



Oregon

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May 8, 2014

TO: Land Conservation and Development Commission

FROM: Jim Rue, Director
Bill Holmstrom, Land Use & Transportation Planning Coordinator

SUBJECT: **Agenda Item 8 – May 22-23, 2014, LCDC Meeting**

**PUBLIC HEARING AND POSSIBLE ADOPTION OF PROPOSED MINOR AND
TECHNICAL AMENDMENTS TO TRANSPORTATION PLANNING RULES OAR
CHAPTER 660, DIVISION 12**

I. AGENDA ITEM SUMMARY

The commission will hold a public hearing on and may adopt proposed minor and technical amendments to the Transportation Planning Rules (TPR), Oregon Administrative Rule (OAR) chapter 660, division 12.

The proposed minor and technical amendments include:

- 1) Specifying that rule requirements related to Metropolitan Planning Organizations (MPOs) do not apply to the Walla Walla Valley MPO because this area is primarily within the State of Washington and only includes one small urban area in Oregon.
- 2) Clarifying that regional transportation system plans are to be adopted by local governments within a metropolitan area, rather than metropolitan planning organizations, by consistently using clearly defined terms throughout the division.
- 3) Correcting an administrative rule filing error by the department in June 2006 that inadvertently resulted in the elimination of a section of rule that was previously adopted by the Land Conservation & Development Commission (LCDC), was not intended to be removed, and had not been repealed by LCDC.
- 4) Updating reference to population forecasts to ensure consistency with Oregon Laws 2013 Chapter 574.

For additional information about this report contact Bill Holmstrom, Land Use & Transportation Planning Coordinator, at 503-934-0040, or bill.holmstrom@state.or.us.

II. DESCRIPTION OF PROPOSED RULE LANGUAGE AND RECOMMENDATIONS

A. Specifying that Milton-Freewater is not in an MPO for TPR purposes

Every 10 years following the Census, the Census Bureau designates urbanized areas, which consist of all communities of over 50,000 population and their contiguous urbanized areas. These designations are used by the Federal Highway Administration to determine which areas must form an (MPO). In 2010, Walla Walla, Washington grew large enough to form an MPO. The urbanized area surrounding Walla Walla includes the city of Milton-Freewater as well as portions of unincorporated Umatilla County in Oregon.

The TPR includes a number of requirements for local governments in metropolitan areas served by an MPO. These requirements are intended to apply to metropolitan areas within Oregon to coordinate regional planning efforts. The rules do not apply to cities or counties outside of Oregon, and it would be unreasonable to expect a small city in Oregon to bear the burden of completing regional planning work for an entire metropolitan area.

The TPR currently excludes the Longview-Kelso MPO, which includes the city of Rainier and portions of unincorporated Columbia County, Oregon, from these requirements. The recommended minor and technical amendment would extend this exclusion to the Walla Walla Valley MPO. These exclusions are for purposes of the state TPR only, and do not affect the status of the MPO or local governments for federal purposes.

B. Clarification of Regional Transportation System Plan Adoptions

The TPR requires local governments in MPO areas to adopt a Regional Transportation System Plan (RTSP) in conjunction with the federally required Regional Transportation Plan. These two plans can be the same document, but it must meet two separate requirements, one federal and one state. MPOs are federally recognized entities that can adopt RTPs to comply with federal requirements. MPOs are not, however, established under any state statute, and therefore do not have authority to adopt a transportation system plan as an element of a comprehensive plan. That authority rests with the cities and counties within the metropolitan area, and they must each individually adopt the plan.

The current rules are not consistent about how the terms “MPO,” “metropolitan area,” and “metropolitan area local governments” are used. The intent is that local governments within the MPO area adopt the RTSP as part of their comprehensive plans so that it guides land use decisions, but in some sections of the rule this is not clear. This may lead to confusion.

A “Metropolitan Service District” is an exception. Oregon Revised Statutes Chapter 268 authorizes the creation of these districts, and gives them certain authority, including the authority to adopt transportation system plans and land use plans. At this time only one district exists, covering the Portland metropolitan area and commonly known as Metro. The TPR requirements to adopt a RTSP apply directly to Metro. Metro is also the MPO recognized by the federal government, thus it adopts the RTP. Local governments within an MPO area served by a Metropolitan Service District (e.g., Metro), are therefore not required to adopt the RTSP. Local governments will adopt local transportation system plans consistent with the RTSP.

The recommended minor and technical amendment would add one new definition, change one existing definition, and change references throughout the rules to be consistent and clear. No change is intended in how local governments in MPO areas are required to adopt plans.

The updated definitions are:

"Metropolitan area" means the area within a metropolitan planning organization (MPO) boundary.

"Metropolitan area local governments" means metropolitan service districts; and for metropolitan areas not within a metropolitan service district, the cities and counties within the boundary of the metropolitan area.

C. Correcting an Administrative Rule Filing Error

When amendments were made to the TPR in 2006, a filing error inadvertently omitted subsections (c) and (d) within OAR 660-012-0020(3). These sections were part of the TPR prior to 2006. This error was discovered after the rule had been filed.

The recommended minor and technical amendment would restore the inadvertently omitted sections of the rule.

D. Updating References to Population Forecasts

OAR 660-012-0016(5) refers to population forecasts adopted by local governments. In 2013, the Legislative Assembly passed a bill outlining a new process for population forecasting. This new process is located in Oregon Laws 2013, Chapter 574. The commission will be separately adopting rules to implement this law.

The recommended minor and technical amendment would update the reference to population forecasts in the TPR to refer to current law.

III. DECISION MAKING CRITERIA AND PROCEDURES

The criteria for making a decision on the proposed rule amendments include ORS 197.004 and Goal 12. A brief excerpt is included below.

ORS 197.040 Duties of commission; rules

(1) The Land Conservation and Development Commission shall:

* * *

(b) In accordance with the provisions of ORS 183.310 to 183.550, adopt rules that it considers necessary to carry out ORS chapters 195, 196 and 197. Except as provided in subsection (3) of this section, in designing its administrative requirements, the commission shall:

- (A) Allow for the diverse administrative and planning capabilities of local governments;
- (B) Assess what economic and property interests will be, or are likely to be, affected by the proposed rule;
- (C) Assess the likely degree of economic impact on identified property and economic interests; and

(D) Assess whether alternative actions are available that would achieve the underlying lawful governmental objective and would have a lesser economic impact.

The procedures for rulemaking by the commission are specified in ORS Chapter 183 and OAR 660-001-0000. The commission must hold a public hearing and provide an opportunity for interested parties to testify on the proposed rule. The commission must deliberate in public and a decision to adopt any or all of the proposals must be affirmed by a majority of the commission.

IV. RECOMMENDED ACTION AND DRAFT MOTION

The department recommends that the commission adopt the minor and technical amendments.

Recommended motion: I move the commission adopt the recommended minor and technical amendments to Oregon Administrative Rule Chapter 660, Division 12.

I. ATTACHMENTS

- A. Amendments to TPR – Public Review Draft – May 1, 2014
- B. Rulemaking Notices
- C. Jurisdictions included in the definition of “Metropolitan Area Local Governments.”

DIVISION 12
TRANSPORTATION PLANNING

- 1
- 2
- 3
- 4 0005 Definitions
- 5 0015 Preparation and Coordination of Transportation System Plans
- 6 0016 Coordination with Federally-Required Regional Transportation Plans in Metropolitan
- 7 Areas
- 8 0020 Elements of Transportation System Plans
- 9 0025 Complying with the Goals in Preparing Transportation System Plans; Refinement Plans
- 10 0030 Determination of Transportation Needs
- 11 0035 Evaluation and Selection of Transportation System Alternatives
- 12 0045 Implementation of the Transportation System Plan
- 13 0055 Timing of Adoption and Update of Transportation System Plans; Exemptions

14 **660-012-0005**

15 **Definitions**

16 (1) "Access Management" means measures regulating access to streets, roads and highways from
17 public roads and private driveways. Measures may include but are not limited to restrictions on
18 the siting of interchanges, restrictions on the type and amount of access to roadways, and use of
19 physical controls, such as signals and channelization including raised medians, to reduce impacts
20 of approach road traffic on the main facility.

21 (2) "Accessway" means a walkway that provides pedestrian and or bicycle passage either
22 between streets or from a street to a building or other destination such as a school, park, or transit
23 stop. Accessways generally include a walkway and additional land on either side of the walkway,
24 often in the form of an easement or right-of-way, to provide clearance and separation between
25 the walkway and adjacent uses. Accessways through parking lots are generally physically
26 separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and
27 include landscaping, trees and lighting. Where accessways cross driveways, they are generally
28 raised, paved or marked in a manner which provides convenient access for pedestrians.

29 (3) "Affected Local Government" means a city, county or metropolitan service district that is
30 directly impacted by a proposed transportation facility or improvement.

31 (4) "Approach Road" means a legally constructed, public or private connection that provides
32 vehicular access either to or from or to and from a highway and an adjoining property.

