



AGENDA ITEM 3  
JULY 21-22, 2022-LCDC MEETING  
ATTACHMENT G



July 7, 2022

## Changes from Temporary Rules to Proposed Permanent Rules

This document includes revisions from the rules adopted temporarily in May 2022 to the proposed rules dates July 7, 2022. Revisions are shown as additions with underline and ~~deletions with strikethrough~~.

Only rules with substantive changes are included in this document. Rules where only very minor changes were made are excluded. These minor changes include the addition of a hyphen, or changing of a word, e.g. must/shall, effect/affect, which/then. More substantial changes are included in this document.

### Contents

Changes to Division 8.....	2
660-008-0010: Allocation of Buildable Land.....	2
Changes to Division 12.....	3
660-012-0005: Definitions .....	3
660-012-0012A: Effective Dates and Transition Period [More Urgent Option] .....	10
660-012-0012B: Effective Dates and Transition Period [More Time Option].....	13
660-012-0100: Transportation System Plans in Metropolitan Areas .....	15
660-012-0150: Transportation System Inventories.....	17
660-012-0155: Prioritization Framework.....	17
660-012-0210: Transportation Modeling and Analysis .....	19
660-012-0310: Climate-Friendly Areas .....	19
660-012-0315: Designation of Climate-Friendly Areas.....	22
660-012-0320: Land Use Requirements in Climate-Friendly Areas.....	25
660-012-0325: Transportation Review in Climate-Friendly Areas.....	28
660-012-0330: Land Use Requirements .....	29
660-012-0340: Land Use Assumptions for Transportation Planning.....	32
660-012-0360: Key Destinations.....	33

660-012-0400: Parking Management .....	33
660-012-0410: Electric Vehicle Charging .....	33
660-012-0415: Parking Maximums and Evaluation in More Populous Communities .....	34
660-012-0425: Reducing the Burden of Parking Mandates.....	35
660-012-0430: Reduction of Parking Mandates for Development Types .....	36
660-012-0435: Parking Reform in Climate-Friendly Areas .....	36
660-012-0440: Parking Reform near Transit Corridors.....	37
660-012-0500: Pedestrian System Planning .....	37
660-012-0505: Pedestrian System Inventory .....	38
660-012-0605: Bicycle System Inventory.....	38
660-012-0830: Enhanced Review of Select Roadway Projects.....	39
Changes to Division 44.....	43
660-044-0015: Applicability – Compliance Schedule.....	43

## 1 **Changes to Division 8**

### 2 **660-008-0010: Allocation of Buildable Land**

- 3 (1) The mix and density of needed housing is determined in the housing needs projection. Sufficient  
4 buildable land shall be designated on the comprehensive plan map to satisfy housing needs by  
5 type and density range as determined in the housing needs projection. The local buildable lands  
6 inventory must document the amount of buildable land in each residential plan designation.
- 7 (2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the  
8 following provisions apply to local governments that are subject to OAR 660-012-0310(2):
- 9 (a) Following the initial designation of climate friendly areas as required in OAR 660-012-  
10 0315, local governments shall maintain climate friendly area zones with sufficient zoned  
11 residential building capacity to contain at least 30 percent of current and projected  
12 housing needs. However, the local government shall determine housing capacity within  
13 the climate friendly area for the purpose of meeting identified housing needs as required  
14 by Goal 10 and this division in a manner consistent with ORS 197.296(5).
- 15 (b) The local government shall calculate the zoned residential building capacity within  
16 climate friendly areas consistent with the provisions of OAR 660-012-0315(2), or  
17 utilizing an alternative methodology as provided in OAR 660-012-0320(10). The local  
18 government shall include demonstration of compliance with this requirement in each  
19 subsequent Housing Capacity Analysis.
- 20 (c) The local government shall establish land use requirements in climate friendly areas as  
21 provided in OAR 660-012-0320 for any newly designated climate friendly area  
22 concurrent with or prior to the adoption of a Housing Capacity Analysis.

- 1 (3) Beginning June 30, 2027:
- 2 (a) A local government subject to OAR 660-012-0310(2) that has identified a need to expand  
3 its urban growth boundary to accommodate an identified residential land need shall  
4 designate and zone additional climate friendly area as provided in OAR 660-012-0315  
5 concurrent with expansion of the urban growth boundary.
- 6 (b) A local government shall designate and zone climate friendly area of sufficient size to  
7 accommodate the number of housing units equivalent to one-half of the number of  
8 additional housing units that cannot reasonably be accommodated within the current  
9 urban growth boundary.
- 10 (c) The local government shall calculate the climate friendly area needed based on zoned  
11 residential building capacity as provided in OAR 660-012-0315(2), or utilizing an  
12 alternative methodology as provided in OAR 660-012-0320(10), while the local  
13 government shall determine housing capacity within the climate friendly area for the  
14 purpose of meeting identified housing needs as required by Goal 10 and this division in a  
15 manner consistent with ORS 197.296(5). Identified housing needs that would otherwise  
16 necessitate an urban growth boundary expansion shall only be accommodated in climate  
17 friendly areas to the extent that the production of needed housing types within the climate  
18 friendly areas may be anticipated consistent with ORS 197.296(5).
- 19 (d) The local government may choose to designate a portion of the newly expanded urban  
20 growth boundary area as climate friendly area if the area qualifies for designation as  
21 provided in OAR 660-012-0310(1), or may choose to designate additional climate  
22 friendly area in other locations within the urban growth boundary that qualify for  
23 designation.
- 24 (e) The local government may accommodate additional climate friendly areas within one or  
25 more locations within the urban growth boundary. The designation and zoning of  
26 additional climate friendly area shall comply with all applicable requirements for climate  
27 friendly areas as provided in OAR 660-012-0310 through OAR 660-012-0325.

## 28 **Changes to Division 12**

### 29 **660-012-0005: Definitions**

- 30 (1) "Access Management" means measures regulating access to streets, roads and highways from  
31 public roads and private driveways. Measures may include but are not limited to restrictions on  
32 the siting of interchanges, restrictions on the type and amount of access to roadways, and use of  
33 physical controls, such as signals and channelization including raised medians, to reduce impacts  
34 of approach road traffic on the main facility.
- 35 (2) "Accessible dwelling unit" means a dwelling unit constructed to accommodate persons with  
36 disabilities, in compliance with the Americans with Disabilities Act and applicable construction  
37 requirements in adopted building codes.
- 38 (3) "Accessible" means complying with the American with Disabilities Act.
- 39 (4) "Accessway" means a walkway that provides pedestrian and or bicycle passage either between  
40 streets or from a street to a building or other destination such as a school, park, or transit stop.  
41 Accessways generally include a walkway and additional land on either side of the walkway, often  
42 in the form of an easement or right-of-way, to provide clearance and separation between the

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 4 of 45

- 1 walkway and adjacent uses. Accessways through parking lots are generally physically separated  
2 from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include  
3 landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised,  
4 paved, or marked in a manner ~~which~~that provides convenient access for pedestrians.
- 5 (5) "Affected Local Government" means a city, county, or metropolitan service district that is  
6 directly impacted by a proposed transportation facility or improvement.
- 7 (6) "Approach Road" means a legally constructed, public or private connection that provides  
8 vehicular access either to or from or to and from a highway and an adjoining property.
- 9 (7) "Area, net" means the total area of a development site exclusive of proposed or existing public  
10 rights of way, public parks, public open space, protected natural features, and any other areas  
11 permanently precluded from development due to development constraints, easements, or similar  
12 legal instruments.
- 13 (8) "At or near a major transit stop: "At" means a parcel or ownership ~~which~~that is adjacent to or  
14 includes a major transit stop generally including portions of such parcels or ownerships that are  
15 within 200 feet of a transit stop. "Near" generally means a parcel or ownership that is within 300  
16 feet of a major transit stop. The term "generally" is intended to allow local governments through  
17 their plans and ordinances to adopt more specific definitions of these terms considering local  
18 needs and circumstances consistent with the overall objective and requirement to provide  
19 convenient pedestrian access to transit.
- 20 (9) "Bicycle boulevard" means bicycle facilities on streets with low motorized traffic volumes and  
21 speeds, designated and designed to give bicycle travel priority. Bicycle boulevards use signs,  
22 markings, traffic diverters, or other measures to discourage through trips by motor vehicles. A  
23 bicycle boulevard may also include traffic control features to create safe, convenient bicycle  
24 crossings of intersecting streets.
- 25 (10) "Climate-friendly area" means an urban mixed-use area containing, or planned to contain, a  
26 mixture of higher-density housing, jobs, businesses, and services. These areas are served by, or  
27 planned for service by, high-quality pedestrian, bicycle, and transit infrastructure and services to  
28 provide frequent and convenient connections to key destinations within the city and region. These  
29 areas feature a well-designed and connected pedestrian environment. To maximize community  
30 benefits these areas typically do not contain or require large parking lots, and are provided with  
31 abundant tree canopy and vegetation to provide shade, cooling, and other amenities to visitors,  
32 residents, and employees. Climate-friendly areas will reduce the reliance on light duty motor  
33 vehicle trips for residents, workers, and visitors by providing more proximate destinations within  
34 climate-friendly areas, improved connectivity to key destinations elsewhere in the community,  
35 and enhanced alternative transportation options.
- 36 (11) "Commercial parking lot" means a site without a primary use where vehicle parking spaces are  
37 rented or leased. It does not include shared parking.
- 38 (12) "Committed transportation facilities" means those proposed transportation facilities and  
39 improvements ~~which~~that are consistent with the acknowledged comprehensive plan and have  
40 approved funding for construction in a public facilities plan or the Six-Year Highway or  
41 Transportation Improvement Program.
- 42 (13) "Demand management" means actions ~~which~~that are designed to change travel behavior in order  
43 to improve performance of transportation facilities and to reduce need for additional road  
44 capacity. Methods may include, but are not limited to, the use of non-driving modes, ride-sharing

