LEAGUE of Oregon CITIES

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November 24, 2010

John VanLandingham, Chairman, LCDC
Members of the Oregon Land Conservation and Development Commission

Richard Whitman, Director
Oregon Department of Land Conservation and Development

RE: Petition for Rule Amendment – OAR 660-012-0060 (TPR)

Dear Chair VanLandingham and Members of the Commission:

Enclosed please find a petition from the League of Oregon Cities for revisions to the Transportation Planning Rule (TPR), OAR 660-012-0060.

As you are aware, the League works with its 242 member cities to help serve the citizens of Oregon and provide sustainable communities that offer family wage jobs, affordable homes, quality schools/infrastructure, adequate public safety and recreational opportunities. Cities have a unique role in providing, enhancing, and protecting economic opportunities within the state – over 80% of Oregon's jobs are located within cities and over 80% of the state's income tax revenues are generated within cities. In order for our citizens, communities, and the state to garner the benefits of economic opportunities, there needs to be working hydraulics between policies that support and guide the complex linkage between transportation infrastructure and land use planning. We believe one of those policies, the Transportation Planning Rule (TPR), creates unnecessary impediments to state and local objectives that guide economic development opportunities and other planning requirements. Accordingly, we are filing the enclosed petition and request LCDC to commence review and revisions to the TPR during the calendar year 2011.

We appreciate your due consideration of this important matter. If you have any questions, please do not hesitate to contact me at lludwig@orcities.org, or 503.540.6574.

Respectfully submitted,

Linda Ludwig, Deputy Legislative Director

Petition for Rule Revision
Oregon Land Conservation and Development Commission

In the Matter of Adopting Revisions to)	Petition for Rule Amendment
the Transportation Planning Rule)	OAR 660-012-0060 (TPR)

Petitioner is the League of Oregon Cities; mailing address: PO Box 928, Salem Oregon 97308.

Petitioner is an intergovernmental organization formed under ORS 190.010 – 190.111 that represents all of Oregon's 242 incorporated cities. The League was founded in 1925 and is governed by a 15-member Board of Directors.

Petitioner works in partnership with its member cities to help local government better serve the citizens of Oregon. The League and the state's elected and appointed officials share constituencies in our collective efforts to provide sustainable communities that offer family wage jobs, affordable homes, quality schools, quality infrastructure, adequate public safety and recreational opportunities.

Petitioner plays an important role in representing the economic interests of Oregon's cities – over 80% of Oregon's jobs are located within cities, and more than 80% of the state's income tax revenues are generated by city residents. Cities are where the bulk of the state's growing infrastructure needs are located – 72% of Oregon's population are city residents. Cities are responsible for promulgating local rules and implementing state and local policies that support the complex linkage between transportation and land use planning.

Petitioner proposes that the Oregon Land Conservation and Development Commission tender revisions to the Transportation Planning Rule (TPR) that would eliminate the conflicts that occur between various Statewide Planning Goals and the Transportation Planning Rule when interpretations of what constitutes a significant effect result in a triggering of the rule. Petitioner also observes that there are a number of other provisions that could be amended to enhance economic growth and development by avoiding unnecessary cost and delay created by the current language of the rule, and proposes an evaluation and additional streamlining revisions accordingly.

Those interested in Transportation Planning rule revisions include the cities of Corvallis, Ashland, Portland, Eugene, Tigard, Bend, Redmond, Springfield, Lake Oswego, Tualatin, and Madras. The balance of many of Oregon's 242 cities are additionally interested (including those non-MPO cities, and those and those that have a State highway adjacent to or bisecting their city), and the Oregon City Planning Directors Association. Other non-city interests include: LCDC's Local Officials Advisory Committee (LOAC), some or many of Oregon's counties, Metro, state agencies including but not limited to the Oregon Department of Transportation, developers and development interests, the Oregon Home Builders Association, the International Council of Shopping Centers, and unnamed others.

Reasons for the adoption of rule revisions:
Many cities have reported that their long term housing and economic development objectives have been comprised as a result of conflicts when trying to comply with the language of the Transportation Planning Rule and other Statewide Planning Goals – particularly with regard to critical economic development (Goal 9) and increasing densities within the urban growth boundaries (Goals 10 & 14). Specifically, when a zone change or plan amendment would result in a significant effect to a state facility, and the capacity of the transportation system cannot be increased through presently allowable measures, the TPR prevents the planned increase in the density of the development (at times even if these densities are already designated and/or adopted in a city's comprehensive plan). This causes development capacity to be shifted to the edge of the city or the region where there is theoretical capacity on state facilities, but over time adds to

congestion and the likely undermining of carbon reduction goals – failing to achieve what is best for local communities, regions and the state.
Therefore, Petitioner requests the Oregon Land Conservation and Development Commission to commence review and revisions to the Transportation Planning Rule no later than the calendar year 2011.

Dated this 24nd day of November, 2010.

League of Oregon Cities

By _____
Michael J. McCauley, Executive Director