33 (5) "At or near a major transit stop: "At" means a parcel or ownership which is adjacent to or
34 includes a major transit stop generally including portions of such parcels or ownerships that are
35 within 200 feet of a transit stop. "Near" generally means a parcel or ownership that is within 300
36 feet of a major transit stop. The term "generally" is intended to allow local governments through
37 their plans and ordinances to adopt more specific definitions of these terms considering local
38 needs and circumstances consistent with the overall objective and requirement to provide
39 convenient pedestrian access to transit.

40 (6) "Committed Transportation Facilities" means those proposed transportation facilities and
41 improvements which are consistent with the acknowledged comprehensive plan and have
42 approved funding for construction in a public facilities plan or the Six-Year Highway or
43 Transportation Improvement Program.

44 (7) "Demand Management" means actions which are designed to change travel behavior in order
45 to improve performance of transportation facilities and to reduce need for additional road

1 capacity. Methods may include, but are not limited to, the use of alternative modes, ride-sharing
2 and vanpool programs, trip-reduction ordinances, shifting to off-peak periods, and reduced or
3 paid parking.

4 (8) "Influence area of an interchange" means the area 1,320 feet from an interchange ramp
5 terminal measured on the crossroad away from the mainline.

6 (9) "Local streets" means streets that are functionally classified as local streets to serve primarily
7 local access to property and circulation within neighborhoods or specific areas. Local streets do
8 not include streets functionally classified as collector or arterials.

9 (10) "Local Street Standards" include but are not limited to standards for right-of-way, pavement
10 width, travel lanes, parking lanes, curb turning radius, and accessways.

11 (11) "Major" means, in general, those facilities or developments which, considering the size of
12 the urban or rural area and the range of size, capacity or service level of similar facilities or
13 developments in the area, are either larger than average, serve more than neighborhood needs or
14 have significant land use or traffic impacts on more than the immediate neighborhood:

15 (a) "Major" as it modifies transit corridors, stops, transfer stations and new transportation
16 facilities means those facilities which are most important to the functioning of the system or
17 which provide a high level, volume or frequency of service;

18 (b) "Major" as it modifies industrial, institutional and retail development means such
19 developments which are larger than average, serve more than neighborhood needs or which have
20 traffic impacts on more than the immediate neighborhood;

21 (c) Application of the term "major" will vary from area to area depending upon the scale of
22 transportation improvements, transit facilities and development which occur in the area. A
23 facility considered to be major in a smaller or less densely developed area may, because of the
24 relative significance and impact of the facility or development, not be considered a major facility
25 in a larger or more densely developed area with larger or more intense development or facilities.

26 (12) "Major transit stop" means:

27 (a) Existing and planned light rail stations and transit transfer stations, except for temporary
28 facilities;

29 Other planned stops designated as major transit stops in a transportation system plan and existing
30 stops which:

31 (A) Have or are planned for an above average frequency of scheduled, fixed-route service when
32 compared to region wide service. In urban areas of 1,000,000 or more population major transit
33 stops are generally located along routes that have or are planned for 20 minute service during the
34 peak hour; and

35 (B) Are located in a transit oriented development or within 1/4 mile of an area planned and
36 zoned for:

37 (i) Medium or high density residential development; or
38 (ii) Intensive commercial or institutional uses within 1/4 mile of subsection (i); or
39 (iii) Uses likely to generate a relatively high level of transit ridership.

40 (13) ~~"Metropolitan area" means the local governments that are responsible for adopting local or~~
41 ~~regional transportation system plans~~ **area** within a metropolitan planning organization (MPO)
42 boundary. ~~This includes cities, counties, and, in the Portland Metropolitan area, Metro.~~

43 **(14) "Metropolitan area local governments" means metropolitan service districts; and for**
44 **metropolitan areas not within a metropolitan service district, the cities and counties within**
45 **the boundary of the metropolitan area.**

1 ~~(14)~~**(15)**"Metropolitan Planning Organization (MPO)" means an organization located within the
2 State of Oregon and designated by the Governor to coordinate transportation planning in an
3 urbanized area of the state including such designations made subsequent to the adoption of this
4 rule. **The Longview-Kelso-Rainier and Walla Walla Valley MPOs are not considered MPOs**
5 **for the purposes of this division.** ~~The Longview-Kelso-Rainier MPO is not considered an MPO~~
6 ~~for the purposes of this rule.~~

7 ~~(15)~~**(16)**"Minor transportation improvements" include, but are not limited to, signalization,
8 addition of turn lanes or merge/deceleration lanes on arterial or collector streets, provision of
9 local streets, transportation system management measures, modification of existing interchange
10 facilities within public right of way and design modifications located within an approved
11 corridor. Minor transportation improvements may or may not be listed as planned projects in a
12 TSP where the improvement is otherwise consistent with the TSP. Minor transportation
13 improvements do not include new interchanges; new approach roads within the influence area of
14 an interchange; new intersections on limited access roadways, highways or expressways; new
15 collector or arterial streets, road realignments or addition of travel lanes.

16 ~~(16)~~**(17)**"ODOT" means the Oregon Department of Transportation.

17 ~~(17)~~**(18)**"Parking Spaces" means on and off street spaces designated for automobile parking in
18 areas planned for industrial, commercial, institutional or public uses. The following are not
19 considered parking spaces for the purposes of OAR 660-012-0045(5)(c): park and ride lots,
20 handicapped parking, and parking spaces for carpools and vanpools.

21 ~~(18)~~**(19)**"Pedestrian connection" means a continuous, unobstructed, reasonably direct route
22 between two points that is intended and suitable for pedestrian use. Pedestrian connections
23 include but are not limited to sidewalks, walkways, accessways, stairways and pedestrian
24 bridges. On developed parcels, pedestrian connections are generally hard surfaced. In parks and
25 natural areas, pedestrian connections may be soft-surfaced pathways. On undeveloped parcels
26 and parcels intended for redevelopment, pedestrian connections may also include rights of way
27 or easements for future pedestrian improvements.

28 ~~(19)~~**(20)**"Pedestrian district" means a comprehensive plan designation or implementing land use
29 regulations, such as an overlay zone, that establish requirements to provide a safe and convenient
30 pedestrian environment in an area planned for a mix of uses likely to support a relatively high
31 level of pedestrian activity. Such areas include but are not limited to:

32 (a)Lands planned for a mix of commercial or institutional uses near lands planned for medium to
33 high density housing; or

34 (b)Areas with a concentration of employment and retail activity; and

35 (c)Which have or could develop a network of streets and accessways which provide convenient
36 pedestrian circulations.

37 ~~(20)~~**(21)**"Pedestrian plaza" means a small semi-enclosed area usually adjoining a sidewalk or a
38 transit stop which provides a place for pedestrians to sit, stand or rest. They are usually paved
39 with concrete, pavers, bricks or similar material and include seating, pedestrian scale lighting and
40 similar pedestrian improvements. Low walls or planters and landscaping are usually provided to
41 create a semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and
42 vehicle maneuvering areas. Plazas are generally located at a transit stop, building entrance or an
43 intersection and connect directly to adjacent sidewalks, walkways, transit stops and buildings. A
44 plaza including 150-250 square feet would be considered "small."

45 ~~(21)~~**(22)**"Pedestrian scale" means site and building design elements that are dimensionally less
46 than those intended to accommodate automobile traffic, flow and buffering. Examples include

1 ornamental lighting of limited height; bricks, pavers or other modules of paving with small
2 dimensions; a variety of planting and landscaping materials; arcades or awnings that reduce the
3 height of walls; and signage and signpost details that can only be perceived from a short
4 distance.

5 ~~(22)~~**(23)** "Planning Period" means the twenty-year period beginning with the date of adoption of a
6 TSP to meet the requirements of this rule.

7 ~~(23)~~**(24)** "Preliminary Design" means an engineering design which specifies in detail the location
8 and alignment of a planned transportation facility or improvement.

9 ~~(24)~~**(25)** "Reasonably direct" means either a route that does not deviate unnecessarily from a
10 straight line or a route that does not involve a significant amount of out-of-direction travel for
11 likely users.

12 ~~(25)~~**(26)** "Refinement Plan" means an amendment to the transportation system plan, which
13 resolves, at a systems level, determinations on function, mode or general location which were
14 deferred during transportation system planning because detailed information needed to make
15 those determinations could not reasonably be obtained during that process.

16 ~~(26)~~**(27)** "Regional Transportation Plan" or "RTP" means the long-range transportation plan
17 prepared and adopted by a metropolitan planning organization for a metropolitan area as
18 provided for in federal law.

19 ~~(27)~~**(28)** "Roads" means streets, roads and highways.

20 ~~(28)~~**(29)** "Rural community" means areas defined as resort communities and rural communities in
21 accordance with OAR 660-022-0010(6) and (7). For the purposes of this division, the area need
22 only meet the definitions contained in the Unincorporated Communities Rule although the area
23 may not have been designated as an unincorporated community in accordance with OAR 660-
24 022-0020.

25 ~~(29)~~**(30)** "Transit-Oriented Development (TOD)" means a mix of residential, retail and office
26 uses and a supporting network of roads, bicycle and pedestrian ways focused on a major transit
27 stop designed to support a high level of transit use. The key features of transit oriented
28 development include:

29 (a) A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian and
30 bicycle travel from the surrounding area;

31 (b) High density of residential development proximate to the transit stop sufficient to support
32 transit operation and neighborhood commercial uses within the TOD;

33 (c) A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian
34 access within the TOD and high levels of transit use.