- 1 and vanpool programs, trip-reduction ordinances, shifting to off-peak periods, and reduced or  
2 paid parking.
- 3 (14) “Equitable outcomes” means outcomes that burdens underserved populations less than and  
4 benefits underserved populations as much or more as the city or county population as a whole.  
5 Examples of equitable outcomes include:
- 6 (a) Increased stability of underserved populations, lowering the likelihood of displacement  
7 due to gentrification from public and private investments;
- 8 (b) More accessible, safe, affordable and equitable transportation ~~choices~~options with better  
9 connectivity to destinations people want to reach;
- 10 (c) Adequate housing with access to employment, education, ~~and~~ fresh food, goods, services,  
11 recreational and cultural opportunities, and social spaces;
- 12 (d) Increased safety for people in public spaces, transportation and community development;
- 13 (e) Equitable access to parks, nature, open spaces and public spaces;
- 14 (f) Better and more racially equitable health outcomes across the lifespan, particularly health  
15 outcomes connected to transportation choices, air pollution, and food;
- 16 (g) Recognizing and remedying impacts of past practices such as redlining, displacement,  
17 exclusionary zoning, and roadway and other public infrastructure siting decisions that  
18 harmed underserved communities; and
- 19 (h) Fairly-distributed benefits to residents and local governments across cities and counties  
20 within metropolitan areas.
- 21 (15) “Freeway” means a limited-access highway with access points exclusively from interchanges  
22 with other streets and highways. Limited access may be provided for rural land uses in rural areas  
23 where no other access is available.
- 24 (16) “Horizon year” means the final year of the twenty-year planning period.
- 25 (17) "Influence area of an interchange" means the area 1,320 feet from an interchange ramp terminal  
26 measured on the crossroad away from the mainline.
- 27 (18) "Local streets" means streets that are functionally classified as local streets to serve primarily  
28 local access to property and circulation within neighborhoods or specific areas. Local streets do  
29 not include streets functionally classified as collector or arterials.
- 30 (19) "Local Street Standards" include but are not limited to standards for right-of-way, pavement  
31 width, travel lanes, parking lanes, curb turning radius, and accessways.
- 32 (20) "Major" means, in general, those facilities or developments ~~which that~~, considering the size of the  
33 urban or rural area and the range of size, capacity or service level of similar facilities or  
34 developments in the area, are either larger than average, serve more than neighborhood needs or  
35 have significant land use or traffic impacts on more than the immediate neighborhood:
- 36 (a) "Major" as it modifies transit corridors, stops, transfer stations and new transportation  
37 facilities means those facilities ~~which that~~ are most important to the functioning of the  
38 system or ~~which that~~ provide a high level, volume or frequency of service;

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 6 of 45

- 1 (b) "Major" as it modifies industrial, institutional and retail development means such  
2 developments ~~which~~that are larger than average, serve more than neighborhood needs or  
3 ~~which~~that have traffic impacts on more than the immediate neighborhood;
- 4 (c) Application of the term "major" will vary from area to area depending upon the scale of  
5 transportation improvements, transit facilities and development ~~which~~that occur in the  
6 area. A facility considered to be major in a smaller or less densely developed area may,  
7 because of the relative significance and impact of the facility or development, not be  
8 considered a major facility in a larger or more densely developed area with larger or more  
9 intense development or facilities.
- 10 (21) "Major transit stop" means existing and planned transit stations, including light rail stations and  
11 other transit transfer stations, except for temporary facilities; other planned stops designated as  
12 major transit stops in a transportation system plan and existing stops ~~which~~that:
- 13 (a) Have or are planned for an above average frequency of scheduled, fixed-route service  
14 when compared to region wide service. In urban areas of 1,000,000 or more population  
15 major transit stops are generally located along routes that have or are planned for 15-  
16 minute or better service frequency throughout the day and on weekends; and
- 17 (b) Are located in a transit oriented development or within one-quarter mile of an area  
18 planned and zoned for:
- 19 (A) Medium or high density residential development; or  
20 (B) Intensive commercial or institutional uses within one-quarter mile of land uses in  
21 paragraph (A); or  
22 (C) Uses likely to generate a relatively high level of transit ridership.
- 23 (22) "Metropolitan area" means the local governments that are responsible for adopting local or  
24 regional transportation system plans within a metropolitan planning organization (MPO)  
25 boundary. This includes cities, counties, and, in the Portland Metropolitan area, Metro.
- 26 (23) "Metropolitan Planning Organization (MPO)" means an organization located within the State of  
27 Oregon and designated by the Governor to coordinate transportation planning in an urbanized  
28 area of the state including such designations made subsequent to the adoption of this rule. The  
29 Longview-Kelso-Rainier and Walla Walla Valley MPOs are not considered MPOs for the  
30 purposes of this division.
- 31 (24) "Minor transportation improvements" include, but are not limited to, signalization, addition of  
32 turn lanes or merge/deceleration lanes on arterial or collector streets, provision of local streets,  
33 transportation system management measures, modification of existing interchange facilities  
34 within public right of way and design modifications located within an approved corridor. Minor  
35 transportation improvements may or may not be listed as planned projects in a TSP where the  
36 improvement is otherwise consistent with the TSP. Minor transportation improvements do not  
37 include new interchanges; new approach roads within the influence area of an interchange; new  
38 intersections on limited access roadways, highways, or expressways; new collector or arterial  
39 streets, road realignments or addition of travel lanes.
- 40 (25) "ODOT" means the Oregon Department of Transportation.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 7 of 45

- 1 (26) "Parking benefit district" means a designated area where some of the revenues from parking fees  
2 or permits for public parking within the designated area are dedicated to public improvements in  
3 the area.
- 4 (27) "Parking mandates" means requirements to include a minimum number of off-street  
5 parking spaces with development or redevelopment, or a fee-in-lieu of providing parking  
6 for residential development.
- 7 (28) "Parking maximums" means limits on the number of off-street parking spaces that can be  
8 included in a development.
- 9 (29) "Parking spaces" means on and off-street spaces designated for automobile parking, other than  
10 parking spaces reserved for carpools, vanpools, or parking under the Americans with Disabilities  
11 Act.
- 12 (30) "Pedestrian district" means a comprehensive plan designation or implementing land use  
13 regulations, such as an overlay zone, that establish requirements to provide a safe and convenient  
14 pedestrian environment in an area planned for a mix of uses likely to support a relatively high  
15 level of pedestrian activity. Such areas include but are not limited to:
- 16 (a) Lands planned for a mix of commercial or institutional uses near lands planned for  
17 medium to high density housing; or
- 18 (b) Areas with a concentration of employment and retail activity; and
- 19 (c) ~~Which~~That have, or could develop, or have planned a network of streets and accessways  
20 ~~which~~that provide convenient pedestrian circulation.
- 21 (31) "Pedestrian facility" means a continuous, unobstructed, reasonably direct route between two  
22 points that is intended and suitable for pedestrian use. Pedestrian facilities include but are not  
23 limited to sidewalks, walkways, accessways, stairways and pedestrian bridges. On developed  
24 parcels, pedestrian facilities are generally hard surfaced. In parks and natural areas, pedestrian  
25 facilities may be soft-surfaced pathways. On undeveloped parcels and parcels intended for  
26 redevelopment, pedestrian facilities may also include rights of way or easements for future  
27 pedestrian improvements.
- 28 (32) "Pedestrian plaza" means a small semi-enclosed area usually adjoining a sidewalk or a transit stop  
29 ~~which~~that provides a place for pedestrians to sit, stand or rest. They are usually paved with  
30 concrete, pavers, bricks, or similar material and include seating, pedestrian scale lighting, and  
31 similar pedestrian improvements. Low walls or planters and landscaping are usually provided to  
32 create a semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and  
33 vehicle maneuvering areas. Plazas are generally located at a transit stop, building entrance, or an  
34 intersection and connect directly to adjacent sidewalks, walkways, transit stops, and buildings. A  
35 plaza including 150-250 square feet would be considered "small."
- 36 (33) "Pedestrian scale" means site and building design elements that are dimensionally less than those  
37 intended to accommodate automobile traffic, flow, and buffering. Examples include ornamental  
38 lighting of limited height; bricks, pavers, or other modules of paving with small dimensions; a  
39 variety of planting and landscaping materials; arcades or awnings that reduce the height of walls;  
40 and signage and signpost details that can only be perceived from a short distance.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 8 of 45

- 1 (34) "People with disabilities" means people who have a record or history of physical, mental,  
2 intellectual, or sensory impairments ~~which~~that in interaction with various barriers may hinder  
3 their full and effective participation in society on an equal basis with others.
- 4 (35) "Planning period" means the twenty-year period beginning with the date of adoption of a TSP to  
5 meet the requirements of this division.
- 6 (36) "Preliminary Design" means an engineering design ~~which~~that specifies in detail the location and  
7 alignment of a planned transportation facility or improvement.
- 8 (37) "Priority transit corridor" means a corridor ~~which~~that has a high existing or planned level of  
9 transit service relative to other transit service in the community, including service frequency and  
10 span of service. The corridor may be described as a series of stations when served by high-  
11 capacity transit services with widely spaced stations.
- 12 (38) "Reasonably direct" means either a route that does not deviate unnecessarily from a straight line  
13 or a route that does not involve a significant amount of out-of-direction travel for likely users.
- 14 (39) "Refinement Plan" means an amendment to the transportation system plan, ~~which~~that resolves, at  
15 a systems level, determinations on function, mode or general location which were deferred during  
16 transportation system planning because detailed information needed to make those determinations  
17 could not reasonably be obtained during that process.
- 18 (40) "Regional Transportation Plan" or "RTP" means the long-range transportation plan prepared and  
19 adopted by a metropolitan planning organization for a metropolitan area as provided for in federal  
20 law.
- 21 (41) "Roads" means streets, roads, and highways.
- 22 (42) "Rural community" means areas defined as resort communities and rural communities in  
23 accordance with OAR 660-022-0010(6) and (7). For the purposes of this division, the area need  
24 only meet the definitions contained in the Unincorporated Communities Rule although the area  
25 may not have been designated as an unincorporated community in accordance with OAR 660-  
26 022-0020.
- 27 (43) "Separated or protected bicycle facilities" means bicycle facilities that are physically separated or  
28 protected from motor vehicle traffic by barriers that inhibit intrusion into the bicycle facility.  
29 Protection may include parked motor vehicles. Separated or protected bicycle facilities may be  
30 unidirectional or two-way. Separated or protected bicycle facilities are designed to address  
31 conflicting traffic at intersections and other vehicular accesses to the street or highway.
- 32 (44) "Shared parking" means parking spaces used to meet the parking mandates for two or more uses,  
33 structures, or parcels of land, to the extent that the owners or operators show the overall demand  
34 for parking spaces can be met by the shared parking.
- 35 (45) "Transit-Oriented Development (TOD)" means a mix of residential, retail and office uses and a  
36 supporting network of roads, bicycle and pedestrian ways focused on a major transit stop  
37 designed to support a high level of transit use. The key features of transit oriented development  
38 include:
- 39 (a) A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian  
40 and bicycle travel from the surrounding area;
- 41 (b) High density of residential development proximate to the transit stop sufficient to support  
42 transit operation and neighborhood commercial uses within the TOD;



Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 9 of 45

- 1 (c) A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian  
2 access within the TOD and high levels of transit use.
- 3 (46) "Transportation Facilities" means any physical facility that moves or assist in the movement of  
4 people or goods including facilities identified in OAR 660-012-0020 but excluding electricity,  
5 sewage, and water systems.
- 6 (47) "Transportation System Management Measures" means techniques for increasing the efficiency,  
7 safety, capacity, or level of service of a transportation facility without increasing its size.  
8 Examples include, but are not limited to, traffic signal improvements, traffic control devices  
9 including installing medians and parking removal, channelization, access management, ramp  
10 metering, and restriping of high occupancy vehicle (HOV) lanes.
- 11 (48) "Transportation Needs" means estimates of the movement of people and goods consistent with  
12 acknowledged comprehensive plan and the requirements of this division. Needs are typically  
13 based on projections of future travel demand resulting from a continuation of current trends as  
14 modified by policy objectives, including those expressed in Goal 12 and this division, and  
15 attaining the state's goals for greenhouse gas emissions reduction, especially those for avoiding  
16 principal reliance on any one mode of transportation.
- 17 (49) "Transportation Needs, Local" means needs for movement of people and goods within  
18 communities and portions of counties and the need to provide access to local destinations.
- 19 (50) "Transportation Needs, Regional" means needs for movement of people and goods between and  
20 through communities and accessibility to regional destinations within a metropolitan area, county,  
21 or associated group of counties.
- 22 (51) "Transportation Needs, State" means needs for movement of people and goods between and  
23 through regions of the state and between the state and other states.
- 24 (52) "Transportation Options Provider" means an entity providing services that work to change travel  
25 behavior in order to increase transportation system efficiency.
- 26 (53) "Transportation Project Development" means implementing the transportation system plan (TSP)  
27 by determining the precise location, alignment, and preliminary design of improvements included  
28 in the TSP based on site-specific engineering and environmental studies.
- 29 (54) "Transportation Service" means a service for moving people and goods, such as intercity bus  
30 service and passenger rail service.
- 31 (55) "Transportation System Plan (TSP)" means a plan for one or more transportation facilities that are  
32 planned, developed, operated, and maintained in a coordinated manner to supply continuity of  
33 movement between modes, and within and between geographic and jurisdictional areas.
- 34 (56) "Urban Area" means lands within an urban growth boundary, two or more contiguous urban  
35 growth boundaries, and urban unincorporated communities as defined by OAR 660-022-0010(9).  
36 For the purposes of this division, the area need only meet the definition contained in the  
37 Unincorporated Communities Rule although the area may not have been designated as an  
38 unincorporated community in accordance with 660-022-0020.
- 39 (57) "Unbundled parking" means a requirement that parking spaces for each unit in a development be  
40 rented, leased or sold separately from the unit itself. The parking space(s) must be rented, leased,  
41 or sold at market rates for comparable local off-street parking. The renter, lessor, or buyer of the  
42 unit must be allowed to opt out of renting, leasing, or buying the parking space.

- 1 (58) "Urban Fringe" means:
- 2 (a) Areas outside the urban growth boundary that are within five miles of the urban growth
- 3 boundary of an MPO area; and
- 4 (b) Areas outside the urban growth boundary within two miles of the urban growth boundary
- 5 of an urban area containing a population greater than 25,000.
- 6 (59) "Vehicle Miles Traveled (VMT)" means all ~~metropolitan area~~ jurisdiction household-based light
- 7 vehicle travel regardless of where the travel occurs.
- 8 (60) "Walkway" means a hard surfaced area intended and suitable for use by pedestrians, including
- 9 sidewalks and surfaced portions of accessways.

10 **660-012-~~0012~~20012A: Effective Dates and Transition Period [More Urgent Option]**

- 11 (1) The rules in this division adopted ~~as a temporary rule on May 19~~ July 21, 2022, and amendments
- 12 to rules in this division adopted on that date, are effective ~~June 1~~ August 12, 2022, except as
- 13 provided in this rule.
- 14 (2) A city or county subject to the requirements as provided in OAR 660-012-0100 may make
- 15 interim updates to the local transportation system plan using requirements as provided in OAR
- 16 660-012-0015 if the city or county:
- 17 (a) Has submitted notice of the proposed change to the comprehensive plan to the
- 18 department as provided in OAR 660-018-0020 no later than December 31, 2022; or
- 19 (b) The interim update is not a major transportation system plan update as provided in OAR
- 20 660-012-0105, and the city or county has submitted notice of the proposed change to the
- 21 comprehensive plan to the department as provided in OAR 660-018-0020 no later than
- 22 June 30, 2027. Interim updates must comply with applicable requirements in this division
- 23 within the scope of the transportation system plan amendment but need not bring the
- 24 entire transportation system plan in compliance with all applicable regulations.
- 25 (3) Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or
- 26 deadlines in section (4) of this rule.
- 27 (a) A submitted proposal for alternative dates shall include:
- 28 (A) A description of any work already underway to begin complying with the new
- 29 requirements of this division;
- 30 (B) Proposed dates for accomplishing requirements in lieu of effective dates or
- 31 deadlines provided in this rule; and
- 32 (C) A schedule for updating local transportation system plans to comply with new
- 33 requirements of this division.
- 34 (b) Proposed alternative dates must demonstrate consistent progress toward meeting the
- 35 updated requirements of this division, ~~with~~ Proposed alternative dates must include at
- 36 least some work implemented by December 31, 2023, and expected. Proposed alternative
- 37 dates must include completion of all elements included in the alternative dates, except for
- 38 a major update to the transportation system plan, by June 30, 2027.
- 39 (c) Proposed alternative dates should be designed to sequence work in a logical progression,
- 40 considering acknowledged plans, other work, and the work of other jurisdictions within

- 1 the metropolitan area. Cities and counties in a metropolitan area may submit joint  
2 proposed alternative dates for a metropolitan area.
- 3 (d) Proposed alternative dates may not be submitted to the department after ~~December 1,~~  
4 2022 January 31, 2023.
- 5 (e) Local governments in regions required to submit a work program as provided in OAR  
6 660-044-0015 may submit a single combined work program that proposes alternative  
7 dates as provided in this rule and meets the requirements as provided in OAR 660-044-  
8 0100. Notwithstanding subsection (d), the combined work program must be submitted by  
9 the date as provided in OAR 660-044-0015.
- 10 (f) The director shall review the proposed alternative dates to determine whether the  
11 proposed alternative dates meet the following criteria:
- 12 (A) Ensures urgent action;
- 13 (B) Coordinates actions across jurisdictions within the metropolitan area;
- 14 (C) Coordinates with work required as provided in OAR 660-044-0100;
- 15 (D) Sequences elements into a logical progression; and
- 16 (E) Considers availability of funding and other resources to complete the work.
- 17 (g) Upon the director finding the proposed alternative dates meet the criteria in (f), the  
18 alternative dates shall be used.
- 19 (h) The director may modify alternative dates at any time as necessary to achieve the  
20 purposes of this division.
- 21 (4) The dates in this section apply unless alternative dates are approved by the ~~commission~~director as  
22 provided in section (3).
- 23 (a) ~~Cities and counties in urban areas~~outside the Portland Metropolitan area with a  
24 population over 5,000 in the urban area, and counties outside the Portland Metropolitan  
25 Area with an unincorporated population over 5,000 in the urban area, must adopt a major  
26 transportation system plan update as provided in OAR 660-012-0105 by December 31,  
27 2029.
- 28 (b) The provisions of OAR 660-012-0215 requiring the adoption of multiple transportation  
29 performance standards take effect on June 30, 2025.
- 30 (c) A city or county that is subject to the requirements of OAR 660-012-0310~~(2)~~ shall adopt  
31 land use requirements for climate-friendly areas and a climate-friendly comprehensive  
32 plan element as provided in OAR 660-012-0315~~(6)~~ by December 31, 2024.
- 33 (d) Metro shall amend the urban growth management functional plan in conjunction with its  
34 next growth management analysis under ORS 197.296 and no later than December 31,  
35 2024, to require local government adoption of Region 2040 centers and land use  
36 regulations as described in the acknowledged urban growth management functional plan.  
37 Within the Metro urban growth boundary, a county with planning jurisdiction in  
38 unincorporated areas provided with urban water, sanitary sewer, stormwater, and  
39 transportation services, or a city shall comply with the adopted requirements of the urban  
40 growth management functional plan by December 31, 2025.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 12 of 45

