

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

Survey Results

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Background

Following the February 15 committee meeting, staff prepared an online survey using SurveyMonkey.com. The survey asked respondents to select and rank their top four priorities. The list of potential priorities was taken from the *Framework of Issues and Options* presented at the February meeting, with eight additional items that were mentioned in testimony at the meeting.

The survey invitation was sent out March 1 to the email distribution list of people who had participated in the process or requested being on the list. It was also sent out to the Oregon Planners Network, a general email list. The invitation requested responses by March 8; however, the survey was actually left online until March 22 since the March committee meeting was rescheduled.

Summary of Results

Eighty-four responses were received.

The topics with the most support were:

- Address traffic at urban growth boundary (UGB) expansion
- Exempt upzones in downtowns, centers and mixed use areas
- Exempt rezone consistent with comprehensive plan designation
- Use average trip generation, not reasonable worst case
- Change Oregon Highway Plan (OHP) mobility standards

The largest group of respondents was cities (40%), with responses also received from counties (13%), consultants (10%), advocacy organizations (10%) and state (8%).

Detailed Results

Detailed results follow:

- Issues and Options sorted by weighted ranking
- Text responses for additional issues and options
- Affiliations

Survey on Priorities for TPR & OHP Amendments

Listed below are issues and options that have been suggested in testimony to address TPR 0060 and OHP Policy 1F. Additional explanation for most items can be found at: http://www.oregon.gov/LCD/docs/rulemaking/2009-11/TPR/TPR_Policy1FFramework_2011-02.pdf

* Items marked with asterisks were added to the list at the February 15 meeting and are not described in the framework.

Please select one item as an overall 1st priority and place a check in that column. Repeat for 2nd, 3rd & 4th priorities. Do NOT select a 1st priority in each section.

<i>Weighting</i>	1st Priority	2nd Priority	3rd Priority	4th Priority	Total	Weighted Total	Included in staff draft recommendation? (available online)
	4	3	2	1			
Address traffic at UGB expansion	11	7	4	1	23	74	Recommended as A4
Exempt upzones in downtowns, centers and mixed use areas	10	5	2	4	21	63	Recommended as A3
Exempt rezone consistent with comprehensive plan designation	8	6	3	1	18	57	Recommended as A1
Use average trip generation, not reasonable worst case	4	8	4	4	20	52	Recommended as B2
Change OHP mobility standards	7	4	5	1	17	51	Recommended as B3-B5
TSP Update	2	6	4	3	15	37	Recommended as A5
Alternate mobility standards	4	4	1	1	10	31	Recommended as B3
Suspend requirement for local TSP to be consistent with OHP *	7	0	0	0	7	28	
Make mitigation roughly proportional	1	4	3	5	13	27	Recommended as part of A2
New tools for funding or financing	2	3	4	0	9	25	
Multiple planning periods	1	2	5	4	12	24	Recommended as A5
Corridor or area mobility standards	1	4	3	2	10	24	Recommended as B4
Allow phasing of construction	2	3	2	1	8	22	Recommended as part of A2
Change OHP mobility standards by category	3	1	2	2	8	21	Recommended as B5
Exempt economic development projects	2	2	2	2	8	20	Recommended as part of A2
Increase trip credit for mixed use development	1	3	2	1	7	18	
Lengthy Appeals *	1	1	1	7	10	16	
Freight	1	1	3	3	8	16	
Assume all projects in TSP regardless of funding	2	2	1	0	5	16	
Unfair to burden only the last to develop	1	0	4	2	7	14	Recommended as part of A2
Practical design – least cost planning *	2	1	0	3	6	14	Recommended as part of A2
Exempt very small cities	3	0	0	2	5	14	
Mitigation options	1	1	2	2	6	13	Addressed in A2, B4 and B5
Assume increased density substitutes for development elsewhere	0	1	4	1	6	12	

	1st Priority	2nd Priority	3rd Priority	4th Priority	Total	Weighted Total	Included in staff draft recommendation?
Allow deferral of TPR	1	2	0	2	5	12	
Exempt proposals with small increase in traffic	0	2	2	1	5	11	Recommended as B1
Exempt very small tract zone changes	0	1	2	3	6	10	
Transfer jurisdiction and set local standards	1	0	2	1	4	9	
Reasonably likely for all projects in state plans *	1	1	1	0	3	9	
Allow phasing of construction on failing facilities	1	1	1	0	3	9	Recommended as part of A2
Options for approval with a finding of significant effect	0	0	3	2	5	8	
Trip caps	0	1	1	1	3	6	
Reliability as performance standard *	0	1	0	2	3	5	Recommended as B5
RTSP vs. RTP	0	0	1	3	4	5	
-- Exemptions --	0	1	0	1	2	4	
Change treatment of background traffic	0	0	2	0	2	4	
Tools to regulate transportation effects later in the process *	0	0	1	2	3	4	
Amend local standards	0	0	1	1	2	3	
Individualized mitigation *	0	0	1	0	1	2	
Exempt adding aggregate site to significant resource list *	0	0	0	1	1	1	
Exempt low traffic highways	0	0	0	0	0	0	
Definition of "minor improvement"	0	0	0	0	0	0	

84 responses

The draft staff recommendation is available online at

http://www.oregon.gov/LCD/docs/rulemaking/2009-11/TPR/Recommendation-Draft_for_March30.pdf

Survey on Priorities for TPR & OHP Amendments

Are there any issues or options that have not been captured in the framework so far? If so, please describe below.

<p>1. Clarify which TPR provisions apply to. For example does 0060 apply to 1 The initial adoption of a TSP (no) 2 A major update of the TSP advancing the planning period (don't know) 3 Other amendments of plans or land use regulations (yes)</p>
<p>2. That previous question had too many choices to be an effective question. The respondent would have to have a high level of knowledge and experience with the TPR and its impacts on their jurisdiction/business/clients in order to be able to make one top choice from all of the options.</p>
<p>3. Need to address 065 and 070, transportation improvements on rural lands that may or may not need a goal exception. Often required improvements on the urban fringe need to be located on rural lands due to ODOT's access management spacing standards or other operational or design considerations. Yet, the location of an urban fix then goes outside a UGB, often requiring a goal exception. In short, there's a tension between what's best from a design standpoint and what's best from a State land use program standpoint.</p>
<p>4. The survey did not work well for me, please disregard all prior in this survey as this captures my comments for consideration. I don't see the TPR amendment as a broken policy, but rather a broken interpretation. Many jurisdictions look at 660-12-0060 as a long-range TIA analysis rather than an assessment of consistency with adopted plans (notably the local and State TSP as adopted/amended) as it is intended. Most community development review staff, especially in certain regions of the State, do not understand the context of the TPR amendment in relation to the overall Chapter 12 goals which makes the analysis work absent the land use goals and absent the context of the TSP. The TPR has been mis-applied as the assessment of point impacts (intersection ops) with a reasonable worst-case trip generation scenario numerous times without connection back to the TSP or State modeling efforts. With the appropriate application of TPR downtown centers and other areas are already exempt, as their development/redevelopment would show the least impacts to emissions, VMT, and the best accessibility. Let proposed development applications look at the access needs, let the TPR inform land use mix, location, and the supporting network of roadways to serve it. Again, inform the review agencies on the purpose, intent, and context and move this back to a planning-level systems analysis where it belongs. Connection of the TPR with informed land use models (that are publicly available, accessible, and transparent) will allow reallocation of growth within the City, but this transferal has impacts on the property that the density is assumed to be transferred from. As such, this should not be an analysis jurisdictions conduct absent of the appropriate consideration and process or behind closed doors, and again it needs to be applied at the system level and not the point level so it isn't an effort to play with the numbers to get the desired answer. Use of consistent models will allow amendments to build on each other and be more effective at amending the adopted plan. In terms of trip generation, if a TSP looks at its residential lands with a density of 4 units per acre this should the same standard applied to other lands proposed for rezone to this</p>

same zoning. As allowed by the TPR there may be applications that are appropriately zoned but show density higher than was assumed/planned that may require some form or level of TPR analysis. Perhaps this is an extended TIA-style analysis or some variant. Application of this places the economic development back on cities where it belongs: if you want high density plan for and study high density. If you are in the rural areas assuming lower density still captures the need without an undue burden placed on development. Reasonably likely improvements. If the State is exempt from calling any known deficiency to their plan reasonably funded until it is on a STIP how can consistency be assessed to the planning horizon? If the State is exempt from regular updates to its own plans to understand facility needs through the 15-year rolling horizon minimum how can consistency be assessed? Performance standards. Why do we require up to 30% reserve capacity on the State system during the peak 15-minutes of the 30th highest hourly volumes 15 to 25 years into the future? Is this a reasonable goal given that we can't meet this standard today? Without a requirement for State facility plans how do we identify this need prior to a development application which is unable to consider alternative mobility? If there were changes this is where I think would be most beneficial to focus, but not to simply change v/c ratios but rather to identify what the appropriate metrics should be (safety, performance, delay, reliability, etc.). Education is critical between the long-range planners, community development departments, and transportation professionals so that an informed and consistent understanding can be gained of the purpose and intent. ODOT has put together a great document on this which has proven to be very helpful.

5. Reliance on peak hour evaluation and measurement of traffic impacts and mitigation requirements based on such is overbearing and old fashioned. Alternate is to find methods to shift or spread the peak hour traffic through incentives.

6. No, I've been tracking this for a while and I think staff have done a good job of identifying the issues raised. However, I don't agree with many of the conclusions drawn by staff based on the testimony that has been submitted.

7. Re-visiting, or true-up, of forecasting assumptions in the OHP and TSP to account for projected impacts of fuel price and availability changes, economic growth forecasts, etc.

8. 1. Infrastructure has by necessity become a five-legged stool. Neither the current practice, or the options proposed so far recognize this. So we need finance tools, and a regulatory structure to better enable these solutions. Briefly, the 5 are the landowner, the developer, the end user, the other benefited users and the general public. Mitigation methods or regulatory relief need to work differently for each, because each has different issues, timing and options available. 2. Something being proposed for a pilot in Central Oregon would exempt "high value" employment land from the TPR if designated as part of a "qualified regional economic development plan." In this way, incentives and relief are created for a valid public purpose.

9. No new items, but the representation of many issues provided in the Framework of Issues and Options does not fully represent the key problems or potential solutions. If particular issues are moved forward for rulemaking changes, the topic should not be constrained to potential solutions suggested by DLCD staff (e.g. some merely suggest

education and guidance as the solution when there are fundamental amendments that may be warranted).

10. Stop assuming continued growth as an unexaminable given.

11. I think "exemption" is too strong a term.

12. Fiscally constrain all TSPs (as RTPs are currently constrained) and allow reliance on projects in the TSP.

13. Make the so-called "Alternate Performance Measures" the default, V/C as fall-back

14. I've spent involved in Oregon Land Use Planning and Transportation for well over 30 years. The questions in this survey are disturbing. Is Oregon "For Sale"? None of the listed suggestions are good. Selling out SB100 will not save our economy.

15. your limitation to just one 1st, 2nd etc priority is ridiculous ... all of the issues noted are problematic when it comes to economic development in Oregon. LCDC is totally out of control, and ODOT's involvement and self centered objectives add to the problem. Land use issues need to be returned to local control, the judicial system enforcing land use in oregon needs to be changed. And individuals or entities that have no involvement in a case should have no standing. Oregon is being run by a bunch of left wing radicals ... Example: LCDC Commissioner MacPherson writing an editorial essentially telling the City of Bend that he knows it all... that the time locals have spent working on their UGB expansion is wrong ... There is no room for that kind of bias and self indulgence in Oregon. Mr MacPherson needs to pull his head out into the daylight ... Example: How diabolical is it to create SB #100 and then go out and create an entity ... 1000 friends of oregon ... to do nothing but obstruct anything and everything related to the "D" in DLCD ... it has cost the citizens of oregon millions of dollars in lost economic opportunities ... and attorney fees ... Oregon's land use laws are the biggest deterrent to positive economic development and affordable housing throughout the state. This survey is simply a smoke screen from LCDC cause they really don't want to hear about everything that is wrong with oregon land use law administration. McMinnville has been working on a UGB expansion for over a decade ... Bend started their process in 2004OREGON'S LAND USE LAWS ARE BROKEN !!! Control needs to be returned to the local level ... Obviously, DLCD staff sitting in an office in Salem are in no way qualified to make decisions for Bend, or McMinnville, or Jefferson County, or... TIME for a change. ODOT should not be involved in land use decisions. LCDC and DLCD should be defunded and put the public funds to better use like schools and public safety ... yeah, sounds logical doesn't it !!!

16. Place significantly more emphasis on promoting alternative forms of transportation such as walking, biking, bus, light rail, carpooling. This option was in the listed suggestions, but it was barely there. Please provide significant incentives for local jurisdictions to substantially improve walk/bike paths and public transportation. For example, you might allow degradation of the vehicle mobility standards where there are sufficient bike paths, bike parking and showers at employment offices.

Survey on Priorities for TPR & OHP Amendments

What type of agency or organization are you affiliated with?

City government	40%	32
County government	13%	10
State government	8%	6
Consultant	11%	9
Advocacy organization	10%	8
Other (please specify)	19%	15

- MPO
- special district
- Council of Governments
- Special District
- metro
- Metro TPAC
- Transit Agency
- Driver, rider, walker
- citizen
- General Public
- .
- decline to answer
- CAC-government recognized citizen advisory committee
- Private citizen, former planning commissioner
- educated private land use junkie

TOTAL 80