35 ~~(30)~~**(31)** "Transportation Facilities" means any physical facility that moves or assist in the
36 movement of people or goods including facilities identified in OAR 660-012-0020 but excluding
37 electricity, sewage and water systems.

38 ~~(31)~~**(32)** "Transportation System Management Measures" means techniques for increasing the
39 efficiency, safety, capacity or level of service of a transportation facility without increasing its
40 size. Examples include, but are not limited to, traffic signal improvements, traffic control devices
41 including installing medians and parking removal, channelization, access management, ramp
42 metering, and restriping of high occupancy vehicle (HOV) lanes.

43 ~~(32)~~**(33)** "Transportation Needs" means estimates of the movement of people and goods
44 consistent with acknowledged comprehensive plan and the requirements of this rule. Needs are
45 typically based on projections of future travel demand resulting from a continuation of current

1 trends as modified by policy objectives, including those expressed in Goal 12 and this rule,
2 especially those for avoiding principal reliance on any one mode of transportation.
3 ~~(33)~~**(34)**"Transportation Needs, Local" means needs for movement of people and goods within
4 communities and portions of counties and the need to provide access to local destinations.
5 ~~(34)~~**(35)**"Transportation Needs, Regional" means needs for movement of people and goods
6 between and through communities and accessibility to regional destinations within a
7 metropolitan area, county or associated group of counties.
8 ~~(35)~~**(36)**"Transportation Needs, State" means needs for movement of people and goods between
9 and through regions of the state and between the state and other states.
10 ~~(36)~~**(37)**"Transportation Project Development" means implementing the transportation system
11 plan (TSP) by determining the precise location, alignment, and preliminary design of
12 improvements included in the TSP based on site-specific engineering and environmental studies.
13 ~~(37)~~**(38)**"Transportation Service" means a service for moving people and goods, such as intercity
14 bus service and passenger rail service.
15 ~~(38)~~**(39)**"Transportation System Plan (TSP)" means a plan for one or more transportation
16 facilities that are planned, developed, operated and maintained in a coordinated manner to supply
17 continuity of movement between modes, and within and between geographic and jurisdictional
18 areas.
19 ~~(39)~~**(40)**"Urban Area" means lands within an urban growth boundary, two or more contiguous
20 urban growth boundaries, and urban unincorporated communities as defined by OAR 660-022-
21 0010(9). For the purposes of this division, the area need only meet the definition contained in the
22 Unincorporated Communities Rule although the area may not have been designated as an
23 unincorporated community in accordance with OAR 660-022-0020.
24 ~~(40)~~**(41)**"Urban Fringe" means:
25 (a) Areas outside the urban growth boundary that are within 5 miles of the urban growth
26 boundary of an MPO area; and
27 (b) Areas outside the urban growth boundary within 2 miles of the urban growth boundary of an
28 urban area containing a population greater than 25,000.
29 ~~(41)~~**(42)**Vehicle Miles of Travel (VMT): means automobile vehicle miles of travel. Automobiles,
30 for purposes of this definition, include automobiles, light trucks, and other similar vehicles used
31 for movement of people. The definition does not include buses, heavy trucks and trips that
32 involve commercial movement of goods. VMT includes trips with an origin and a destination
33 within the ~~MPO boundary~~**metropolitan area** and excludes pass through trips (i.e., trips with a
34 beginning and end point outside of the ~~MPO~~**metropolitan area**) and external trips (i.e., trips
35 with a beginning or end point outside of the ~~MPO boundary~~**metropolitan area**). VMT is
36 estimated prospectively through the use of metropolitan area transportation models.
37 ~~(42)~~**(43)**"Walkway" means a hard surfaced area intended and suitable for use by pedestrians,
38 including sidewalks and surfaced portions of accessways.

39 Stat. Auth.: ORS 197.040

40 Stats. Implemented: ORS 195.012, 197.040, 197.712, 197.717, 197.732

41 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 3-1995, f. & cert. ef. 3-31-95; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-1998, f. & cert. ef.
42 10-30-98; LCDD 3-2005, f. & cert. ef. 4-11-05; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06, cert. ef. 7-14-06; LCDD 11-2011, f. 12-30-11, cert.
43 ef. 1-1-12

44 **660-012-0015**

45 **Preparation and Coordination of Transportation System Plans**

46 (1) ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its
47 program for state agency coordination certified under ORS 197.180, and OAR 660-012-0030,

1 660-012-0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a
2 system of transportation facilities and services adequate to meet identified state transportation
3 needs:

4 (a) The state TSP shall include the state transportation policy plan, modal systems plans and
5 transportation facility plans as set forth in OAR **chapter** 731, ~~d~~Division 15;

6 (b) State transportation project plans shall be compatible with acknowledged comprehensive
7 plans as provided for in OAR **chapter** 731, ~~d~~Division 15. Disagreements between ODOT and
8 affected local governments shall be resolved in the manner established in that division.

9 (2) ~~MPOs and~~ **Metropolitan area local governments and** counties shall prepare, **adopt,** and
10 amend regional TSPs in compliance with this division. ~~MPOs~~ **Metropolitan area local**
11 **governments** shall prepare, **adopt, and amend** regional TSPs for facilities of regional
12 significance within their jurisdiction. Counties shall prepare, **adopt, and amend** regional TSPs
13 for all other areas and facilities:

14 (a) Regional TSPs shall establish a system of transportation facilities and services adequate to
15 meet identified regional transportation needs and shall be consistent with adopted elements of the
16 state TSP;

17 (b) Where elements of the state TSP have not been adopted, the ~~MPO~~ **metropolitan area local**
18 **governments** or county shall coordinate the preparation of the regional TSP with ODOT to
19 assure that state transportation needs are accommodated;

20 ~~(c) Regional TSPs prepared by MPOs other than metropolitan service districts shall be adopted~~
21 ~~by the counties and cities within the jurisdiction of the MPO. Metropolitan service districts shall~~
22 ~~adopt a regional TSP for areas within their jurisdiction;~~

23 ~~(d) Regional TSPs prepared by counties shall be adopted by the county.~~

24 (3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning
25 jurisdiction in compliance with this division:

26 (a) Local TSPs shall establish a system of transportation facilities and services adequate to meet
27 identified local transportation needs and shall be consistent with regional TSPs and adopted
28 elements of the state TSP;

29 (b) Where the regional TSP or elements of the state TSP have not been adopted, the city or
30 county shall coordinate the preparation of the local TSP with the regional transportation planning
31 body and ODOT to assure that regional and state transportation needs are accommodated.

32 (4) Cities and counties shall adopt regional and local TSPs required by this division as part of
33 their comprehensive plans. Transportation financing programs required by OAR 660-012-0040
34 may be adopted as a supporting document to the comprehensive plan.

35 (5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local
36 governments, special districts, and private providers of transportation services.

37 (6) Mass transit, transportation, airport and port districts shall participate in the development of
38 TSPs for those transportation facilities and services they provide. These districts shall prepare
39 and adopt plans for transportation facilities and services they provide. Such plans shall be
40 consistent with and adequate to carry out relevant portions of applicable regional and local TSPs.
41 Cooperative agreements executed under ORS 197.185(2) shall include the requirement that mass
42 transit, transportation, airport and port districts adopt a plan consistent with the requirements of
43 this section.

44 (7) Where conflicts are identified between proposed regional TSPs and acknowledged
45 comprehensive plans, representatives of affected local governments shall meet to discuss means
46 to resolve the conflicts. These may include:

- 1 (a) Changing the draft TSP to eliminate the conflicts; or
- 2 (b) Amending acknowledged comprehensive plan provision to eliminate the conflicts;
- 3 (c) For ~~MPOs which are not~~ **regional TSPs outside** metropolitan service districts, if conflicts
- 4 persist between regional TSPs and acknowledged comprehensive plans after efforts to achieve
- 5 compatibility, an affected local government may petition the Commission to resolve the dispute.
- 6 Stat. Auth.: ORS 183 & ORS 197.040
- 7 Stats. Implemented: ORS 184.618, ORS 195.025, ORS 197.040, ORS 197.180, ORS 197.230, ORS 197.245, ORS 197.712 & ORS 197.717
- 8 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91

9 **660-012-0016**

10 **Coordination with Federally-Required Regional Transportation Plans in Metropolitan**
11 **Areas**

12 (1) In metropolitan areas, local governments shall prepare, adopt, amend and update
13 transportation system plans required by this division in coordination with regional transportation
14 plans (RTPs) prepared by MPOs required by federal law. Insofar as possible, regional
15 transportation system plans for metropolitan areas shall be accomplished through a single
16 coordinated process that complies with the applicable requirements of federal law and this
17 division. Nothing in this rule is intended to make adoption or amendment of a regional
18 transportation plan by a metropolitan planning organization a land use decision under Oregon
19 law.