- 1 (e) Cities and counties shall adopt land use regulations to meet the requirements of OAR  
2 660-012-0330 no later than the date of adoption of a major ~~or minor~~ transportation  
3 system plan update as provided in OAR 660-012-0105.
- 4 (f) Cities, and counties with an ~~unincorporated population over 5,000 within an urban~~  
5 ~~growth boundary~~, shall adopt comprehensive plan amendments and land use regulations  
6 meeting requirements as provided in OAR 660-012-0400, OAR 660-012-0405, and OAR  
7 660-012-0415 through OAR 660-012-0450 no later than June 30, 2023, except as  
8 provided below. If a city or county has not done so, it may not apply parking mandates  
9 after that date.
- 10 (A) Cities and counties that pass population thresholds in OAR 660-012-~~0410~~0400,  
11 OAR 660-012-0415, or OAR 660-012-0450 must adopt comprehensive plan  
12 amendments and land use regulations meeting requirements within 12 months of  
13 passing those population thresholds.
- 14 (B) If cities and counties adopt an approach in OAR 660-012-0445, policies must  
15 take effect no later than June 30, 2023.
- 16 (C) Cities and counties adopting an approach in OAR 660-012-0435 shall do so  
17 concurrently with adoption of any climate-friendly area under OAR 660-012-  
18 0315.
- 19 (g) Cities choosing to report on the share of on-street parking spaces that are priced as  
20 provided in OAR 660-012-0450(1)(b) must:
- 21 (A) Demonstrate at least five percent of on-street parking spaces are priced by  
22 September 30, 2023; and
- 23 (B) Demonstrate at least 10 percent of on-street parking spaces are priced by  
24 September 30, 2025.
- 25 (5) The following dates may not be adjusted through proposed alternative dates as provided in  
26 section (3):
- 27 (a) The provisions of OAR 660-012-0210 take effect June 30, 2024.
- 28 (b) A city or county that is subject to the requirements of OAR 660-012-0310~~(2)~~ shall submit  
29 a study of climate-friendly areas as provided in OAR 660-012-0315(4) and (5) by  
30 December 31, 2023.
- 31 (c) The provisions of OAR 660-012-0310~~(3)~~(4)(a) and (b) take effect June 30, 2023.
- 32 (d) Cities shall implement the requirements for electric vehicle charging as provided in OAR  
33 660-012-0410~~(2)~~ no later than March 31, 2023.
- 34 (e) Cities and counties shall implement the requirements of OAR 660-012-0430 and 660-  
35 012-0440 when reviewing development applications submitted after December 31, 2022.
- 36 (6) Cities and counties with voter-approved bond-funded projects where the election occurred before  
37 January 1, 2022 may use approved bond funding as a factor when prioritizing projects in an  
38 unconstrained project list as provided in OAR 660-012-0170(4).
- 39 (7) The first reporting year for the reporting requirements as provided in OAR 660-012-0900 is 2023,  
40 with reports due no later than May 31, 2024.

1 **660-012-0012B: Effective Dates and Transition Period [More Time Option]**

- 2 (1) The rules in this division adopted on July 21, 2022, and amendments to rules in this division  
3 adopted on that date, are effective August 12, 2022, except as provided in this rule.
- 4 (2) A city or county subject to the requirements as provided in OAR 660-012-0100 may make  
5 interim updates to the local transportation system plan using requirements as provided in OAR  
6 660-012-0015 if the city or county:
- 7 (a) Has submitted notice of the proposed change to the comprehensive plan to the  
8 department as provided in OAR 660-018-0020 no later than June 30, 2023; or
- 9 (b) The interim update is not a major transportation system plan update as provided in OAR  
10 660-012-0105, and the city or county has submitted notice of the proposed change to the  
11 comprehensive plan to the department as provided in OAR 660-018-0020 no later than  
12 June 30, 2029. Interim updates must comply with applicable requirements in this division  
13 within the scope of the transportation system plan amendment but need not bring the  
14 entire transportation system plan in compliance with all applicable regulations.
- 15 (3) Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or  
16 deadlines in section (4) of this rule.
- 17 (a) A submitted proposal for alternative dates shall include:
- 18 (A) A description of any work already underway to begin complying with the new  
19 requirements of this division;
- 20 (B) Proposed dates for accomplishing requirements in lieu of effective dates or  
21 deadlines provided in this rule; and
- 22 (C) A schedule for updating local transportation system plans to comply with new  
23 requirements of this division.
- 24 (b) Proposed alternative dates must demonstrate consistent progress toward meeting the  
25 updated requirements of this division. Proposed alternative dates must include at least  
26 some work implemented by June 30, 2024. Proposed alternative dates must include  
27 completion of all elements included in the alternative dates, except for a major update to  
28 the transportation system plan, by June 30, 2028.
- 29 (c) Proposed alternative dates should be designed to sequence work in a logical progression,  
30 considering acknowledged plans, other work, and the work of other jurisdictions within  
31 the metropolitan area. Cities and counties in a metropolitan area may submit joint  
32 proposed alternative dates for a metropolitan area.
- 33 (d) Proposed alternative dates may not be submitted to the department after January 31,  
34 2023.
- 35 (e) Local governments in regions required to submit a work program as provided in OAR  
36 660-044-0015 may submit a single combined work program that proposes alternative  
37 dates as provided in this rule and meets the requirements as provided in OAR 660-044-  
38 0100. Notwithstanding subsection (d), the combined work program must be submitted by  
39 the date as provided in OAR 660-044-0015.
- 40 (f) The director shall review the proposed alternative dates to make a recommendation to the  
41 commission as to whether the proposed alternative dates meet the following criteria:

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 14 of 45

- 1 (A) Ensures urgent action;  
2 (B) Coordinates actions across jurisdictions within the metropolitan area;  
3 (C) Coordinates with work required as provided in OAR 660-044-0100;  
4 (D) Sequences elements into a logical progression; and  
5 (E) Considers availability of funding and other resources to complete the work.
- 6 (g) The commission shall hold a hearing to review the proposed alternative dates and the  
7 director's recommendation. If the commission finds that the proposed alternative dates  
8 are complete and meet the criteria in subsection (f), then the commission shall issue an  
9 order approving the alternative dates; otherwise, the commission shall remand the  
10 proposed alternative dates with specific directions for changes needed. Upon approval by  
11 the commission, the alternative dates supersede the effective dates or deadlines in this  
12 rule.
- 13 (h) The commission may modify alternative dates at any time as necessary to achieve the  
14 purposes of this division.
- 15 (4) The dates in this section apply unless alternative dates are approved by the commission as  
16 provided in section (3).
- 17 (a) Cities outside the Portland Metropolitan area with a population over 5,000 in the urban  
18 area, and counties outside the Portland Metropolitan Area with an unincorporated  
19 population over 5,000 in the urban area, must adopt a major transportation system plan  
20 update as provided in OAR 660-012-0105 by December 31, 2029.
- 21 (b) The provisions of OAR 660-012-0215 requiring the adoption of multiple transportation  
22 performance standards take effect upon the date of adoption of a major transportation  
23 system plan update as provided in OAR 660-012-0105.
- 24 (c) A city or county that is subject to the requirements of OAR 660-012-0310 shall adopt  
25 land use requirements for climate-friendly areas and a climate-friendly comprehensive  
26 plan element as provided in OAR 660-012-0315(6) by December 31, 2025.
- 27 (d) Metro shall amend the urban growth management functional plan in conjunction with its  
28 next growth management analysis under ORS 197.296 and no later than December 31,  
29 2024, to require local government adoption of Region 2040 centers and land use  
30 regulations as described in the acknowledged urban growth management functional plan.  
31 Within the Metro urban growth boundary, a county with planning jurisdiction in  
32 unincorporated areas provided with urban water, sanitary sewer, stormwater, and  
33 transportation services, or a city shall comply with the adopted requirements of the urban  
34 growth management functional plan by June 30, 2026.
- 35 (e) Cities and counties shall adopt land use regulations to meet the requirements of OAR  
36 660-012-0330 no later than the date of adoption of a major transportation system plan  
37 update as provided in OAR 660-012-0105.
- 38 (f) Cities and counties shall adopt comprehensive plan amendments and land use regulations  
39 meeting requirements as provided in OAR 660-012-0400, OAR 660-012-0405, and OAR  
40 660-012-0415 through OAR 660-012-0450 no later than December 31, 2023, except as  
41 provided below. If a city or county has not done so, it may not apply parking mandates  
42 after that date.

- 1 (A) Cities and counties required to adopt parking maximums under OAR 660-012-  
2 0415 must do so prior to or when adopting a major transportation system plan  
3 update.
- 4 (B) Cities and counties that pass population thresholds in OAR 660-012-0400, OAR  
5 660-012-0415, or OAR 660-012-0450 must adopt comprehensive plan  
6 amendments and land use regulations meeting requirements within 12 months of  
7 passing those population thresholds.
- 8 (C) If cities and counties adopt an approach in OAR 660-012-0445, policies must  
9 take effect no later than December 31, 2023.
- 10 (D) Cities and counties adopting an approach in OAR 660-012-0435 shall do so  
11 concurrently with adoption of any climate-friendly area under OAR 660-012-  
12 0315.
- 13 (g) Cities choosing to report on the share of on-street parking spaces that are priced as  
14 provided in OAR 660-012-0450(1)(b) must:
- 15 (A) Demonstrate at least five percent of on-street parking spaces are priced by June  
16 30, 2024; and
- 17 (B) Demonstrate at least 10 percent of on-street parking spaces are priced by June 30,  
18 2026.
- 19 (5) The following dates may not be adjusted through proposed alternative dates as provided in  
20 section (3):
- 21 (a) The provisions of OAR 660-012-0210 take effect June 30, 2025.
- 22 (b) A city or county that is subject to the requirements of OAR 660-012-0310 shall submit a  
23 study of climate-friendly areas as provided in OAR 660-012-0315(4) and (5) by  
24 December 31, 2023.
- 25 (c) The provisions of OAR 660-012-0310(4)(a) and (b) take effect December 31, 2023.
- 26 (d) Cities shall implement the requirements for electric vehicle charging as provided in OAR  
27 660-012-0410 no later than March 31, 2023.
- 28 (e) Cities and counties shall implement the requirements of OAR 660-012-0430 and 660-  
29 012-0440 when reviewing development applications submitted after December 31, 2023.
- 30 (6) Cities and counties with voter-approved bond-funded projects where the election occurred before  
31 January 1, 2023 may use approved bond funding as a factor when prioritizing projects in an  
32 unconstrained project list as provided in OAR 660-012-0170(4).
- 33 (7) The first reporting year for the reporting requirements as provided in OAR 660-012-0900 is 2023,  
34 with reports due no later than May 31, 2024.

