

# Climate-Friendly and Equitable Communities Implementation Guide



This document provides guidance for cities and counties within metropolitan areas that are expected to implement the Climate Friendly and Equitable Communities rules. The information provided in this document are **based on the rules adopted by the Land Conservation and Development Commission on July 21, 2022**. This guide is for information and is not determinative regarding the content or applicability of the adopted rules.

Pages 1-3 contain an overview of the implementation and reporting requirements of the rules. The table of implementation dates on pages 3-8 shows the year in which these requirements become applicable, grouped by metropolitan area. The task summaries on pages 9-12 outline the sections of the Division 12 rules that are involved with the major task groups.

**Alternative Dates:** Cities, counties, or Metro may, optionally, propose alternative implementation dates for some deadlines as provided in OAR 660-012-0012(3). Alternative dates would be submitted to the department, reviewed against criteria, and approved (or not) by the DLCD Director. Alternative compliance dates for Eugene-Springfield and Salem-Keizer metropolitan area would use this process and the work program process for scenario planning in OAR 660-044-0100. Rules whose implementation dates **can** be modified through this process are in italics in the guide.

**Division 12 Exemption:** The DLCD Director may grant a full or partial exemption from Division 12 to cities and counties with a population under 10,000 within the urban area (OAR 660-012-0055(7)). The exemption must be requested by the jurisdiction. Exemptions granted shall last for a specified period.

## Major Task Groups

Requirements for the implementation of each task are outlined in the schedule. Details of the rules involved with each task are listed after the schedule table.

**CFA Study** – Study potential climate-friendly areas (CFA) (660-012-0315).

(code changes not mandatory; may apply 660-012-0430 and 0440 directly).

**CFA Codes** – Designate and make comprehensive plan, zoning map and code changes to implement climate-friendly areas (660-012-0320).

**Parking B** – Implement parking regulation improvements, and parking mandate reform (660-012-0400 through 0450).

**Parking A** – For new development applications, apply reduced parking mandates near frequent transit and for certain development types

**TSP Updates** – These rules only apply at the time of a major update to a transportation system plan (TSP).

**TPR Development Regulations** – Transportation Planning Rules (TPR) related regulations; required with major transportation system plan updates, no specific update timeline unless indicated. Implement commercial and residential land use regulations (660-012-0330), and bicycle parking (660-012-630).

**HNA** – Housing Needs Analysis (HNA) (Also known as a Housing Capacity Analysis, or HCA). Update required by OAR Chapter 660-008-0045 for cities over 10,000 population. HNA within Metro must be updated every 6 years; outside of Metro must be updated every 8 years.

*HNA is an additional task that is not part of Climate-Friendly and Equitable Communities.*

### Individually Applicable Rules

Rules separate from the major task groups and with their own applicability date are listed below and in the schedule.

**EV Conduit** – Cities only; for new multifamily and multi-use development applications, require 40% of spaces have conduit to serve electric vehicle charging (OAR 660-012-0410); implement by March 31, 2023 per OAR 660-012-0012(5)(d); either directly apply state administrative rules or amend local development standards.

**Transportation Modeling** – transportation modeling or analysis used for a land use decision must comply with OAR 660-012-0210; decision must not increase VMT per capita; effective as of June 30, 2024 per OAR 660-012-0012(5)(a).

**Performance Standards** – Implement multiple transportation performance standards for plan amendments and development review per OAR 660-012-0215; effective as of June 30, 2025 per OAR 660-012-0012(4)(b).

Additional CFA Designations for UGB Expansions is required beginning June 30, 2027 (OAR 660-008-0010(3)).

**Note:** **TSP Update** and **TPR Development Regulations** apply to **all** jurisdictions in the table listed below. The proposed rules do not establish an implementation deadline if ‘TSP Update’ and ‘TSP Development Regulations’ are not shown in the schedule. They are **not** exempt from these requirements. A deadline for these tasks may be established through approval of alternate compliance dates.