20 (2) When an MPO adopts or amends a regional transportation plan that relates to compliance
21 with this division, the affected local governments shall review the adopted plan or amendment
22 and either:

23 (a) Make a finding that the proposed regional transportation plan amendment or update is
24 consistent with the applicable provisions of adopted regional and local transportation system plan
25 and comprehensive plan and compliant with applicable provisions of this division; or

26 (b) Adopt amendments to the relevant regional or local transportation system plan that make the
27 regional transportation plan and the applicable transportation system plans consistent with one
28 another and compliant with applicable provisions of this division. Necessary plan amendments or
29 updates shall be prepared and adopted in coordination with the federally-required plan update or
30 amendment. Such amendments shall be initiated no later than 30 days from the adoption of the
31 RTP amendment or update and shall be adopted no later than one year from the adoption of the
32 RTP amendment or update or according to a work plan approved by the commission. A plan
33 amendment is "initiated" for purposes of this subsection where the affected local government
34 files a post-acknowledgement plan amendment notice with the department as provided in OAR
35 chapter 660, division 18.

36 (c) In the Portland Metropolitan area, compliance with this section shall be accomplished by
37 Metro through adoption of required findings or an amendment to the regional transportation
38 system plan.

39 (3) Adoption or amendment of a regional transportation plan relates to compliance with this
40 division for purposes of section (2) if it does one or more of the following:

41 (a) Changes plan policies;

42 (b) Adds or deletes a project from the list of planned transportation facilities, services or
43 improvements or from the financially-constrained project list required by federal law;

44 (c) Modifies the general location of a planned transportation facility or improvement;

45 (d) Changes the functional classification of a transportation facility; or

46 (e) Changes the planning period or adopts or modifies the population or employment forecast or
47 allocation upon which the plan is based.

1 (4) The following amendments to a regional transportation plan do not relate to compliance with
2 this division for purposes of section (2):

3 (a) Adoption of an air quality conformity determination;

4 (b) Changes to a federal revenue projection;

5 (c) Changes to estimated cost of a planned transportation project; or

6 (d) Deletion of a project from the list of planned projects where the project has been constructed
7 or completed.

8 (5) Adoption or amendment of a regional transportation plan that extends the planning period
9 beyond that specified in the applicable acknowledged comprehensive plan or regional
10 transportation system plan is consistent with the requirements of this rule where the following
11 conditions are met:

12 (a) The future year population ~~and employment forecasts are~~ **forecast is** consistent with those
13 **issued or adopted under ORS 195.033 or 195.036;** ~~adopted by the relevant county or counties~~
14 ~~for the metropolitan area. Where a county's adopted population or employment forecast is for a~~
15 ~~period of time shorter than the federally required planning period, an MPO forecast is consistent~~
16 ~~with the county's adopted forecast if it extrapolates the adopted county forecast consistent with:~~

17 ~~(A) The adopted forecast for long term growth rate for the county, and~~

18 ~~(B) A continuation of metropolitan area share of county population and employment growth;~~

19 (b) Land needed to accommodate future urban density population and employment and other
20 urban uses is identified in a manner consistent with Goal 14 and relevant rules;

21 (c) Urban density population and employment are allocated to designated centers and other
22 identified areas to provide for implementation of the metropolitan area's integrated land use and
23 transportation plan or strategy; and

24 (d) Urban density population and employment or other urban uses are allocated to areas outside
25 of an acknowledged urban growth boundary only where:

26 (A) The allocation is done in conjunction with consideration by local governments of possible
27 urban growth boundary amendments consistent with Goal 14 and relevant rules, and

28 (B) The RTP clearly identifies the proposed UGB amendments and any related projects as
29 illustrative and subject to further review and approval by the affected local governments.

30 Stat. Auth.: ORS 197.040

31 Stats. Implemented: ORS 195.012, 197.040, 197.712, 197.717, 197.732

32 Hist.: LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

33 **660-012-0020**

34 **Elements of Transportation System Plans**

35 (1) A TSP shall establish a coordinated network of transportation facilities adequate to serve
36 state, regional and local transportation needs.

37 (2) The TSP shall include the following elements:

38 (a) A determination of transportation needs as provided in OAR 660-012-0030;

39 (b) A road plan for a system of arterials and collectors and standards for the layout of local
40 streets and other important non-collector street connections. Functional classifications of roads in
41 regional and local TSP's shall be consistent with functional classifications of roads in state and
42 regional TSP's and shall provide for continuity between adjacent jurisdictions. The standards for
43 the layout of local streets shall provide for safe and convenient bike and pedestrian circulation
44 necessary to carry out OAR 660-012-0045(3)(b). New connections to arterials and state
45 highways shall be consistent with designated access management categories. The intent of this
46 requirement is to provide guidance on the spacing of future extensions and connections along

1 existing and future streets which are needed to provide reasonably direct routes for bicycle and
2 pedestrian travel. The standards for the layout of local streets shall address:

3 (A) Extensions of existing streets;

4 (B) Connections to existing or planned streets, including arterials and collectors; and

5 (C) Connections to neighborhood destinations.

6 (c) A public transportation plan which:

7 (A) Describes public transportation services for the transportation disadvantaged and identifies
8 service inadequacies;

9 (B) Describes intercity bus and passenger rail service and identifies the location of terminals;

10 (C) For areas within an urban growth boundary which have public transit service, identifies
11 existing and planned transit trunk routes, exclusive transit ways, terminals and major transfer
12 stations, major transit stops, and park-and-ride stations. Designation of stop or station locations
13 may allow for minor adjustments in the location of stops to provide for efficient transit or traffic
14 operation or to provide convenient pedestrian access to adjacent or nearby uses.

15 (D) For areas within an urban area containing a population greater than 25,000 persons, not
16 currently served by transit, evaluates the feasibility of developing a public transit system at
17 buildout. Where a transit system is determined to be feasible, the plan shall meet the
18 requirements of paragraph (2)(c)(C) of this rule.

19 (d) A bicycle and pedestrian plan for a network of bicycle and pedestrian routes throughout the
20 planning area. The network and list of facility improvements shall be consistent with the
21 requirements of ORS 366.514;

22 (e) An air, rail, water and pipeline transportation plan which identifies where public use airports,
23 mainline and branchline railroads and railroad facilities, port facilities, and major regional
24 pipelines and terminals are located or planned within the planning area. For airports, the planning
25 area shall include all areas within airport imaginary surfaces and other areas covered by state or
26 federal regulations;

27 (f) For areas within an urban area containing a population greater than 25,000 persons a plan for
28 transportation system management and demand management;

29 (g) A parking plan in ~~MPO~~ **metropolitan** areas as provided in OAR 660-012-0045(5)(c);

30 (h) Policies and land use regulations for implementing the TSP as provided in OAR 660-012-
31 0045;

32 (i) For areas within an urban growth boundary containing a population greater than 2500
33 persons, a transportation financing program as provided in OAR 660-012-0040.

34 (3) Each element identified in subsections (2)(b)-(d) of this rule shall contain:

35 (a) An inventory and general assessment of existing and committed transportation facilities and
36 services by function, type, capacity and condition:

37 (A) The transportation capacity analysis shall include information on:

38 (i) The capacities of existing and committed facilities;

39 (ii) The degree to which those capacities have been reached or surpassed on existing facilities;
40 and

41 (iii) The assumptions upon which these capacities are based.

42 (B) For state and regional facilities, the transportation capacity analysis shall be consistent with
43 standards of facility performance considered acceptable by the affected state or regional
44 transportation agency;

45 (C) The transportation facility condition analysis shall describe the general physical and
46 operational condition of each transportation facility (e.g., very good, good, fair, poor, very poor).

1 (b) A system of planned transportation facilities, services and major improvements. The system
2 shall include a description of the type or functional classification of planned facilities and
3 services and their planned capacities and performance standards;

4 **(c) A description of the location of planned facilities, services and major improvements,**
5 **establishing the general corridor within which the facilities, services or improvements may**
6 **be sited. This shall include a map showing the general location of proposed transportation**
7 **improvements, a description of facility parameters such as minimum and maximum road**
8 **right of way width and the number and size of lanes, and any other additional description**
9 **that is appropriate;**

10 **(d) Identification of the provider of each transportation facility or service.**

11
12 Stat. Auth.: ORS 197.040

13 Stats. Implemented: ORS 195.012, 197.040, 197.712, 197.717, 197.732

14 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

15 **660-012-0025**

16 **Complying with the Goals in Preparing Transportation System Plans; Refinement Plans**

17 (1) Except as provided in section (3) of this rule, adoption of a TSP shall constitute the land use
18 decision regarding the need for transportation facilities, services and major improvements and
19 their function, mode, and general location.

20 (2) Findings of compliance with applicable statewide planning goals and acknowledged
21 comprehensive plan policies and land use regulations shall be developed in conjunction with the
22 adoption of the TSP.

23 ~~(3) A local government or MPO may defer decisions~~ **Decisions** regarding function, general
24 location and mode of a refinement plan **may be deferred by a local government or**
25 **metropolitan service district** if findings are adopted that:

26 (a) Identify the transportation need for which decisions regarding function, general location or
27 mode are being deferred;

28 (b) Demonstrate why information required to make final determinations regarding function,
29 general location, or mode cannot reasonably be made available within the time allowed for
30 preparation of the TSP;

31 (c) Explain how deferral does not invalidate the assumptions upon which the TSP is based or
32 preclude implementation of the remainder of the TSP;

33 (d) Describe the nature of the findings which will be needed to resolve issues deferred to a
34 refinement plan; and

35 (e) Set a deadline for adoption of a refinement plan prior to initiation of the periodic review
36 following adoption of the TSP.

