiation of the authorization process by the governing body;¶
(b) The ~~public involv~~community engagement strategy developed as provided in section (4), and how each part of the ~~public involv~~community engagement strategy was met;¶
(c) The alternatives review report;¶
(d) A summary of the estimated additional long-term costs of maintaining the proposed facility, including expected funding sources and responsible transportation facility operator.¶
(9) A city or county shall publish the authorization report upon completion and provide it to the public and governing bodies of each affected jurisdiction.¶
(10) A city or county, having completed and published an authorization report, may place the proposed project on the list of street and highway system projects with other projects as provided in OAR 660-012-0820. A proposed project authorized as provided in this rule may remain on a project list in the transportation system plan as long there are no significant changes to the proposed project or the land use context as described in the authorization report.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 197.012, ORS 197.712, ORS 468A.205

AMEND: 660-012-0900

RULE SUMMARY: Minor changes for readability and consistency, and to clarify application of a requirement for reporting.

CHANGES TO RULE:

660-012-0900
Reporting
(1) Cities and counties outside of the planning area of Metro shall report annually on progress toward meeting the requirements in division 44 and this division.¶
(2) Metro shall prepare a report annually on progress toward meeting the requirements in division 44 and this division. Cities and counties within the planning area of Metro shall coordinate with Metro and provide information to Metro. Cities and counties within the planning area of Metro are not required to report directly to the department as provided in this rule.¶
(3) Cities, counties, and Metro shall submit the report to the director no later than May 31 of each year for the report for the previous calendar year.¶
(4) The director shall provide for a method of submission. The director shall review reports as provided in OAR 660-012-0915.¶
(5) Cities, counties, and Metro shall submit either a minor report, as provided in section (6), or a major report, as provided in section (7), each year.¶
(a) Minor reports shall be submitted each year where a major report is not submitted.¶
(b) Major reports shall be submitted for each year that the metropolitan planning organization representing the city or county approved a regional transportation plan as provided in 23 CFR § 450.324.¶
(6) A minor report must include the following information:¶
(a) A narrative summary of the state of coordinated land use and transportation planning in the planning area over the reporting year, including any relevant activities or projects undertaken or planned by the city or county;¶
(b) The planning horizon date of the acknowledged transportation system plan, a summary of any amendments made to the transportation system plan over the reporting year, and a forecast of planning activities over the near future that may include amendments to the transportation system plan;¶
(c) Copies of reports made in the reporting year for progress towards centering the voices of underserved populations in processes at all levels of decision-making as provided in OAR 660-012-0130 and a summary of any equity analyses conducted as provided in OAR 660-012-0135; and¶
(d) Any alternatives reviews undertaken as provided in OAR 660-012-0830, including those underway or completed.¶
(7) A major report must include the following information:¶
(a) All information required in a minor report as provided in section (6);¶
(b) For reporting cities and counties:¶
(A) A description of what immediate actions the city or county has considered to be taken to reduce greenhouse gas emissions as provided in ORS 184.899(2); and¶
(B) A description of the consultations with the metropolitan planning organization on how the regional transportation plan could be altered to reduce greenhouse gas emissions as provided in ORS 184.899(2).¶
(c) Reporting for each regional and local performance measure~~s~~ as provided in OAR 660-012-0905 or OAR 660-044-0110 including:¶
(A) Baseline data;¶
(B) Baseline projections of expected outcomes from acknowledged plans;¶
(C) An assessment of whether the city, county, or Metro has met or is on track to meet each performance target for each reporting year between the base year and planning horizon year set as provided in OAR 660-012-0910;¶
(D) For ~~any~~each performance target~~s~~ that w~~ere~~as not met, a proposal for the corrective actions that will be taken to meet the performance target by the next major report. Proposed corrective actions may be used to meet more than one missed performance target;¶
(E) An assessment of whether the reporting city or county has adopted local amendments to implement the approved land use and transportation scenario plan as provided in OAR 660-044-0130;¶
(F) For any amendments to implement the approved land use and transportation scenario plan as provided in OAR 660-044-0130 that have not yet been adopted, a proposal for the corrective actions that will be taken to adopt the amendments; and¶
(G) The status of any corrective actions identified in prior reports.¶
(8) Upon a written request by a city or a county for an exemption submitted to the department prior to the due date of a report, the director may ~~grant a city or county~~approve an exemption to a requirement to include any

required element of a report under sections (6) or (7) when the director determines that the requestor has established that collection and reporting of the information would not be possible or would place an undue burden on the city or county.¶
(9) Counties need only report for those portions of the county within an urban growth boundary inside the metropolitan area. A county may jointly report with a city for the entire urban growth area of the city.¶
(10) Reports as provided by this rule are not land use decisions.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 184.899, ORS 197.012, ORS 197.301, ORS 197.712, ORS 468A.205

AMEND: 660-012-0920

RULE SUMMARY: Minor change to remove a provision a court found inapplicable.

CHANGES TO RULE:

660-012-0920
Compliance Hearings
(1) The commission shall hold a compliance hearing in response to referral from the director at its next regularly scheduled meeting that is at least 30 days after the referral.¶
(2) The commission may hold a compliance hearing on its own motion or in response to an allegation that a city, county, or Metro has:¶
(a) Missed a deadline in this division;¶
(b) Missed a deadline in OAR 660-044-0015;¶
(c) Failed to implement corrective actions required by this division; or¶
(d) Failed to comply with a requirement in this division.¶
(3) The department shall post notice of a compliance hearing on a public website and send notice to the parties.¶
(4) At the compliance hearing the commission shall:¶
(a) Consider the director's written and oral report; and¶
(b) Consider oral testimony and written testimony provided at least 14 days prior to the hearing from a city, a county, or Metro and any persons who provided written comment as provided in OAR 660-012-0915(3)(b).¶
(5) The commission may evaluate the compliance of 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.¶
(6) If the commission finds that a report meets the requirements of this division, or that the city, county, or Metro is in compliance with the requirements of this division, then the commission shall issue an order of approval.¶
(7) If the commission finds a city, a county, or Metro 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) Issue an order to remand a report with specific directions for changes necessary to comply with this division;¶
(b) Issue an enforcement order as provided in ORS 197.319 through 197.335;¶
~~(c) Issue an order to invalidate the acknowledgement of local transportation system plans that are not consistent with an approved Land use and Transportation Scenario Plan;~~ and¶
(~~d~~c) Provide notice to the Oregon Department of Transportation and the United States Department of Transportation of the lack of compliance with state planning requirements.¶
(8) The director shall mail the order to all parties.¶
(9) A commission order under this rule may be reviewed as provided in ORS 183.484 for orders in other than a contested case. Reports and orders as provided in this rule are not land use decisions.
Statutory/Other Authority: ORS 197.040
Statutes/Other Implemented: ORS 183.484, ORS 197.012, ORS 197.319-ORS 197.335, ORS 197.712

REPEAL: 660-044-0060

RULE SUMMARY: Repeal rule.

CHANGES TO RULE:

~~660-044-0060~~
~~Monitoring ¶~~

~~(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.~~
~~Statutory/Other Authority: ORS 197.040, ORS 197.301, ORS 197.274(2), 2009 OL Ch. 865 § 37(8) (HB 2001)~~
~~Statutes/Other Implemented: ORS 197.301, 2009 OL Ch. 865 § 37(8) (HB 2001)~~