



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

(503) 373-0050

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



August 10, 2011

TO: Joint-Subcommittee of the Oregon Land Conservation and Development Commission and the Oregon Transportation Commission

FROM: Matt Crall, DLCD Staff

SUBJECT: Draft Amendments to the Transportation Planning Rule

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Draft amendments to Transportation Planning Rule (TPR) section 0060 are included in this packet addressing three items from final recommendation of the joint-subcommittee. To help focus discussion at the August 15 meeting, key issues are highlighted below.

### A1 - Rezoning consistent with comprehensive plan map designations

This is addressed in section (9) of the draft amendment. Earlier drafts have been discussed at several meetings of the Rulemaking Advisory Committee (RAC). This draft is based on feedback from the July 25 RAC meeting and additional work by staff. While the text will continue to be refined, there do not appear to be major unresolved issues.

### A2 - Partial Mitigation for Economic Development

This is addressed in section (11) of the draft amendment. The RAC has not yet discussed a draft on this issue, but the RAC has discussed the topic generally at two meetings. In those discussions there was no consensus on how “economic development” should be defined. Guidance from the joint-subcommittee could help.

### A3 - Upzonings in Urban Centers

This is addressed in section (10) of the draft amendments. Earlier drafts have been discussed at several meetings of the RAC. This draft is based on feedback from the July 25 RAC meeting and additional work by staff. The issue of how to handle urban centers near interchanges has not been settled and guidance from the joint-subcommittee could help.

An additional item for consideration by the joint-subcommittee is a Court of Appeals decision that interprets the mitigation requirements within TPR 0060. An excerpt from the decision is included in this packet. Because the ruling was issued recently (August 3), we have yet reached a conclusion on how it may impact the rulemaking. It may affect section (11) regarding mitigation options for economic development. It may be better to address the issues through general provisions (i.e. not linked to the definition of economic development) on proportionality or the determination of significant effect.