35 **660-012-0100: Transportation System Plans in Metropolitan Areas**

- 36 (1) Cities shall develop and adopt a transportation system plan. Cities shall develop a transportation  
37 system plan and amendments to that plan consistent with the provisions of OAR 660-012-0105  
38 through OAR 660-012-0215. A transportation system plan includes the following elements:
- 39 (a) The core transportation system plan elements as provided in section (2);

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 16 of 45

- 1 (b) Funding projections as provided in OAR 660-012-0115;
  - 2 (c) A transportation options element as provided in OAR 660-012-0145;
  - 3 (d) An unconstrained project list as provided in OAR 660-012-0170;
  - 4 (e) A financially-constrained project list as provided in OAR 660-012-0180;
  - 5 (f) Any refinement plans adopted as provided in OAR 660-012-0190;
  - 6 (g) A pedestrian system element as provided in OAR 660-012-0500;
  - 7 (h) A bicycle system element as provided in OAR 660-012-0600;
  - 8 (i) A public transportation system element as provided in OAR 660-012-0700; and
  - 9 (j) A street and highway system element as provided in OAR 660-012-0800.
- 10 (2) A transportation system plan shall include the following core elements:
- 11 (a) The base and planning horizon years as provided in section (3) of this rule;
  - 12 (b) The land use assumptions as provided in OAR 660-012-0340;
  - 13 (c) A list of all elements of the plan, and the date of adoption or amendment of each;
  - 14 (d) The coordinated land use and transportation system planning policies in the city's
  - 15 comprehensive plan;
  - 16 (e) The local transportation system plan goals and policies;
  - 17 (f) Areas with concentrations of underserved populations as provided in OAR 660-012-
  - 18 0125, identified using best available data;
  - 19 (g) A record of the engagement, involvement, and decision-making processes used in
  - 20 development of the plan, as provided in OAR 660-012-0130;
  - 21 (h) A major equity analysis as provided in OAR 660-012-0135, or an engagement-focused
  - 22 equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in
  - 23 population; and
  - 24 (i) The dates of each report made to the director as provided in OAR 660-012-0900,
  - 25 including all applicable city and county reports for the planning area.
- 26 (3) Cities shall determine the base and horizon years of a transportation system plan as follows:
- 27 (a) The base year is the present or past year which is used for the development of plan
  - 28 elements. The base year shall be the year of adoption of a major update to the
  - 29 Transportation System Update, or no earlier than five years prior.
  - 30 (b) The horizon year is the future year for which the plan contains potential projects and shall
  - 31 be at least twenty years from the year of adoption of a major update to the transportation
  - 32 system plan.
- 33 (4) The director may grant a whole or partial exemption from the requirements of this division to
- 34 cities and counties with a population of less than 10,000 within the urban area. The director may
- 35 also grant a whole or partial temporary exemption from the requirements of this division to
- 36 jurisdictions of any size that are newly included in an existing metropolitan area or a newly



- 1 designated metropolitan area. The director shall use the criteria and process as provided in OAR  
2 660-012-0055(7) to decide to approve an exemption.
- 3 (5) The development of a transportation system plan shall be coordinated with affected cities,  
4 counties, transportation facility owners, and transportation service providers, and transportation  
5 options providers.
- 6 (6) Adoption or amendment of a transportation system plan shall constitute the land use decision  
7 regarding the function, mode, general location, and need for transportation facilities, services, and  
8 major improvements.
- 9 (7) Adoption or amendment of a transportation system plan shall include findings of compliance with  
10 applicable statewide planning goals, acknowledged comprehensive plan policies, and land use  
11 regulations.
- 12 (8) Cities and counties shall design transportation system plans to achieve transportation performance  
13 targets as provided in OAR 660-012-0910.
- 14 (9) Metro shall adopt a regional transportation system plan provided in OAR 660-012-0140.
- 15 (10) Cities and counties in the Portland Metropolitan area shall additionally meet the requirements as  
16 provided in OAR 660-012-0140.

17 **660-012-0150: Transportation System Inventories**

- 18 (1) This rule applies to transportation inventories as provided in OAR 660-012-0505, OAR 660-012-  
19 0605, OAR 660-012-0705, and OAR 660-012-0805.
- 20 (2) Cities and counties shall coordinate with other publicly owned transportation facility and service  
21 providers, including, but not limited to state agencies, other cities and counties, and public  
22 transportation system operators to develop the transportation system inventory.
- 23 (3) Inventories shall include all publicly owned, operated, or supported transportation facilities and  
24 services within the planning area, regardless of ownership or maintenance responsibility.  
25 Inventories shall note ownership or maintenance responsibility for all facilities.
- 26 (4) Inventories shall clearly identify the following for each inventoried facility or service:
- 27 (a) Function, including the classification of the facility or service, its primary uses, and  
28 whether it primarily serves local, regional, pass-through, or freight traffic.
- 29 (b) Primary users of the facility, including whether users are primarily on foot, bicycle,  
30 transit, freight, or personal vehicle.
- 31 (c) Land use context for each segment of the facility, including determining what types of  
32 planned land uses surround the facility.

33 **660-012-0155: Prioritization Framework**

- 34 (1) Cities, counties, Metro, and state agencies shall use the framework in this rule for decision  
35 making regarding prioritization of transportation facilities and services. Cities, counties, Metro,  
36 and state agencies shall consider the following:
- 37 (a) Prioritization factors as provided in section (3);
- 38 (b) Classification of facilities or segments as provided in section (4);

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 18 of 45

- 1 (c) The planned land use context as provided in section (5); and
- 2 (d) Expected primary users as provided in section (6).
- 3 (2) Cities, counties, Metro, and state agencies may use local values determined through engagement
- 4 as provided in OAR 660-012-0120 to weight various prioritized factors when making
- 5 prioritization decisions as provided in this division.
- 6 (3) Cities, counties, Metro, and state agencies shall prioritize transportation facilities and services
- 7 based on the following factors:
- 8 (a) Meeting greenhouse gas reduction targets, including:
- 9 (A) Reducing per-capita vehicle miles traveled to meet greenhouse gas reduction
- 10 targets as provided in OAR 660-044-0020 or OAR 660-044-0025;
- 11 (B) Supporting compact, pedestrian-friendly patterns of development in urban areas,
- 12 particularly in climate-friendly areas;
- 13 (C) Reducing single-occupant vehicle travel as a share of overall travel; and
- 14 (D) Meeting performance targets as provided in OAR 660-012-0910.
- 15 (b) Improving equitable outcomes for underserved populations identified as provided in
- 16 OAR 660-012-0125;
- 17 (c) Improving safety, particularly reducing or eliminating fatalities and serious injuries;
- 18 (d) Improving access for people with disabilities;
- 19 (e) Improving access to destinations, particularly key destinations as provided in OAR 660-
- 20 012-0360;
- 21 (f) Completing the multimodal transportation network, including filling gaps and making
- 22 connections;
- 23 (g) Supporting the economies of the community, region, and state; and
- 24 (h) Other factors determined in the community.
- 25 (4) Cities, counties, Metro, and state agencies shall consider the functional classification of planned
- 26 or existing transportation facilities or segments when making decisions about appropriate
- 27 transportation facilities and services. Cities, counties, Metro, and state agencies may establish
- 28 different functional classifications for each mode on any facility or segment that they own and
- 29 operate.
- 30 (5) Cities, counties, Metro, and state agencies shall consider the planned land use context around an
- 31 existing or planned transportation facility or segment when making decisions about appropriate
- 32 transportation facilities and services.
- 33 (a) Within climate-friendly areas, cities, counties, Metro, and state agencies shall prioritize
- 34 pedestrian, bicycle, and public transportation facilities and services. Cities, counties,
- 35 Metro, and state agencies shall ensure facilities are planned for these modes to experience
- 36 safe, low stress, and comfortable travel for people of all ages and abilities within climate-
- 37 friendly areas with minimal interference from motor vehicle traffic.
- 38 (b) In areas with concentrations of underserved populations, cities, counties, Metro, and state
- 39 agencies shall prioritize transportation projects addressing historic and current

1 marginalization. Proposed transportation projects in these areas must work to rectify  
2 previous harms and prevent future harms from occurring. These areas may have suffered  
3 from disinvestment or harmful investments, including transportation system investments.  
4 Such harms include but are not limited to displacement and increased exposure to  
5 pollutants, destruction and division of neighborhoods, heat islands, and unsafe conditions  
6 for pedestrians, cyclists, transit users, and others.

7 (6) Cities, counties, Metro, and state agencies shall consider the expected primary users of an  
8 existing or planned transportation facility or segment when making decisions about appropriate  
9 transportation facilities and services. In particular:

10 (a) In areas near schools or other locations with expected concentrations of children, or areas  
11 with expected concentrations of older people or people with disabilities, cities, counties,  
12 Metro, and state agencies must prioritize safe, protected, and continuous pedestrian and  
13 bicycle networks connecting to key destinations, including transit stops.

14 (b) In industrial areas, along routes accessing key freight terminals, and other areas where  
15 accommodations for freight are needed, cities, counties, Metro, and state agencies must  
16 consider the needs of freight users. Pedestrian, bicycle, and public transportation system  
17 connections must be provided in industrial areas at a level that provides safe access for  
18 workers.

#### 19 **660-012-0210: Transportation Modeling and Analysis**

20 (1) A city or county relying on transportation models or mathematical analysis of the transportation  
21 system to make a land use decision shall do so consistently with this rule.

22 (2) The model or analysis must account for changes in vehicle miles traveled per capita that would  
23 result from any transportation projects proposed as a part of the land use decision.

24 (3) The assumptions and inputs used with the modeling or analysis must be consistent with  
25 acknowledged plans.

26 (4) The modeling or analysis must demonstrate that the land use decision ~~must~~will not increase  
27 vehicle miles traveled per capita.

#### 28 **660-012-0310: Climate-Friendly Areas**

29 (1) This rule and rules 660-012-0315 and 660-012-0320 apply to cities and counties that:

30 (a) Are within a metropolitan area other than the Portland metropolitan area;

31 (b) Are inside incorporated cities or areas within an urban growth boundary as provided in  
32 Section (3); and

33 (c) Have a population of more than 5,000 within an urban growth boundary.

34 (2) Cities and counties shall study and zone climate-friendly areas for locations that meet the  
35 following requirements.

36 (a) Locations able to support development consistent with the land use requirements of OAR  
37 660-012-0320.