37 (4) Where a Corridor Environmental Impact Statement (EIS) is prepared pursuant to the
38 requirements of the National Environmental Policy Act of 1969, the development of the
39 refinement plan shall be coordinated with the preparation of the Corridor EIS. The refinement
40 plan shall be adopted prior to the issuance of the Final EIS.

41 Stat. Auth.: ORS ~~183~~ & 197.040

42 Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.712, 197.717

43 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

44 **660-012-0030**

45 **Determination of Transportation Needs**

46 (1) The TSP shall identify transportation needs relevant to the planning area and the scale of the
47 transportation network being planned including:

- 1 (a) State, regional, and local transportation needs;
2 (b) Needs of the transportation disadvantaged;
3 (c) Needs for movement of goods and services to support industrial and commercial
4 development planned for pursuant to OAR ~~chapter~~ **chapter** 660-00, **division** 9 and Goal 9 (Economic
5 Development).
6 (2) Counties or MPO's preparing regional TSP's shall rely on the analysis of state transportation
7 needs in adopted elements of the state TSP. Local governments preparing local TSP's shall rely
8 on the analyses of state and regional transportation needs in adopted elements of the state TSP
9 and adopted regional TSP's.
10 (3) Within urban growth boundaries, the determination of local and regional transportation needs
11 shall be based upon:
12 (a) Population and employment forecasts and distributions that are consistent with the
13 acknowledged comprehensive plan, including those policies that implement Goal 14. Forecasts
14 and distributions shall be for 20 years and, if desired, for longer periods; and
15 (b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the
16 automobile.
17 (4) In ~~MPO~~ **metropolitan** areas, calculation of local and regional transportation needs also shall
18 be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance
19 on the automobile.

20 Stat. Auth.: ORS ~~483~~ & 197.040

21 Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.712, 197.717

22 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-9; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

23 **660-012-0035**

24 **Evaluation and Selection of Transportation System Alternatives**

- 25 (1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can
26 reasonably be expected to meet the identified transportation needs in a safe manner and at a
27 reasonable cost with available technology. The following shall be evaluated as components of
28 system alternatives:
29 (a) Improvements to existing facilities or services;
30 (b) New facilities and services, including different modes or combinations of modes that could
31 reasonably meet identified transportation needs;
32 (c) Transportation system management measures;
33 (d) Demand management measures; and
34 (e) A no-build system alternative required by the National Environmental Policy Act of 1969 or
35 other laws.
36 (2) Local governments in ~~MPO~~ **metropolitan** areas of larger than 1,000,000 population shall,
37 and other governments may also, evaluate alternative land use designations, densities, and design
38 standards to meet local and regional transportation needs. Local governments preparing such a
39 strategy shall consider:
40 (a) Increasing residential densities and establishing minimum residential densities within one
41 quarter mile of transit lines, major regional employment areas, and major regional retail
42 shopping areas;
43 (b) Increasing allowed densities in new commercial office and retail developments in designated
44 community centers;
45 (c) Designating lands for neighborhood shopping centers within convenient walking and cycling
46 distance of residential areas; and
47 (d) Designating land uses to provide a better balance between jobs and housing considering:

- 1 (A) The total number of jobs and total of number of housing units expected in the area or
2 subarea;
- 3 (B) The availability of affordable housing in the area or subarea; and
- 4 (C) Provision of housing opportunities in close proximity to employment areas.
- 5 (3) The following standards shall be used to evaluate and select alternatives:
- 6 (a) The transportation system shall support urban and rural development by providing types and
7 levels of transportation facilities and services appropriate to serve the land uses identified in the
8 acknowledged comprehensive plan;
- 9 (b) The transportation system shall be consistent with state and federal standards for protection
10 of air, land and water quality including the State Implementation Plan under the Federal Clean
11 Air Act and the State Water Quality Management Plan;
- 12 (c) The transportation system shall minimize adverse economic, social, environmental and
13 energy consequences;
- 14 (d) The transportation system shall minimize conflicts and facilitate connections between modes
15 of transportation; and
- 16 (e) The transportation system shall avoid principal reliance on any one mode of transportation by
17 increasing transportation choices to reduce principal reliance on the automobile. In ~~MPO~~
18 **metropolitan** areas this shall be accomplished by selecting transportation alternatives which
19 meet the requirements in section (4) of this rule.
- 20 (4) In ~~MPO~~ **metropolitan** areas, regional and local TSPs shall be designed to achieve adopted
21 standards for increasing transportation choices and reducing reliance on the automobile. Adopted
22 standards are intended as means of measuring progress of metropolitan areas towards developing
23 and implementing transportation systems and land use plans that increase transportation choices
24 and reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish
25 reduced reliance by changing land use patterns and transportation systems so that walking,
26 cycling, and use of transit are highly convenient and so that, on balance, people need to and are
27 likely to drive less than they do today.
- 28 (5) ~~MPO~~ areas **Metropolitan area local governments** shall adopt standards to demonstrate
29 progress towards increasing transportation choices and reducing automobile reliance as provided
30 for in this rule:
- 31 (a) The commission shall approve standards by order upon demonstration ~~by the metropolitan~~
32 ~~area that:~~
- 33 (A) Achieving the standard will result in a reduction in reliance on automobiles;
- 34 (B) Achieving the standard will accomplish a significant increase in the availability or
35 convenience of alternative modes of transportation;
- 36 (C) Achieving the standard is likely to result in a significant increase in the share of trips made
37 by alternative modes, including walking, bicycling, ridesharing and transit;
- 38 (D) VMT per capita is unlikely to increase by more than five percent; and
- 39 (E) The standard is measurable and reasonably related to achieving the goal of increasing
40 transportation choices and reducing reliance on the automobile as described in OAR 660-012-
41 0000.
- 42 (b) In reviewing proposed standards for compliance with subsection (a), the commission shall
43 give credit to regional and local plans, programs, and actions implemented since 1990 that have
44 already contributed to achieving the objectives specified in paragraphs (A)-(E) above;
- 45 (c) If a plan using a standard, approved pursuant to this rule, is expected to result in an increase
46 in VMT per capita, then the ~~cities and counties in the~~ **metropolitan area local governments**

1 shall prepare and adopt an integrated land use and transportation plan including the elements
2 listed in paragraphs (A)-(E) below. Such a plan shall be prepared in coordination with the MPO
3 and shall be adopted within three years of the approval of the standard.

4 (A) Changes to land use plan designations, densities, and design standards listed in subsections
5 (2)(a)-(d);

6 (B) A transportation demand management plan that includes significant new transportation
7 demand management measures;

8 (C) A public transit plan that includes a significant expansion in transit service;

9 (D) Policies to review and manage major roadway improvements to ensure that their effects are
10 consistent with achieving the adopted strategy for reduced reliance on the automobile, including
11 policies that provide for the following:

12 (i) An assessment of whether improvements would result in development or travel that is
13 inconsistent with what is expected in the plan;

14 (ii) Consideration of alternative measures to meet transportation needs;

15 (iii) Adoption of measures to limit possible unintended effects on travel and land use patterns
16 including access management, limitations on subsequent plan amendments, phasing of
17 improvements, etc.; and

18 (iv) For purposes of this section a "major roadway expansion" includes new arterial roads or
19 streets and highways, the addition of travel lanes, and construction of interchanges to a limited
20 access highway

21 (E) Plan and ordinance provisions that meet all other applicable requirements of this division.

22 (d) Standards may include but are not limited to:

23 (A) Modal share of alternative modes, including walking, bicycling, and transit trips;

24 (B) Vehicle hours of travel per capita;

25 (C) Vehicle trips per capita;

26 (D) Measures of accessibility by alternative modes (i.e. walking, bicycling and transit); or

27 (E) The Oregon Benchmark for a reduction in peak hour commuting by single occupant vehicles.

28 (e) Metropolitan areas **local governments** shall adopt TSP policies to evaluate progress towards
29 achieving the standard or standards adopted and approved pursuant to this rule. Such evaluation
30 shall occur at regular intervals corresponding with federally-required updates of the regional
31 transportation plan. This shall include monitoring and reporting of VMT per capita.

32 (6) ~~A metropolitan area~~ **Metropolitan area local governments** may also accomplish
33 compliance with requirements of subsection (3)(e), sections (4) and (5) by demonstrating to the
34 commission that adopted plans and measures are likely to achieve a five percent reduction in
35 VMT per capita over the 20-year planning period. The commission shall consider and act on
36 ~~metropolitan area~~ requests under this section by order. ~~A metropolitan area that receives approval~~
37 ~~under this section~~ **Metropolitan area local governments** shall adopt interim benchmarks for
38 VMT reduction and shall evaluate progress in achieving VMT reduction at each update of the
39 regional transportation system plan.