### TPR Reporting

OAR 660-012-0900 requires cities and counties outside of Metro to submit yearly reports. The reporting requirements are listed in the row of each metropolitan area (light blue background). The designation of major reports in this guide are based on expected dates of Regional Transportation Plan (RTP) updates. The timing of a major report will be as determined by actual RTP adoption (OAR 660-012-0900(5)). The reporting requirement applies to each jurisdiction individually, although jurisdictions may coordinate to submit one report for the metropolitan area. Inside Metro, annual reporting will be completed by Metro (cities and counties within Metro **not** required to submit individual reports).

## Population Growth

**Climate-Friendly Areas-** OAR 660-012-0310(4)(a) and (b) specify CFA compliance timelines for jurisdictions that surpass population thresholds of 5,000 or 10,000. Such jurisdictions must submit a **CFA Study** within 545 days of exceeding the population threshold, and adopt **CFA Codes** within 365 days of the deadline for submittal of the CFA Study. Additionally, OAR 660-008-0010(2) requires the designation of additional climate friendly areas as cities over 10,000 grow, in conjunction with required HNA updates.

**Parking** – OAR 660-012-0012(4)(f)(A) allows one year for jurisdictions that surpass population thresholds in OAR 660-012-0400 to comply with the parking rules to which they become subject.

*Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)*

	2022	2023	2024	2025	2026-2028	2029
<b>Albany Area</b>			TPR <b>major</b> report (5/31) <sup>1</sup>	TPR minor report (5/31)	TPR minor report (5/31) ( <b>major</b> in 2028)	TPR minor report (5/31)
Albany	<b>Parking A</b>	<b>CFA Study</b> EV Conduit <b>Parking B</b>	<b>CFA Codes</b> Transportation Modeling	<i>Performance Standards</i>	2028 <b>HNA</b> Additional CFA for UGB expansions after June 2027	<b>TSP</b> <b>TPR Dev. Regs.</b>
Benton County, Linn County, Marion County <small>(fewer than 5,000 population inside UGB)</small>			Transportation Modeling	<i>Performance Standards</i>		
Jefferson, Tangent, and Millersburg	<b>Parking A</b>	EV Conduit <b>Parking B</b>	Transportation Modeling	<i>Performance Standards</i>		

<sup>1</sup> Next expected RTP updates: 2022: Central Lane, Corvallis; 2023: Albany, Salem-Keizer; 2024: Middle Rogue; 2025: Bend, Rogue Valley. TPR major report expected the year following adoption of RTP update. Future RTP updates expected every 4 years.

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

	2022	2023	2024	2025	2026-2028	2029
Bend Area			TPR minor report (5/31)	TPR minor report (5/31)	TPR minor report (major report 2026) (5/31)	TPR minor report (5/31)
Bend	Parking A	CFA Study EV Conduit Parking B	CFA Codes HNA Transportation Modeling	Performance Standards	Additional CFA for UGB expansions after June 2027, and with HNA Updates	TSP TPR Dev. Regs.
Deschutes County <sup>2</sup>			Transportation Modeling	Performance Standards		TSP TPR Dev. Regs.
Central Lane	Scenario Plan work program (6/30) Scenario Plan (12/31)		TPR minor report (5/31)	TPR minor report (5/31)	Scenario Plan code amendments and TSP (12/31) TPR minor report (5/31) (major in 2028)	TPR minor report (5/31)
Coburg	Parking A	EV Conduit Parking B	Transportation Modeling	Performance Standards	TSP (2026) TPR Dev. Regs.	
Eugene Springfield	Parking A	CFA Study EV Conduit Parking B	CFA Codes Transportation Modeling	Springfield HNA Performance Standards	TSP (2026) TPR Dev. Regs. Eugene 2026 HNA Additional CFA for UGB expansions after June 2027	
Lane County <sup>3</sup>			Transportation Modeling	Performance Standards	TSP (2026) TPR Dev. Regs.	

<sup>2</sup> Deschutes Co. population within UGBs in the metropolitan area is >5,000. However, Parking A, Parking B, CFA Study, and CFA Codes are not assumed to be applicable because the county does not provide urban services to these areas (OAR 660-012-0310(3); OAR 660-012-0400(1)(b)).