38 (b) The locations shall be in existing or planned urban centers, including downtowns,  
39 neighborhood centers, transit-served corridors, or similar districts. To the extent  
40 practicable, climate-friendly areas should be located within, or in close proximity to,

- 1 areas planned for, or provided with, high density residential uses and a high concentration  
2 of employment opportunities.
- 3 (c) The locations shall be in areas that are served, or planned for service, by high quality  
4 pedestrian, bicycle, and transit services.
- 5 (d) The locations shall not be in areas where development is ~~not allowed~~limited or  
6 disallowed by provisions adopted pursuant to Statewide Planning Goal 7. Climate-  
7 friendly areas may be designated in such areas if the local government has adopted  
8 requirements for development that will mitigate potential hazards to life and property, in  
9 compliance with Statewide Planning Goal 7.
- 10 (e) Cities may designate climate-friendly areas within the urban growth boundary, but  
11 outside the city limits boundary, if the following requirements are met:
- 12 (A) The area is contiguous with the city limits boundary;
- 13 (B) The provision of urban services is contingent upon annexation into the city limits  
14 and the area is readily serviceable with urban water, sewer, stormwater, and  
15 transportation. “Readily serviceable” means that urban infrastructure services are  
16 nearby and could be provided to allow construction on the site within one year of  
17 an application for a building permit;
- 18 (C) The zoning that will be applied upon annexation, based on the city’s  
19 comprehensive plan designation for the area, is consistent with climate-friendly  
20 area requirements;
- 21 (D) The county in which the subject area is located has adopted a consistent  
22 comprehensive plan designation for the area; and
- 23 (E) The city can demonstrate that at least 70 percent of complete annexation  
24 applications within the last five years have been approved within one year of the  
25 date of complete annexation application.
- 26 (f) Climate-friendly areas shall have a minimum width of 750 feet, including any internal  
27 rights of way that may be unzoned. Contiguous climate-friendly areas with distinct land  
28 use requirements may be considered cumulatively to demonstrate compliance with the  
29 minimum width requirement. Exceptions to these minimum dimensional requirements are  
30 allowed due to natural barriers, such as rivers; or due to long-term barriers in the built  
31 environment, such as freeways. Exceptions are also allowed if potential climate-friendly  
32 areas are constrained by adjacent areas planned and zoned to meet industrial land needs.
- 33 (3) Cities and counties ~~outside Metro with a population of more than 5,000 within an urban growth~~  
34 ~~boundary~~ shall designate climate-friendly areas. Counties with planning jurisdiction in  
35 unincorporated areas provided with urban water, sanitary sewer, stormwater, and transportation  
36 services within an identified urban growth boundary shall coordinate with the respective city or  
37 cities to address climate-friendly area requirements for those areas. Areas under county  
38 jurisdiction outside urban growth boundaries; or within urban growth boundaries but not provided  
39 with urban water, sanitary sewer, stormwater, and transportation services; are not subject to this  
40 rule.
- 41 (4) Cities and counties ~~outside Metro~~ shall designate climate-friendly areas as they cross the  
42 population thresholds in subsections (a) and (b). City population is as determined by the most  
43 recently certified Portland State University Population Research Center population estimate.

1 Compliance timelines are based upon the date of the certification of the population estimate.  
2 County population within an urban growth boundary may be calculated by interpolating Portland  
3 State University Population Research Center’s population forecast for the area within an urban  
4 growth boundary, then subtracting the certified city population estimate from the total population  
5 within the urban growth boundary for the current year.

6 (a) A city or county with a population within an urban growth boundary exceeding 5,000, but  
7 less than 10,001 shall ~~designate~~ submit a study of potential climate-friendly areas to the  
8 department as provided in OAR 660-012-0315 within ~~two years~~ 545 days of reaching a  
9 population exceeding 5,000. The city or county shall subsequently adopt land use  
10 requirements as provided in OAR 660-012-0315, and climate-friendly elements to their  
11 comprehensive plans within 365 days of the deadline for submittal of the study of  
12 potential climate-friendly areas.

13 (b) A city or a county with a population exceeding 10,000 within an urban growth boundary  
14 shall ~~designate~~ submit a study of potential climate-friendly areas to the department as  
15 provided in OAR 660-012-0315 within ~~two years~~ 545 days of reaching a population  
16 exceeding 10,000. The city or county shall subsequently adopt land use requirements as  
17 provided in OAR 660-012-0315, and climate-friendly elements to their comprehensive  
18 plans within 365 days of the deadline for submittal of the study of potential climate-  
19 friendly areas. The city or county shall maintain sufficient lands within climate-friendly  
20 areas as their population grows, as provided in OAR 660-012-0315. For cities also  
21 subject to OAR 660-008-0045, compliance with this requirement shall be demonstrated  
22 in each Housing Capacity Analysis following the initial designation of climate-friendly  
23 areas. Land use requirements for climate-friendly areas shall be established concurrent or  
24 prior to the adoption of the Housing Capacity Analysis as provided in OAR 660-012-  
25 0320. Counties subject to this rule shall coordinate with cities to address climate-friendly  
26 area requirements within an urban growth boundary.

27 (5) If a city or county ~~outside Metro~~ has not designated sufficient climate-friendly areas as  
28 provided in this rule, the commission may:

29 (a) Initiate periodic review for the ~~subject local government~~ city of county to address the  
30 requirement; or

31 (b) Issue an enforcement order to the ~~local government~~ city or county, consistent with ORS  
32 197.646.

1 **660-012-0315: Designation of Climate-Friendly Areas**

- 2 (1) The designation of climate-friendly areas refers to the process of studying potential  
3 climate-friendly areas and adopting land use requirements and climate-friendly elements into  
4 comprehensive plans, as provided in this rule. Cities and counties subject to the requirements of  
5 OAR 660-012-0310(2) with a population of greater than 10,000 or more shall designate climate-  
6 friendly areas sufficient to accommodate at least 30 percent of the total identified number of  
7 housing units necessary to meet all current and future housing needs by calculating zoned  
8 building capacity as provided in section (2), or using an alternative methodology as provided in  
9 OAR 660-012-0320(10). A local government may designate one or several climate-friendly areas  
10 to accommodate at least 30 percent of housing units.
- 11 (a) The total number of housing units necessary to meet all current and future housing needs  
12 shall be determined from the local government's most ~~recent~~ recently adopted and  
13 acknowledged housing capacity analysis, by adding the total number of existing dwelling  
14 units identified in the buildable land inventory to the anticipated number of future needed  
15 housing units over the planning period. ~~A local government may use a similar~~  
16 ~~methodology to determine total housing needs if lacking an adopted and acknowledged~~  
17 ~~housing capacity analysis, and may rely on most current US Census data to determine the~~  
18 ~~number of existing housing units within an incorporated area, if lacking other data~~  
19 ~~sources. A local government may designate one or several climate friendly areas to~~  
20 ~~accommodate at least 30 percent of housing units~~ of the housing capacity analysis.
- 21 (2) Cities and counties subject to section (1) shall calculate the housing unit capacity within climate-  
22 friendly areas, as follows:
- 23 (a) Regardless of existing development in a climate-friendly area, determine the potential  
24 square footage of zoned building capacity for each net developable area based on existing  
25 or anticipated development standards within the climate-friendly area, including  
26 applicable setbacks, allowed building heights, open space requirements, on-site parking  
27 requirements, and similar regulations. Within developed areas with no blocks greater than  
28 5.5 acres, analysis of net developable areas may be conducted for each city block,  
29 without regard to property boundaries within the block. Within areas bounded by streets  
30 of 5.5 acres or more, the local government shall assume the same ratio of total land area  
31 to net land area as that which exists in the most fully developed urban center.
- 32 (b) Where the local government has not established a maximum building height, assumed  
33 building height shall be 85 feet. For the purpose of calculating zoned building capacity,  
34 cities and counties may assume the following number of floors within multistory  
35 buildings, based on allowed building heights:
- 36 (A) Fifty feet allows for four floors.  
37 (B) Sixty feet allows for five floors.  
38 (C) Eighty-five feet allows for seven floors.
- 39 (c) If a local government allows height bonuses above the maximum building heights used  
40 for calculations in subsection (b) of this rule, the local government may include 25  
41 percent of that additional zoned building capacity when the bonuses:
- 42 (A) Allow building heights above the minimums established in OAR 660-012-  
43 0320(8); and,

- 1 (B) Allow height bonuses for publicly-subsidized housing serving households with  
2 an income of 80 percent or less of the area median household income, or height  
3 bonuses for the construction of accessible dwelling units, as defined in OAR 660-  
4 008-0050(4)(a), in excess of minimum requirements.
- 5 (d) Local governments shall assume that residential dwellings will occupy 30 percent of the  
6 zoned building capacity calculated in subsections (a), (b), and (c) within ~~climate-friendly~~  
7 ~~areas.~~ friendly areas. Public parks and open space areas within climate-friendly areas that  
8 are precluded from development shall not be included in calculations of zoned building  
9 capacity, but may be counted towards minimum area and dimensional requirements for  
10 climate-friendly areas. Zoning and development standards for public parks and open  
11 space areas are exempted from compliance with the land use requirements in Rule 660-  
12 012-0320 if the existing zoning standards do not allow residential, commercial, or office  
13 uses.
- 14 (e) Local governments shall assume an average dwelling unit size of 900 square feet. Local  
15 governments shall use the average dwelling unit size to convert the square footage of  
16 zoned residential building capacity calculated in subsection (d) into an estimate of the  
17 number of dwelling units that may be accommodated in the climate-friendly area.
- 18 (3) Cities and counties subject to the requirements of OAR 660-012-0310 with a population of ~~more~~  
19 ~~than 510,000 but or less than 10,000~~ shall designate at least 25 acres of land as climate-friendly  
20 ~~area, as provided in sections (4), (5), and (6).~~
- 21 (4) Cities and counties must submit a study of potential climate-friendly areas to the department as  
22 provided in this rule. The study of potential climate-friendly areas shall include the following  
23 information:
- 24 (a) Maps showing the location and size of all potential climate-friendly areas. Cities and  
25 counties shall use the study process to identify the most promising area or areas to be  
26 chosen as climate-friendly areas but are not required to subsequently adopt and zone each  
27 studied area as a climate-friendly area.
- 28 (b) Cities and counties subject to section (1) shall provide preliminary calculations of zoned  
29 residential building capacity and resultant residential dwelling unit capacity within each  
30 potential climate-friendly area consistent with section (2), or using an alternative  
31 methodology as provided in OAR 660-012-0320(10), and using land use requirements  
32 within each climate-friendly area as provided in OAR 660-012-0320. Potential climate-  
33 friendly areas must be cumulatively sized and zoned to accommodate at least 30 percent  
34 of the total identified number of housing units as provided in section (1).
- 35 (c) A community engagement plan for the designation of climate-friendly areas, including  
36 the process to adopt associated amendments to the comprehensive plan and zoning code,  
37 consistent with the requirements of OAR 660-012-0120 through 660-012-0130 ~~and~~  
38 ~~including.~~ The community engagement plan shall be consistent with the requirements for  
39 an engagement-focused equity analysis as provided in OAR 660-012-0135(3).
- 40 (d) Analysis of how each potential climate-friendly area complies, or may be brought into  
41 compliance, with the requirements of OAR 660-012-0310(42).
- 42 (e) A preliminary evaluation of existing development standards within the potential climate-  
43 friendly area(s) and a general description of any changes necessary to comply with the  
44 requirements of OAR 660-012-0320.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 24 of 45

- 1 (f) Plans for achieving fair and equitable housing outcomes within climate-friendly areas, as  
2 identified in OAR 660-008-0050(4)(a)-(f). Analysis of OAR 660-008-0050(4)(f) shall  
3 include analysis of spatial and other data to determine if the rezoning of potential climate-  
4 friendly areas would be likely to displace residents who are members of state and federal  
5 protected classes. The local government shall also identify actions that may be employed  
6 to mitigate or avoid potential displacement.
- 7 (5) Cities and counties shall submit climate-friendly area study reports required in section (4).  
8 Following submittal, the department shall review reports as follows:
- 9 (a) Within 30 days of receipt of the report, the department shall:
- 10 (A) Post a complete copy of the submitted report on the department's website along  
11 with a statement that any person may file a written comment regarding the  
12 submitted report no more than 21 days after the posting of the report.
- 13 (B) Provide notice to persons described under ORS 197.615(3)(a), directing them to  
14 the posting described in paragraph (A) and informing them that they may file a  
15 written comment regarding the submitted report no more than 21 days after the  
16 posting of the report.
- 17 (b) Within 60 days of posting of the report on the department's website, the department shall  
18 provide written comments to the local government regarding the report information and  
19 the progress made to identify suitable climate-friendly areas. The department shall also  
20 provide the local government with any written comments submitted by interested  
21 persons, as provided in subsection (a).
- 22 (6) Cities and counties must adopt land use requirements as provided in OAR 660-012-0320, and  
23 climate-friendly elements to their comprehensive plans. Adoption of land use requirements and  
24 the climate-friendly element of the comprehensive plan shall include the following:
- 25 (a) Cities and counties subject to section (1) shall provide maps showing the location of all  
26 adopted climate-friendly areas, including calculations to demonstrate that climate-  
27 friendly areas contain sufficient zoned residential building capacity to accommodate 30  
28 percent of total housing units as provided in section (2), or using an alternative  
29 methodology as provided in OAR 660-012-0320(10), and based on adopted land use  
30 requirements in these areas as provided in OAR 660-012-0320. Cities and counties  
31 subject to section (3) shall provide maps showing the location of the adopted climate-  
32 friendly area. ~~The local government~~ Local governments subject to (1) or (3) shall include  
33 findings containing the information and analysis required in section (4) for any climate-  
34 friendly areas that were not included in the initial study specified in section (4).
- 35 (b) Documentation of the number of total existing dwelling units, accessible dwelling units,  
36 and income-restricted dwelling units within all climate-friendly areas. Where precise data  
37 is not available, local governments may provide estimates based on best available  
38 information.
- 39 (c) Documentation that all adopted and applicable land use requirements for climate-friendly  
40 areas are consistent with the provisions of OAR 660-012-0320.
- 41 (d) Adoption of a climate-friendly element into the comprehensive plan containing findings  
42 and analysis summarizing the local government climate-friendly area designation



1 decision process and demonstration of compliance with the provisions of OAR 660-012-  
2 0310 through 660-012-0325. Additionally, adopted findings shall include:

3 (A) Identification of all ongoing and newly-added housing production strategies the  
4 local government shall use to promote the development of affordable housing in  
5 climate-friendly areas. The local government may use the Housing Production  
6 Strategy Guidance for Cities to review and identify potential strategies, as  
7 provided in OAR 660-008-0050(3). These strategies shall be incorporated into  
8 future housing production strategy reports, as provided in OAR chapter 660,  
9 division 8.

10 (B) Identification of all ongoing and newly-added housing production strategies the  
11 local government shall use to prevent the displacement of members of state and  
12 federal protected classes in climate-friendly areas. Findings shall include a  
13 description of how the strategies will be implemented based on consideration of  
14 identified neighborhood typologies and the most effective measures to prevent  
15 displacement based on typology. The local government may use the Housing  
16 Production Strategy Guidance for Cities, along with the department's "Anti-  
17 Displacement and Gentrification Toolkit" to identify the most effective measures  
18 to prevent displacement based on neighborhood typologies. These strategies shall  
19 be incorporated into future housing production strategy reports, as provided in  
20 OAR chapter 660, division 8.

21 (7) For cities and counties identified in section (1), the information provided in compliance with  
22 subsections (6)(b) and (d) shall provide a basis for subsequent Housing Production Strategy  
23 Reports to assess progress towards fair and equitable housing production goals in climate-friendly  
24 areas, as provided in OAR 660-008-0050(4)(a).

### 25 **660-012-0320: Land Use Requirements in Climate-Friendly Areas**

26 (1) Cities and counties subject to the provisions of OAR 660-012-0310 shall incorporate the  
27 requirements in sections (2) through (7) of this rule into policies and development regulations that  
28 apply in all climate-friendly areas. Cities and counties shall either incorporate the provisions in  
29 section (8) into development regulations for climate-friendly areas, or shall demonstrate with  
30 adopted findings and analysis that alternative development regulations for climate-friendly areas  
31 will result in equal or higher levels of development in climate-friendly areas as provided in  
32 section (9). If adopting more than one climate-friendly area, a city or county may demonstrate  
33 compliance with either section (8) or section (9) for each climate-friendly area, provided that all  
34 requirements for each respective climate-friendly area are met.

35 (2) Except as noted in subsection (a) and section (3), development regulations for a climate-friendly  
36 area shall allow single use ~~or~~ and mixed-use development within individual buildings ~~or~~ and  
37 development sites, including the following outright permitted uses:

38 (a) Multifamily residential and attached single-family residential. Other residential building  
39 types may be allowed, subject to compliance with applicable minimum density  
40 requirements in section (8) of this rule, or alternative land use requirements as provided  
41 in section (9) ~~of this rule~~. Notwithstanding section (2), local governments may require  
42 ground floor commercial and office uses within otherwise single use multifamily  
43 residential buildings.

44 (b) Office-type uses.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 26 of 45

- 1 (c) Non-auto dependent retail, services, and other commercial uses.
- 2 (d) Child care, schools, and other public uses, including public-serving government facilities.
- 3 (3) Portions of abutting residential or employment-oriented zoned areas within a half-mile walking  
4 distance of a mixed-use area zoned as provided in section (1) may count towards climate\_friendly  
5 area requirements, if in compliance with subsections (a) or (b). Notwithstanding existing  
6 development, zoned residential building capacity shall be calculated for the abutting areas based  
7 on allowed building heights and existing development standards in these areas, as provided in  
8 OAR 660-012-0315(2) or using an alternative methodology as provided in OAR 660-012-  
9 0320(10). Residential and employment densities for abutting areas shall correspond to the  
10 climate\_friendly area type, provided in subsections (8)(a), (b), or (c) or (9)(a), (b), or (c). If  
11 subsections (a) or (b) are met, no changes to existing zoning or development standards are  
12 required for these areas.
- 13 (a) Residential areas with minimum residential densities or existing residential development  
14 equal to or greater than the densities provided in section (8); or
- 15 (b) Existing employment uses equal to or greater than the number of jobs per acre provided  
16 in section (9).
- 17 (4) Local governments shall prioritize locating government facilities that provide direct service to the  
18 public within climate\_friendly areas and shall prioritize locating parks, open space, plazas, and  
19 similar public amenities in or near climate\_friendly areas that do not contain sufficient parks,  
20 open space, plazas, or similar public amenities. Local governments shall amend comprehensive  
21 plans to reflect these policies, where necessary. Streetscape requirements in climate\_friendly areas  
22 shall include street trees and other landscaping, where feasible.
- 23 (5) Local governments shall establish maximum block length standards as provided below. For the  
24 purpose of this rule, a development site consists of the total site area proposed for development,  
25 absent previously dedicated rights-of-way, but including areas where additional right-of-way  
26 dedication may be required.
- 27 (a) For development sites less than 5.5 acres in size, a maximum block length of 500 feet or  
28 less. Where block length exceeds 350 feet, a public pedestrian through-block easement  
29 shall be provided to facilitate safe and convenient pedestrian connectivity in climate\_  
30 friendly areas. Substantial redevelopment of sites of two acres or more within an existing  
31 block that does not meet the standard shall provide a public pedestrian accessway  
32 allowing direct passage through the development site such that no pedestrian route will  
33 exceed 350 feet along any block face. Local governments may grant exceptions to street  
34 and accessway requirements as provided in OAR 660-012-0330(2).
- 35 (b) For development sites of 5.5 acres or more, a maximum block length of 350 feet or less.  
36 Local governments may grant exceptions to street requirements as provided in OAR 660-  
37 012-0330(2).
- 38 (6) Development regulations may not include a maximum density limitation.
- 39 (7) Local governments shall adopt policies and development regulations in climate\_friendly areas that  
40 implement the following:
- 41 (a) The transportation review process in OAR 660-012-0325;
- 42 (b) The land use requirements as provided in OAR 660-012-0330;