40 (7) Regional and local TSPs shall include benchmarks to assure satisfactory progress towards
41 meeting the approved standard or standards adopted pursuant to this rule at regular intervals over
42 the planning period. ~~MPOs and~~ **Metropolitan area local governments** shall evaluate progress in
43 meeting benchmarks at each update of the regional transportation plan. Where benchmarks are
44 not met, the relevant TSP shall be amended to include new or additional efforts adequate to meet
45 the requirements of this rule.

1 (8) The commission shall, at regular intervals, evaluate the results of efforts to achieve the
2 reduction in VMT and the effectiveness of approved plans and standards in achieving the
3 objective of increasing transportation choices and reducing reliance on the automobile.

4 (9) Where existing and committed transportation facilities and services have adequate capacity
5 to support the land uses in the acknowledged comprehensive plan, the local government shall not
6 be required to evaluate alternatives as provided in this rule.

7 (10) Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and
8 located in an urban fringe may be included in a TSP only if the improvement project identified in
9 the Transportation System Plan as described in section (12) of this rule, will not significantly
10 reduce peak hour travel time for the route as determined pursuant to section (11) of this rule, or
11 the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose
12 of the improvement project:

13 (a) Improvements to transportation facilities and services within the urban growth boundary;

14 (b) Transportation system management measures that do not significantly increase capacity; or

15 (c) Transportation demand management measures. The jurisdiction needs only to consider
16 alternatives that are safe and effective, consistent with applicable standards and that can be
17 implemented at a reasonable cost using available technology.

18 (11) An improvement project significantly reduces peak hour travel time when, based on recent
19 data, the time to travel the route is reduced more than 15 percent during weekday peak hour
20 conditions over the length of the route located within the urban fringe. For purposes of
21 measuring travel time, a route shall be identified by the predominant traffic flows in the project
22 area.

23 (12) A "transportation improvement project" described in section (10) of this rule:

24 (a) Is intended to solve all of the reasonably foreseeable transportation problems within a general
25 geographic location, within the planning period; and

26 (b) Has utility as an independent transportation project.

27 Stat. Auth.: ORS 483-197.040, 197.245

28 Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.712, 197.717

29 Hist.: LCDDC 1-1991, f. & cert. ef. 5-8-91; LCDDC 3-1995, f. & cert. ef. 3-31-95; LCDDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-1998, f. & cert. ef.
30 10-30-98; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

31 **660-012-0045**

32 **Implementation of the Transportation System Plan**

33 (1) Each local government shall amend its land use regulations to implement the TSP.

34 (a) The following transportation facilities, services and improvements need not be subject to
35 land use regulations except as necessary to implement the TSP and, under ordinary
36 circumstances do not have a significant impact on land use:

37 (A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP,
38 such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and
39 terminals;

40 (B) Dedication of right-of-way, authorization of construction and the construction of facilities
41 and improvements, where the improvements are consistent with clear and objective dimensional
42 standards;

43 (C) Uses permitted outright under ORS 215.213(1)(m) through (p) and 215.283(1)(k) through
44 (n), consistent with the provisions of **OAR** 660-012-0065; and

45 (D) Changes in the frequency of transit, rail and airport services.

46 (b) To the extent, if any, that a transportation facility, service or improvement concerns the
47 application of a comprehensive plan provision or land use regulation, it may be allowed without

1 further land use review if it is permitted outright or if it is subject to standards that do not require
2 interpretation or the exercise of factual, policy or legal judgment;

3 (c) In the event that a transportation facility, service or improvement is determined to have a
4 significant impact on land use or to concern the application of a comprehensive plan or land use
5 regulation and to be subject to standards that require interpretation or the exercise of factual,
6 policy or legal judgment, the local government shall provide a review and approval process that
7 is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local
8 government shall amend its land use regulations to provide for consolidated review of land use
9 decisions required to permit a transportation project.

10 (2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with
11 applicable federal and state requirements, to protect transportation facilities, corridors and sites
12 for their identified functions. Such regulations shall include:

13 (a) Access control measures, for example, driveway and public road spacing, median control and
14 signal spacing standards, which are consistent with the functional classification of roads and
15 consistent with limiting development on rural lands to rural uses and densities;

16 (b) Standards to protect future operation of roads, transitways and major transit corridors;

17 (c) Measures to protect public use airports by controlling land uses within airport noise corridors
18 and imaginary surfaces, and by limiting physical hazards to air navigation;

19 (d) A process for coordinated review of future land use decisions affecting transportation
20 facilities, corridors or sites;

21 (e) A process to apply conditions to development proposals in order to minimize impacts and
22 protect transportation facilities, corridors or sites;

23 (f) Regulations to provide notice to public agencies providing transportation facilities and
24 services, MPOs, and ODOT of:

25 (A) Land use applications that require public hearings;

26 (B) Subdivision and partition applications;

27 (C) Other applications which affect private access to roads; and

28 (D) Other applications within airport noise corridors and imaginary surfaces which affect airport
29 operations; and

30 (g) Regulations assuring that amendments to land use designations, densities, and design
31 standards are consistent with the functions, capacities and performance standards of facilities
32 identified in the TSP.

33 (3) Local governments shall adopt land use or subdivision regulations for urban areas and rural
34 communities as set forth below. The purposes of this section are to provide for safe and
35 convenient pedestrian, bicycle and vehicular circulation consistent with access management
36 standards and the function of affected streets, to ensure that new development provides on-site
37 streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in
38 areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids
39 wherever possible levels of automobile traffic which might interfere with or discourage
40 pedestrian or bicycle travel.

41 (a) Bicycle parking facilities as part of new multi-family residential developments of four units
42 or more, new retail, office and institutional developments, and all transit transfer stations and
43 park-and-ride lots;

44 (b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and
45 bicycle access from within new subdivisions, multi-family developments, planned developments,
46 shopping centers, and commercial districts to adjacent residential areas and transit stops, and to

1 neighborhood activity centers within one-half mile of the development. Single-family residential
2 developments shall generally include streets and accessways. Pedestrian circulation through
3 parking lots should generally be provided in the form of accessways.

4 (A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools,
5 parks, shopping areas, transit stops or employment centers;

6 (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required
7 along arterials, collectors and most local streets in urban areas, except that sidewalks are not
8 required along controlled access roadways, such as freeways;

9 (C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent
10 with the purposes set forth in this section;

11 (D) Local governments shall establish their own standards or criteria for providing streets and
12 accessways consistent with the purposes of this section. Such measures may include but are not
13 limited to: standards for spacing of streets or accessways; and standards for excessive out-of-
14 direction travel;

15 (E) Streets and accessways need not be required where one or more of the following conditions
16 exist:

17 (i) Physical or topographic conditions make a street or accessway connection impracticable.
18 Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other
19 bodies of water where a connection could not reasonably be provided;

20 (ii) Buildings or other existing development on adjacent lands physically preclude a connection
21 now or in the future considering the potential for redevelopment; or

22 (iii) Where streets or accessways would violate provisions of leases, easements, covenants,
23 restrictions or other agreements existing as of May 1, 1995, which preclude a required street or
24 accessway connection.

25 (c) Where off-site road improvements are otherwise required as a condition of development
26 approval, they shall include facilities accommodating convenient pedestrian and bicycle travel,
27 including bicycle ways along arterials and major collectors;

28 (d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes,
29 facilities and improvements which:

30 (A) Are reasonably free from hazards, particularly types or levels of automobile traffic which
31 would interfere with or discourage pedestrian or cycle travel for short trips;

32 (B) Provide a reasonably direct route of travel between destinations such as between a transit
33 stop and a store; and

34 (C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and
35 considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile.

36 (e) Internal pedestrian circulation within new office parks and commercial developments shall
37 be provided through clustering of buildings, construction of accessways, walkways and similar
38 techniques.

39 (4) To support transit in urban areas containing a population greater than 25,000, where the area
40 is already served by a public transit system or where a determination has been made that a public
41 transit system is feasible, local governments shall adopt land use and subdivision regulations as
42 provided in subsections (a)-(g) below:

43 (a) Transit routes and transit facilities shall be designed to support transit use through provision
44 of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and
45 similar facilities, as appropriate;