<sup>3</sup> Lane Co. population within UGBs in the metropolitan area is >5,000. However, Parking A, Parking B, CFA Study, and CFA Codes are not assumed to be applicable because the county does not provide urban services to these areas (OAR 660-012-0310(3); OAR 660-012-0400(1)(b)).

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

	2022	2023	2024	2025	2026-2028	2029
<b>Corvallis Area</b>			TPR <b>major</b> report (5/31)	TPR minor report (5/31)	TPR minor report (5/31) ( <b>major</b> in 2028)	TPR minor report (5/31)
Adair Village	<b>Parking A</b>	EV Conduit <i>Parking B</i>	Transportation Modeling	<i>Performance Standards</i>		
Corvallis Philomath	<b>Parking A</b>	CFA Study EV Conduit <i>Parking B</i>	<i>CFA Codes</i> Transportation Modeling	<i>Performance Standards</i>	Corvallis 2027 <b>HNA</b> Additional CFA for UGB expansions after June 2027	<b>TSP</b> <b>TPR Dev. Regs.</b>
Benton County (fewer than 5,000 population inside UGB)			Transportation Modeling	<i>Performance Standards</i>		
<b>Middle Rogue</b>			TPR minor report (5/31)	TPR <b>major</b> report (5/31)	TPR minor report (5/31)	TPR <b>major</b> report (5/31)
Gold Hill Rogue River	<b>Parking A</b>	EV Conduit <i>Parking B</i>	Transportation Modeling	<i>Performance Standards</i>		
Grants Pass	<b>Parking A</b> <b>HNA</b>	CFA Study EV Conduit <i>Parking B</i>	<i>CFA Codes</i> Transportation Modeling	<i>Performance Standards</i>	Additional CFA for UGB expansions after June 2027	<b>TSP</b> <b>TPR Dev. Regs.</b>
Jackson County Josephine County (fewer than 5,000 population inside UGB)			Transportation Modeling	<i>Performance Standards</i>		

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

	2022	2023	2024	2025	2026-2028	2029
<b>Rogue Valley</b>			TPR minor report (5/31)	TPR minor report (5/31)	TPR <b>major</b> report (5/31)	
Ashland Central Point Eagle Point Medford Talent	<b>Parking A</b>	<b>CFA Study</b> EV Conduit <b>Parking B</b> Medford <b>HNA</b>	<b>CFA Codes</b> Transportation Modeling	<i>Performance Standards</i>	Central Pt 2027 <b>HNA</b> Ashland 2029 <b>HNA</b> Additional CFA for UGB expansions after June 2027	<b>TSP</b> <b>TPR Dev. Regs.</b>
Jacksonville Phoenix	<b>Parking A</b>	EV Conduit <b>Parking B</b>	Transportation Modeling	<i>Performance Standards</i>		
Jackson County (fewer than 5,000 population inside UGB)			Transportation Modeling	<i>Performance Standards</i>		

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

	2022	2023	2024	2025	2026-2028	2029
<b>Salem/Keizer</b>		Scenario Plan work program (6/30)	Scenario Plan (6/30) TPR <b>major</b> report (5/31)	Scenario Plan code amendments and TSP (6/25) TPR minor report (5/31)	TPR minor report (5/31) ( <b>major</b> in 2028)	TPR minor report (5/31)
Salem Keizer	<b>Parking A</b>	<b>CFA Study</b> EV Conduit <b>Parking B</b>	<b>CFA Codes</b> Salem and Keizer <b>HNA</b> Transportation Modeling	<b>TSP</b> <b>TPR Dev. Regs.</b> <b>Performance Standards</b>	Additional CFA for UGB expansions after June 2027	
Marion County	<b>Parking A</b>	<b>CFA Study</b> <b>Parking B</b>	<b>CFA Codes</b> Transportation Modeling	<b>TSP</b> <b>TPR Dev. Regs.</b> <b>Performance Standards</b>		
Polk County (fewer than 5,000 population inside UGB)			Transportation Modeling	<b>TSP</b> <b>TPR Dev. Regs.</b> <b>Performance Standards</b>		
Turner	<b>Parking A</b>	EV Conduit <b>Parking B</b>	Transportation Modeling	<b>TSP</b> <b>TPR Dev. Regs.</b> <b>Performance Standards</b>		

Compliance date for tasks in italics can be modified per OAR 660-012-0012(3)

	2022	2023	2024	2025	2026-2028	2029
<b>Portland Metro</b>			TPR <b>major</b> report (5/31)	TPR minor report (5/31)	TPR minor report (5/31) ( <b>major</b> in 2028)	TPR minor report (5/31)
<b>TPR Rules specific to Metro: OAR 660-012-0140, Transportation System Planning in the Portland Metropolitan Area; OAR 660-012-0012(4)(d), Climate-Friendly Area implementation within Metro; OAR 660-012-0900(2), TPR Reporting.</b>						
Metro UGMFP Region 2040 Centers [various jurisdictions]			Metro to establish requirements for adoption of Centers	Non-adopters to adopt Center boundaries and zoning		
Durham, Johnson City, Maywood Park, Rivergrove, King City, Wood Village	<b>Parking A</b>	<b>EV Conduit</b> <b>Parking B</b>	<b>Transportation Modeling</b>	<b>Performance Standards</b>		
Beaverton, Cornelius, Fairview, Forest Grove, Gladstone, Gresham, Happy Valley, Hillsboro, Lake Oswego, Milwaukie, Oregon City, Portland, Sherwood, Tigard, Troutdale, Tualatin, West Linn, Wilsonville (10k+)	<b>Parking A</b>	<b>EV Conduit</b> <b>Parking B</b> Beaverton, Fairview, Gresham, Happy Valley, Hillsboro Lake Oswego, Milwaukie, Portland, West Linn, Wilsonville <b>HNA</b>	<b>Transportation Modeling</b>	Forest Grove <b>HNA</b> <b>Performance Standards</b>	<b>HNA</b> 2026: Sherwood, Troutdale, Tualatin; 2027: Gladstone, Cornelius, Tigard, Oregon City	
Clackamas County, Washington County	<b>Parking A</b>	<b>Parking B</b>	<b>Transportation Modeling</b>	<b>Performance Standards</b>		
Multnomah County <sup>4</sup>						

<sup>4</sup> Cities within Multnomah Co. have land use authority for unincorporated areas within UGB.



# Task Summaries

## Parking A

### Reduced Mandates – OAR 660-012-0430 and OAR 660-012-0440

*Effective date December 31, 2022 per OAR 660-012-0012(5)(e)– applies to development applications submitted after that date; either directly apply state administrative rules or amend local development standards*

- Reduced mandates for specific developments – cannot mandate more than 1 space/unit for residential developments with more than 1 unit
- No mandates for small units, affordable units, childcare, facilities for people with disabilities, shelters
- Reform near transit - no parking mandates allowed within  $\frac{3}{4}$  mile of light or heavy rail stations or  $\frac{1}{2}$  mile of frequent transit corridors

## Parking B

### Parking Regulation Improvement – OAR 660-012-0405

*By June 30, 2023 per OAR 660-012-0012(4)(f) - amend development standards*

- Preferential placement of carpool/vanpool parking
- Allow redevelopment of any portion of a parking lot for bike or transit uses
- Allow and encourage redevelopment of underutilized parking for other uses
- Allow and facilitate shared parking
- Parking lots more than  $\frac{1}{4}$  acre in size must install 50% tree canopy OR solar panels, solar/wind fee-in-lieu, or green energy per OAR 330-0135-0010; requires street trees and street-like facilities along driveways
- Adopt parking maximums in locations such as downtowns, regional or community center, and transit-oriented developments.

### Parking Maximums and Evaluation in More Populous Cities – 660-012-0415

*By June 30, 2023 per OAR 660-012-0012(4)(f)*

- Cities >100,000 population, or >25,000 population if in Portland Metro, set certain parking maximums in specified areas
- Cities >200,000 population also:
  - Study use of on-street timed parking in CFA and transit areas (OAR 660-012-0435 & 0440)
  - Implement parking management before authorizing new 100+ stall parking garages
  - Implement TDM management strategies before authorizing new 300+ stall garages
  - Adopt design requirements so ground floor of parking garage convertible to other uses

## Parking Mandate Reform

Effective date June 30, 2023 per OAR 660-012-0012(4)(f)

Option 1 OAR 660-012-0420	Options 2 and 3 OAR 660-012-0425 through 0450	
Repeal all parking mandates within the jurisdiction	Reduce parking burdens – adopt eight land use regulations related to reduced mandates based on factors such as shared parking, solar panels, parking space accessibility, on-street parking; unbundling of parking from rent for multifamily units near transit (OAR 660-012-0425)	
	Cities with populations 100,000+ adopt on-street parking prices equivalent to at least 50¢/day per spot for 5%/10% of total on-street parking supply by September 30, 2023/2025 (OAR 660-012-0450; effective dates per OAR 660-012-0012(4)(g))	
	<p style="text-align: center;"><b>Parking Reform Approaches</b> Choose ONE of the following (option 2 -or- option 3)</p> <p style="text-align: center;"><i>Policies to take effect no later than June 30, 2023 (effective date per OAR 660-012-0012(4)(f))</i></p>	
no additional action needed	<p style="text-align: center;"><b>Option 2</b> OAR 660-012-0445(1)(a) - Adopt at least 3 of 5 policies below</p>	<p style="text-align: center;"><b>Option 3</b> OAR 660-012-0445(1)(b) - Adopt regulations minimizing or exempting required parking for 15 development types (summarized below)</p>
	<ol style="list-style-type: none"> <li>1. Unbundle parking for residential units</li> <li>2. Unbundle leased commercial parking</li> <li>3. Flexible commute benefit for businesses with more than 50 employees</li> <li>4. Tax on parking lot revenue</li> <li>5. No more than ½ space/unit mandated for multifamily development</li> </ol>	<p>No mandates for a variety of specific uses, small sites, vacant buildings, studio/one bedrooms, historic properties, LEED or Oregon Reach Code developments, etc.</p> <p>No additional parking for redevelopments/additions.</p> <p>Adopt parking maximums.</p> <p>No parking mandates within ½ mile walking distance of Climate-Friendly Areas.</p> <p>Designate district to manage on-street residential parking.</p>

## Climate-Friendly Areas

<p style="text-align: center;"><b>CFA Study</b>                      OAR 660-012-0315                      Due December 31, 2023 per                      OAR 660-012-0012(5)(b)</p>	<p style="text-align: center;"><b>CFA Codes</b>                      OAR 660-012-0320 via OAR 660-012-0315(6)                      Due Date December 31, 2024 per OAR 660-012-0012(4)(c)</p>	
<ul style="list-style-type: none"> <li>• CFA location and size standards per OAR 660-012-0310(2)</li> <li>• <u>&gt;10,000 population</u>                              Dwelling Unit Capacity of at least 30% of current housing needs analysis (OAR 660-012-0315(1); capacity calculated per methodology in OAR 660-012-0315(2))</li> <li>• <u>Population 5,000 -10,000</u>                              Designate at least 25 acres of CFA (OAR 660-012-0315(3))</li> <li>• Displacement analysis, fair and equitable outcomes plan, and narrative summary of public engagement (OAR 660-012-0315(4))</li> </ul>	<p><i>Required for all CFAs:</i></p> <ul style="list-style-type: none"> <li>• Allowed uses per OAR 660-012-0320(2)</li> <li>• Inclusion of existing abutting residential and employment zones without zoning amendments per OAR 660-012-0320(3)</li> <li>• Prioritization of public buildings, open spaces per OAR 660-012-0320(4)</li> <li>• Block length maximums per OAR 660-012-0320(5)</li> <li>• Address other development regulation requirements per OAR 660-012-0320(7)</li> <li>• Eliminate mandates in and near climate-friendly areas or adopt parking management policies; unbundle parking for multifamily units (OAR 660-012-0435)</li> </ul>	
	<p>Housing and Employment Targets                      OAR 660-012-0320(8) or (9)</p>	
	<p>Option A                      Residential minimum density standards and allowed building height not less than specified by OAR 660-012-0320(8)</p>	<p>Option B                      Standards other than Option A proposed by jurisdiction that achieve target dwelling unit and employment per acre</p>

## Transportation System Plan Update

- *TSP updates may use OAR 660-012-0015 if OAR 660-018-0020 is notice provided by December 31, 2022 (OAR 660-012-0012(2)(a)).*
- *Minor TSP updates need not meet all updated requirements if the updated portions of the plan meet new requirements, and OAR 660-018-0020 notice is provided by June 30, 2027 (OAR 660-012-0012(2)(b)).*
- *Compliance deadline for Eugene-Springfield and Salem -Keizer determined by OAR 660-044-0015 Scenario Planning.*
- *Cities and Counties over 5,000 population and outside the Portland metropolitan areas must adopt major TSP update by December 31, 2029 (OAR 660-012-0012(4)(a)).*

### Generalized Scope and Process

- Overall TSP update requirements (OAR 660-012-0100 and 0105)
- Public Engagement and Equity
  - TSP Planning Engagement generally (OAR 660-012-0120)
  - Equity and Underserved Populations (OAR 660-012-0125, identifying underserved populations; OAR 660-012-0130, Decision-Making with Underserved Populations; OAR 660-012-0135, Equity Analysis)

- System Inventories and Existing Conditions
  - General inventory requirements (OAR 660-012-0150)
  - Transportation System Planning Area (OAR 660-012-0110)
  - Land use assumptions (OAR 660-012-0340)
  - Modal inventory requirements: Pedestrian (OAR 660-012-0505); Bicycle (OAR 660-012-0605); Transit (OAR 660-012-705); Streets and Highways (OAR 660-012-0805)
  - Funding projections (OAR 660-012-0115)
- Goals, Targets, and Project Prioritization
  - VMT Targets – base year and horizon year (OAR 660-012-0160)
  - Adoption of Transportation Performance Standards (OAR 660-012-0215)
  - Project Prioritization (OAR 660-012-0155)
- TSP Contents
  - Modal design and planning requirements: Pedestrian (OAR 660-012-0510); Bicycle (OAR 660-012-0610); Transit (OAR 660-012-710); Streets and Highways (OAR 660-012-0810)
  - Modal projects: Pedestrian (OAR 660-012-0520); Bicycle (OAR 660-012-0620); Transit (OAR 660-012-720); Streets and Highways (OAR 660-012-0820)
  - Transportation Options Planning (OAR 660-012-0145) – transportation demand management, transit options and incentives
  - Enhanced review of select roadway projects (OAR 660-012-0830) – for facilities that may increase driving capacity
  - Prioritization framework (OAR 660-012-0155)
  - Unconstrained Project List (OAR 660-012-0170) – combination of modal projects; must meet VMT per capita targets from OAR 660-012-0160; Project Prioritization Framework (OAR 660-012-0155)
  - Financially-Constrained Project List (OAR 660-012-0180)
    - Created from unconstrained list per procedures in OAR 660-012-0180(3)
    - Sum of projects on list not to exceed 125% of funding available from OAR 660-012-0115

## Transportation Planning Rule Development Regulations

### Land use requirements (OAR 660-012-0330)

*Effective date per OAR 660-012-0012(4)(e) – TSP Adoption*

*note – implementation of OAR 660-012-0330 within a CFA is required upon adoption of CFA Zoning (OAR 660-012-0320(7))*

- Neighborhood circulation (OAR 660-012-0330(3))
- Mixed use and commercial districts (OAR 660-012-0330(4))
- Bicycle parking regulations in compliance with OAR 660-012-0630 (OAR 660-012-0330(4)(g))
- Slow streets for neighborhoods (OAR 660-012-0330(5))
- Auto-oriented land uses (OAR 660-012-0330(6))
- Allow for Low car districts (cities of 100k+, OAR 660-012-0330(7))
- Protection of transportation facilities (OAR 660-012-0330(8))