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 27 of 45

- 1 (c) The applicable parking requirements as provided in OAR 660-012-0435; and
- 2 (d) The applicable bicycle parking requirements as provided in OAR 660-012-0630.
- 3 (8) Local governments shall adopt either the following provisions into development regulations for  
4 climate-friendly areas, or the requirements in section (9). Local governments are not required to  
5 enforce the minimum residential densities below for mixed-use buildings (buildings that contain  
6 residential units, as well as office, commercial, or other non-residential uses) if the mixed-use  
7 buildings meet a minimum floor area ratio of 2.0. A floor area ratio is the ratio of the gross floor  
8 area of all buildings on a development site, excluding areas within buildings that are dedicated to  
9 vehicular parking and circulation, in proportion to the net area of the development site on which  
10 the buildings are located. A floor area ratio of 2.0 would indicate that the gross floor area of the  
11 building was twice the net area of the site. Local governments are not required to enforce the  
12 minimum residential densities below for redevelopment that renovates and adds residential units  
13 within existing buildings, but that does not add residential units outside the existing exterior of  
14 the building.
- 15 (a) Local governments with a population ~~of greater than 5,000 up to 24,999~~25,000 shall adopt  
16 the following development regulations for climate-friendly areas:
- 17 (A) A minimum residential density requirement of 15 dwelling units per net acre; and
- 18 (B) Maximum building height no less than 50 feet.
- 19 (b) Local governments with a population ~~of greater than 25,000 up to 49,999~~50,000 shall  
20 adopt the following development regulations for at least one climate-friendly area with a  
21 minimum area of 25 acres. Additional climate-friendly areas may comply with the  
22 following standards or the standards in subsection (a).
- 23 (A) A minimum residential density requirement of 20 dwelling units per net acre; and
- 24 (B) Maximum building height no less than 60 feet.
- 25 (c) Local governments with a population ~~of greater than 50,000 or more~~ shall adopt the  
26 following development regulations for at least one climate-friendly area with a minimum  
27 area of 25 acres. Additional climate-friendly areas may comply with the following  
28 standards or the standards in subsections (a) or (b):
- 29 (A) A minimum residential density requirement of 25 dwelling units per net acre; and
- 30 (B) Maximum building height no less than 85 feet.
- 31 (9) As an alternative to adopting the development regulations in section (8), local governments may  
32 demonstrate with adopted findings and analysis that their adopted development regulations for  
33 climate-friendly areas ~~are expected to result in~~will provide for equal or higher levels of  
34 development in climate-friendly areas, ~~s than those allowed per the standards in section (8).~~  
35 Specifically, the local government must demonstrate that the alternative development regulations  
36 will consistently and expeditiously allow for the levels of development described below:
- 37 (a) Local governments with a population ~~of greater than 5,000 up to 24,999~~25,000 shall adopt  
38 development regulations in climate-friendly areas to enable development of at least 20  
39 dwelling units and 20 jobs per net acre.
- 40 (b) Local governments with a population ~~of greater than 25,000 up to 49,999~~50,000 shall  
41 adopt development regulations for at least one climate-friendly area of at least 25 acres to

- 1 enable development of at least 30 dwelling units and 30 jobs per net acre. Additional  
2 climate\_friendly areas may comply with this standard or with the standard in subsection  
3 (a).
- 4 (c) Local governments with a population of greater than 50,000 ~~or more~~ shall adopt  
5 development regulations for at least one climate\_friendly area of at least 25 acres to  
6 enable development of at least 40 dwelling units and 40 jobs per net acre. Additional  
7 climate\_friendly areas may comply with this standard or with the standard in subsections  
8 (a) or (b).
- 9 (10) A local government ~~using the alternative provisions in section (9)~~ may provide an alternative  
10 methodology for zoned residential building capacity calculations that differs from OAR 660-012-  
11 0315(2). The methodology must clearly describe all assumptions and calculation steps, and must  
12 demonstrate that the methodology provides an equal or better system for determining the zoned  
13 residential building capacity sufficient to accommodate at least 30 percent of the total identified  
14 number of housing units necessary to meet all current and future housing needs within climate\_  
15 friendly areas. The alternative methodology shall be supported by studies of development activity  
16 in the region, market studies, or similar research and analysis.

#### 17 **660-012-0325: Transportation Review in Climate-Friendly Areas**

- 18 (1) Cities or counties shall use this rule to review amendments to comprehensive plans or land use  
19 regulations within a climate\_friendly area designated as provided in OAR 660-012-0315 and in  
20 Region 2040 Centers designated in Title 6 of Metro's Urban Growth Management Functional  
21 Plan. Cities and counties shall use this rule to review land use decisions made to implement OAR  
22 660-012-0310 through OAR 660-012-0320. Cities and counties are exempt from requirements as  
23 provided in OAR 660-012-0060 when reviewing amendments to comprehensive plans or land use  
24 regulations within a designated climate\_friendly area and in Region 2040 Centers designated in  
25 Title 6 of Metro's Urban Growth Management Functional Plan.
- 26 (2) Cities and counties making amendments to comprehensive plans or land use regulations to meet  
27 requirements as provided in OAR 660-012-0320 must either:
- 28 (a) Update the transportation system plan as provided in OAR 660-012-0105 and include a  
29 multimodal transportation gap summary as provided in section (3) of this rule,  
30 considering the proposed land uses in the climate\_friendly area; or
- 31 (b) Develop and adopt a multimodal transportation gap summary in coordination with  
32 impacted transportation facility providers and transportation service providers as  
33 provided in section (3) to meet requirements in OAR 660-012-0320.
- 34 (3) A multimodal transportation gap summary must be coordinated between the local jurisdiction,  
35 transportation facility providers, and transportation services providers to consider multimodal  
36 transportation needs in each climate\_friendly area as provided in OAR 660-012-0320 or Region  
37 2040 center. The multimodal transportation gap summary must include:
- 38 (a) A summary of the existing multimodal transportation network within the climate\_friendly  
39 area;
- 40 (b) A summary of the gaps in the pedestrian and bicycle networks in the climate\_friendly  
41 area, including gaps needed to be filled for people with disabilities, based on the  
42 summary of the existing multimodal transportation network;

- 1 (c) If applicable as provided in section (4), a highway impacts summary as provided in  
2 section (5); and
- 3 (d) A list of proposed projects to fill multimodal network gaps identified in subsection (b).
- 4 (4) A city or county shall include a highway impacts summary in the multimodal transportation gap  
5 summary if the designated climate-friendly area as provided in OAR 660-012-0315 or Region  
6 2040 center contains a ramp terminal intersection, state highway, interstate highway, or adopted  
7 ODOT Facility Plan.
- 8 (5) A highway impacts summary must identify how the transportation system may be affected by  
9 implementation of the climate-friendly area. The highway impacts summary must include:
- 10 (a) A summary of the existing and proposed development capacity of the climate-friendly  
11 area based on the proposed changes to the comprehensive plan and land use regulations;
- 12 (b) A summary of the additional motor vehicle traffic generation that may be expected in the  
13 planning period, considering reductions for expected complementary mixed-use  
14 development, additional multimodal options, and assuming meeting goals for reductions  
15 in vehicle miles traveled per capita; and
- 16 (c) A summary of traffic-related deaths and serious injuries within the climate-friendly area  
17 in the past five years.
- 18 (6) Cities and counties making amendments to ~~the adopted land use regulations identified under~~  
19 ~~section (2)~~, shall adopt findings including a highway impacts summary as provided in section (5)  
20 if:
- 21 (a) A city or county is reviewing a plan amendment within one-quarter mile of a ramp  
22 terminal intersection, adopted Interchange Area Management Plan area, or adopted  
23 ODOT Facility Plan area, or;
- 24 (b) The city or county is reviewing a plan amendment that would be reasonably likely to  
25 result in increasing traffic on the state facility that exceeds the small increase in traffic  
26 defined in the Oregon Highway Plan adopted by the Oregon Transportation Commission.
- 27 (7) Cities and counties shall provide notice of proposed adoption of a multimodal transportation gap  
28 summary or a revised highway impacts summary to ODOT and other affected transportation  
29 facility or service providers prior to submitting notice as provided in OAR 660-018-0020.

### 30 **660-012-0330: Land Use Requirements**

- 31 (1) Cities and counties shall implement plans and land use regulations to support compact,  
32 pedestrian-friendly, mixed-use land use development patterns in urban areas. Land use  
33 development patterns must support access by people using pedestrian, bicycle, and public  
34 transportation networks.
- 35 (2) Cities and counties may allow exemptions to provisions in this rule when conditions on a site or  
36 class of sites would make those provisions prohibitively costly or impossible to implement. Cities  
37 or counties may adopt land use regulations that provide for exemptions as provided in this  
38 section. Any allowed exemption shall ~~modify the provisions of this rule by the minimum amount~~  
39 ~~necessary based on site conditions, and~~ advance the purposes of this rule to the extent practical.  
40 Conditions that may provide for an exemption include, but are not limited to:
- 41 (a) Topography or natural features;

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 30 of 45

- 1 (b) Railroads, highways, or other permanent barriers;
- 2 (c) Lot or parcel size, orientation, or shape;
- 3 (d) Available access;
- 4 (e) Existing or nonconforming development;
- 5 (f) To provide for accessibility for people with disabilities; or
- 6 (g) Other site constraints.
- 7 (3) Cities and counties shall have land use regulations that provide for pedestrian-friendly and
- 8 connected neighborhoods. Land use regulations must meet the following requirements for
- 9 neighborhood design and access:
- 10 (a) Neighborhoods shall be designed with connected networks of streets, paths, accessways,
- 11 and other facilities to provide circulation within the neighborhood and pedestrian and
- 12 bicycle system connectivity to adjacent districts. A connected street network is desirable
- 13 for motor vehicle traffic but may be discontinuous where necessary to limit excessive
- 14 through-travel, or to protect a safe environment for walking, using mobility devices, and
- 15 bicycling in the neighborhood.
- 16 (b) Neighborhoods shall be designed with direct pedestrian access to key destinations as
- 17 provided in OAR 660-012-0360 via pedestrian facilities.
- 18 (c) