

September 21, 2021

Land Conservation and Development Commission
Attn: Esther Johnson, Commission Assistant
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Ste. 150
Salem, OR 97301

Dear Land Conservation and Development Commission Members,

The League of Oregon Cities (LOC) and Association of Oregon Counties (AOC) appreciate the opportunity to provide input on the Climate Friendly and Equitable Communities rulemaking process and the proposed draft rules. The LOC and AOC and our local government members appreciate the goals of Executive Order 20-04 and are committed to supporting the RAC process. As your local government partners doing this work on the ground, we are particularly focused on ensuring that the resulting rules are equitable and implementable.

First, the current rulemaking process and timeline is too aggressive. It is proving very difficult to compile sufficient solutions-oriented technical feedback from the multiple impacted city and county planning departments and Metropolitan Planning Organizations. As we begin to fully understand the scope and statewide impact of these proposed rules, LOC and AOC are also concerned that the RAC does not include sufficient regional technical representation.

Compounding the issues around the rulemaking process, the current proposed rules are too complex and prescriptive, both in terms of local implementation requirements and timelines.

Hyper-specific requirements for block length, building heights, parking, and setbacks -- for example -- create significant unintended consequences and concerns around safety and right of way management, and will undo existing and anticipated local plans. **AOC and LOC respectfully request that DLCD shift its approach and structure the rules to a more outcomes or performance-based approach to allow local governments flexibility to align with existing efforts and create community-driven action plans to meet our shared climate goals.**

Lastly, the proposed local implementation deadlines are far too short for cities to meet given existing state and local resources and local staff capacity that is stretched thin. Many communities around the state have spent years and made considerable investments to develop and implement climate friendly and equitable community planning including Transportation System Plan updates and HB 2003 implementation. **Any new local implementation and reporting requirements should build on and align as much as possible with existing local efforts, processes, and cycles.**

We are committed to working with our fellow RAC members to identify bold priority outcomes in rule that can be measurable, impactful, equitable, and implementable – in a quick timeframe. **We request that the rulemaking timeline be extended by two months and that the process be amended to include small workgroup meetings to allow adequate technical analysis, vetting, and critical participation from affected jurisdictions.**

Again, the LOC and AOC fully support the Commission's goal of promoting climate friendly and equitable communities. We remain committed to supporting this rulemaking effort and look forward to discussing next steps.

Sincerely,

Ariel Nelson, Lobbyist
League of Oregon Counties
Climate Friendly & Equitable Communities RAC Member

Mallorie Roberts, Legislative Affairs Manager
Association of Oregon Counties
Climate Friendly & Equitable Communities RAC Member

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Cc: DLCD Director Jim Rue, DLCD Deputy Director Kirsten Greene