- 1 (b) New retail, office and institutional buildings at or near major transit stops shall provide for
2 convenient pedestrian access to transit through the measures listed in **paragraphs** (A) and (B)
3 below.
- 4 (A) Walkways shall be provided connecting building entrances and streets adjoining the site;
5 (B) Pedestrian connections to adjoining properties shall be provided except where such a
6 connection is impracticable as provided for in OAR 660-012-0045(3)(b)(E). Pedestrian
7 connections shall connect the on site circulation system to existing or proposed streets,
8 walkways, and driveways that abut the property. Where adjacent properties are undeveloped or
9 have potential for redevelopment, streets, accessways and walkways on site shall be laid out or
10 stubbed to allow for extension to the adjoining property;
- 11 (C) In addition to **paragraphs** (A) and (B) above, on sites at major transit stops provide the
12 following:
- 13 (i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting
14 street or provide a pedestrian plaza at the transit stop or a street intersection;
- 15 (ii) A reasonably direct pedestrian connection between the transit stop and building entrances on
16 the site;
- 17 (iii) A transit passenger landing pad accessible to disabled persons;
- 18 (iv) An easement or dedication for a passenger shelter if requested by the transit provider; and
19 (v) Lighting at the transit stop.
- 20 (c) Local governments may implement (4)(b)(A) and (B) above through the designation of
21 pedestrian districts and adoption of appropriate implementing measures regulating development
22 within pedestrian districts. Pedestrian districts must comply with the requirement of (4)(b)(C)
23 above;
- 24 (d) Designated employee parking areas in new developments shall provide preferential parking
25 for carpools and vanpools;
- 26 (e) Existing development shall be allowed to redevelop a portion of existing parking areas for
27 transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations,
28 transit-oriented developments, and similar facilities, where appropriate;
- 29 (f) Road systems for new development shall be provided that can be adequately served by
30 transit, including provision of pedestrian access to existing and identified future transit routes.
31 This shall include, where appropriate, separate accessways to minimize travel distances;
- 32 (g) Along existing or planned transit routes, designation of types and densities of land uses
33 adequate to support transit.
- 34 (5) In ~~MPO~~ **metropolitan** areas, local governments shall adopt land use and subdivision
35 regulations to reduce reliance on the automobile which:
- 36 (a) Allow transit-oriented developments (TODs) on lands along transit routes;
- 37 (b) Implements a demand management program to meet the measurable standards set in the TSP
38 in response to **OAR** 660-012-0035(4);
- 39 (c) Implements a parking plan which:
- 40 (A) Achieves a 10 **percent**% reduction in the number of parking spaces per capita in the ~~MPO~~
41 **metropolitan** area over the planning period. This may be accomplished through a combination
42 of restrictions on development of new parking spaces and requirements that existing parking
43 spaces be redeveloped to other uses;
- 44 (B) Aids in achieving the measurable standards set in the TSP in response to OAR 660-012-
45 0035(4);

- 1 (C) Includes land use and subdivision regulations setting minimum and maximum parking
 2 requirements in appropriate locations, such as downtowns, designated regional or community
 3 centers, and transit oriented-developments; and
 4 (D) Is consistent with demand management programs, transit-oriented development requirements
 5 and planned transit service.
 6 (d) As an alternative to (c) above, local governments in MPO a metropolitan area may instead
 7 revise ordinance requirements for parking as follows:
 8 (A) Reduce minimum off-street parking requirements for all non-residential uses from 1990
 9 levels;
 10 (B) Allow provision of on-street parking, long-term lease parking, and shared parking to meet
 11 minimum off-street parking requirements;
 12 (C) Establish off-street parking maximums in appropriate locations, such as downtowns,
 13 designated regional or community centers, and transit-oriented developments;
 14 (D) Exempt structured parking and on-street parking from parking maximums;
 15 (E) Require that parking lots over 3 acres in size provide street-like features along major
 16 driveways (including curbs, sidewalks, and street trees or planting strips); and
 17 (F) Provide for designation of residential parking districts.
 18 (e) Require all major industrial, institutional, retail and office developments to provide either a
 19 transit stop on site or connection to a transit stop along a transit trunk route when the transit
 20 operator requires such an improvement.
 21 (6) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-
 22 0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian
 23 trips to meet local travel needs in developed areas. Appropriate improvements should provide for
 24 more direct, convenient and safer bicycle or pedestrian travel within and between residential
 25 areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures
 26 include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing
 27 walkways between buildings, and providing direct access between adjacent uses.
 28 (7) Local governments shall establish standards for local streets and accessways that minimize
 29 pavement width and total right-of-way consistent with the operational needs of the facility. The
 30 intent of this requirement is that local governments consider and reduce excessive standards for
 31 local streets and accessways in order to reduce the cost of construction, provide for more
 32 efficient use of urban land, provide for emergency vehicle access while discouraging
 33 inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and
 34 bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted
 35 to meet this requirement need not be adopted as land use regulations.

36 Stat. Auth.: ORS 483 & 197.040

37 Stats. Implemented: ORS 197.040

38 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDC 11-1995, f. & cert. ef. 12-22-95; LCDD 6-1998, f. & cert.
 39 ef. 10-30-98; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

40 **660-012-0055**

41 **Timing of Adoption and Update of Transportation System Plans; Exemptions**

- 42 (1) MPOs shall complete regional TSPs for their planning areas by May 8, 1996. For those
 43 metropolitan areas ~~within a MPO~~, cities and counties shall adopt local TSPs and
 44 implementing measures within one year following completion of the regional TSP:
 45 (a) If by May 8, 2000, a Metropolitan Planning Organization (MPO) has not adopted a
 46 regional transportation system plan that meets the VMT reduction standard in OAR 660-
 47 012-0035(4) and the metropolitan area does not have an approved alternative standard

1 established pursuant to OAR 660-012-0035(5), then the ~~cities and counties within the~~
2 **metropolitan area local governments** shall prepare and adopt an integrated land use and
3 transportation plan as outlined in OAR 660-012-0035(5)(c) (A)-(E). Such a plan shall be
4 prepared in coordination with the MPO and shall be adopted within three years;

5 (b) When an area is designated as an MPO or is added to an existing MPO, the affected local
6 governments shall, within one year of adoption of the regional transportation plan, adopt
7 a regional TSP in compliance with applicable requirements of this division and amend
8 local transportation system plans to be consistent with the regional TSP.

9 (c) ~~Local~~ **Metropolitan area local** governments ~~in metropolitan areas~~ may request and the
10 commission may by order grant an extension for completing an integrated land use and
11 transportation plan required by this division. ~~Local governments requesting~~ **The request**
12 **for** an extension shall set forth a schedule for completion of outstanding work needed to
13 complete an integrated land use and transportation plan as set forth in OAR 660-012-
14 0035. This shall include, as appropriate:

15 (A) Adoption of a long-term land use and transportation vision for the region;

16 (B) Identification of centers and other land use designations intended to implement the
17 vision;

18 (C) Adoption of housing and employment allocations to centers and land use
19 designations; and

20 (D) Adoption of implementing plans and zoning for designated centers and other land use
21 designations.

22 (d) ~~Local~~ **Metropolitan area local** governments ~~within metropolitan areas~~ that are not in
23 compliance with the requirements of this division to adopt or implement a standard to
24 increase transportation choices or have not completed an integrated land use and
25 transportation plan as required by this division shall review plan and land use regulation
26 amendments and adopt findings that demonstrate that the proposed amendment supports
27 implementation of the region's adopted vision, strategy, policies or plans to increase
28 transportation choices and reduce reliance on the automobile.

29 (2) A plan or land use regulation amendment supports implementation of an adopted regional
30 strategy, policy or plan for purposes of this section if it achieves the following as applicable:

31 (A) Implements the strategy or plan through adoption of specific plans or zoning that
32 authorizes uses or densities that achieve desired land use patterns;

33 (B) Allows uses in designated centers or neighborhoods that accomplish the adopted
34 regional vision, strategy, plan or policies; and

35 (C) Allows uses outside designated centers or neighborhood that either support or do not
36 detract from implementation of desired development within nearby centers.

37 (3) For areas outside an MPO, cities and counties shall complete and adopt regional and local
38 TSPs and implementing measures by May 8, 1997.

39 (4) By November 8, 1993, affected cities and counties shall, for non-MPO urban areas of
40 25,000 or more, adopt land use and subdivision ordinances or amendments required by OAR
41 660-012-0045(3), (4)(a)-(f) and (5)(d). By May 8, 1994 affected cities and counties within
42 MPO areas shall adopt land use and subdivision ordinances or amendments required by
43 OAR 660-012-0045(3), (4)(a)-(e) and (5)(e). Affected cities and counties which do not have
44 acknowledged ordinances addressing the requirements of this section by the deadlines listed
45 above shall apply OAR 660-012-0045(3), (4)(a)-(g) and (5)(e) directly to all land use
46 decisions and all limited land use decisions.

- 1 (5) (4)(a) Affected cities and counties that either:
2 (A) Have acknowledged plans and land use regulations that comply with this rule as of
3 May 8, 1995, may continue to apply those acknowledged plans and land use
4 regulations; or
5 (B) Have plan and land use regulations adopted to comply with this rule as of April 12,
6 1995, may continue to apply the provisions of this rule as they existed as of April 12,
7 1995, and may continue to pursue acknowledgment of the adopted plans and land use
8 regulations under those same rule provisions provided such adopted plans and land
9 use regulations are acknowledged by April 12, 1996. Affected cities and counties that
10 qualify and make this election under this paragraph shall update their plans and land
11 use regulations to comply with the 1995 amendments to OAR 660-012-0045 as part
12 of their transportation system plans.
- 13 (b) Affected cities and counties that do not have acknowledged plans and land use
14 regulations as provided in subsection (a) of this section, shall apply relevant sections of
15 this rule to land use decisions and limited land use decisions until land use regulations
16 complying with this amended rule have been adopted.
- 17 (6) Cities and counties shall update their TSPs and implementing measures as necessary to
18 comply with this division at each periodic review subsequent to initial compliance with this
19 division. ~~Local~~ **Metropolitan area local** governments within metropolitan areas **and local**
20 **governments within metropolitan service districts** shall amend local transportation
21 system plans to be consistent with an adopted regional transportation system plan within one
22 year of the adoption of an updated regional transportation system plan or by a date specified
23 in the adopted regional transportation system plan.
- 24 (7) The director may grant a whole or partial exemption from the requirements of this division
25 to cities under 10,000 population and counties under 25,000 population, and for areas within
26 a county within an urban growth boundary that contains a population less than 10,000.
27 Eligible jurisdictions may request that the director approve an exemption from all or part of
28 the requirements in this division. Exemptions shall be for a period determined by the
29 director or until the jurisdiction's next periodic review, whichever is shorter.
- 30 (a) The director's decision to approve an exemption shall be based upon the following
31 factors:
32 (A) Whether the existing and committed transportation system is generally adequate to
33 meet likely transportation needs;
34 (B) Whether the new development or population growth is anticipated in the planning
35 area over the next five years;
36 (C) Whether major new transportation facilities are proposed which would affect the
37 planning areas;
38 (D) Whether deferral of planning requirements would conflict with accommodating state
39 or regional transportation needs; and
40 (E) Consultation with the Oregon Department of Transportation on the need for
41 transportation planning in the area, including measures needed to protect existing
42 transportation facilities.
- 43 (b) The director's decision to grant an exemption under this section is appealable to the
44 commission as provided in OAR 660-002-0020 (Delegation of Authority Rule)

1 (8) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior
2 to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter
3 660, division 18, Post Acknowledgment Procedures.

4 Stat. Auth.: ORS 183, 197.040 & 197.245

5 Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.610 - 197.625, 197.628 - 197.646, 197.712 & 197.717

6 Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 1-1993, f. & cert. ef. 6-15-93; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-1998, f. & cert. ef.
7 10-30-98; LCDD 2-2000, f. & cert. ef. 2-4-00; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

Land Conservation and Development Department 660
Agency and Division Administrative Rules Chapter Number

Casaria Taylor (503) 373-0050, ext. 322
Rules Coordinator Telephone

Land Conservation and Development Department, 635 Capitol St. NE, Suite 150, Salem, OR 97301
Address

RULE CAPTION

Minor and technical amendments to the Transportation Planning Rules
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-22-14	8:30 a.m.	DLCD, Basement Hearing Room, 635 Capitol St, Salem, OR 97301	LCDC

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

OAR Chapter 660, division 12

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

197.040

Other Authority:

Statutes Implemented:

195.025, 197.040, 197.180, 197.610, OR Laws 2013 Chapter 574

RULE SUMMARY

- Minor and technical amendments to the Transportation Planning Rules at OAR chapter 660, division 12, in order to:
- 1) Specify that rule requirements related to Metropolitan Planning Organizations (MPOs) do not apply to the Walla Walla Valley MPO because this area is primarily within the State of Washington and only includes one small urban area in Oregon.
 - 2) Clarify that regional transportation system plans are to be adopted by local governments within a metropolitan area, rather than metropolitan planning organizations, by consistently using clearly defined terms throughout the division.
 - 3) Correct an administrative rule filing error by the department in June 2006 that inadvertently resulted in the elimination of a section of rule that was previously adopted by LCDC and was not intended to be removed and had not been repealed by LCDC.
 - 4) Update reference to population forecasts to ensure consistency with Oregon Laws 2013 Chapter 574.

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.

05-22-2014 8:30 a.m. Casaria Taylor casaria.taylor@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address
for public comment

<p>FILED 4-11-14 1:18 PM ARCHIVES DIVISION SECRETARY OF STATE</p>
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*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Land Conservation and Development Department
Agency and Division

660
Administrative Rules Chapter Number

Minor and technical amendments to the Transportation Planning Rules

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Proposed amendments to OAR chapter 660, division 12

Statutory Authority:

197.040

Other Authority:

Statutes Implemented:

195.025, 197.040, 197.180, 197.610, OR Laws 2013 Chapter 574

Need for the Rule(s):

Minor and technical amendments to the Transportation Planning Rules at OAR chapter 660, division 12 are necessary in order to:

- 1) Specify that rule requirements related to Metropolitan Planning Organizations (MPOs) do not apply to the Walla Walla Valley MPO because this area is primarily within the State of Washington and only includes one small Oregon city.
- 2) Clarify that regional transportation system plans are to be adopted by local governments within a metropolitan area, rather than metropolitan planning organizations, by consistently using clearly defined terms throughout the division.
- 3) Correct an administrative rule filing error by the department in June 2006 that inadvertently resulted in the elimination of a section of rule that was previously adopted by LCDC and was not intended to be removed and had not been repealed by LCDC.
- 4) Update reference to population forecasts to ensure consistency with legislation enacted in 2013

Documents Relied Upon, and where they are available:

None

Fiscal and Economic Impact:

The rule amendments would reduce costs for two local governments by a small undetermined amount.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The City of Milton-Freewater and Umatilla County will be relieved of requirements that would otherwise apply to local governments within an MPO designated by the federal government. This will result in cost savings, but the amount cannot be determined since costs for transportation planning varies widely among various MPOs.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

No businesses are subject to the rule; it applies to local governments.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

There will be savings to local governments with respect to these activities and services since the City of Milton-Freewater and Umatilla County will be relieved of requirements that otherwise apply to local governments within an MPO designated by the federal government. This will result in cost savings, but the amount cannot be determined since costs for transportation planning varies widely among various Metropolitan Areas.

c. Equipment, supplies, labor and increased administration required for compliance:

Some cost savings for the reasons described above.

How were small businesses involved in the development of this rule?

Small businesses were not involved in the development of these amendments because businesses are not subject to these rules.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

These amendments are minor and technical.

05-22-2014 8:30 a.m.	Casaria Taylor	casaria.taylor@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

FILED 4-11-14 1:18 PM ARCHIVES DIVISION SECRETARY OF STATE
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Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534) *FOR ADMINISTRATIVE RULES*

AGENCY NAME:

Department of Land Conservation and Development

ADDRESS: 635 Capitol Street NE, Suite 150

CITY/STATE: Salem, Oregon 97301

PHONE: (503) 373-0050, ext 229

PERMANENT:

TEMPORARY:

HEARING DATES: May 22-23, 2014

EFFECTIVE DATE: Upon filing

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance)

Minor and technical amendments to the Transportation Planning Rules at OAR chapter 660, division 12, in order to:

- 1) Specify that rule requirements related to Metropolitan Planning Organizations (MPOs) do not apply to the Walla Walla Valley MPO because this area is primarily within the State of Washington and only includes one small urban area in Oregon.
- 2) Clarify that regional transportation system plans are to be adopted by local governments within a metropolitan area, rather than metropolitan planning organizations, by consistently using clearly defined terms throughout the division.
- 3) Correct an administrative rule filing error by the department in June 2006 that inadvertently resulted in the elimination of a section of rule that was previously adopted by LCDC and was not intended to be removed and had not been repealed by LCDC.
- 4) Update reference to population forecasts to ensure consistency with Oregon Laws 2013 Chapter 574.

Description of the need for, and objectives of the rule:

These minor and technical amendments will clarify responsibilities and correct an earlier clerical error.

List of rules adopted or amended:

OAR chapter 660, division 12

Materials and labor costs increase or savings:

None. These amendments do not affect housing materials or labor costs.

Estimated administrative, construction or other costs increase or savings:

None. These amendments affect transportation planning and do not pertain to housing or housing construction.

Land costs increase or savings:

None, for the reasons described above.

Other costs increase or savings:

The amended rules would result in potential administrative cost savings to the City of Milton-Freewater and portions of Umatilla County because the city and county will not be subject to transportation planning

administrative rules regarding metropolitan planning organizations within Oregon. However, these cost savings do not pertain to housing.

*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME:Bob Rindy EMAIL ADDRESS:bob.rindy@state.or.us

Jurisdictions included in the definition of “Metropolitan Area Local Government,” by metropolitan area:

- Albany, Benton County, Jefferson, Linn County, Marion County, Millersburg, Tangent
- Bend, Deschutes County
- Coburg, Eugene, Lane County, Springfield
- Adair Village, Benton County, Corvallis, Philomath
- Gold Hill, Grants Pass, Jackson County, Josephine County, Rogue River
- Metro
- Ashland, Central Point, Eagle Point, Jacksonville, Jackson County, Medford, Phoenix, Talent
- Keizer, Marion County, Polk County, Salem, Turner

Jurisdictions not included in the definition of “Metropolitan Area Local Government,” due to their location within a metropolitan service district:

- Beaverton, Clackamas County, Cornelius, Damascus, Durham, Fairview, Forest Grove, Gladstone, Gresham, Happy Valley, Hillsboro, Johnson City, King City, Lake Oswego, Maywood Park, Milwaukie, Multnomah County, Oregon City, Portland, Rivergrove, Sherwood, Tigard, Troutdale, Tualatin, Washington County, West Linn, Wilsonville, Wood Village

Note: this is a current list of jurisdictions as of 2014. Jurisdictions may be added or subtracted as new metropolitan areas are formed or current ones are changed.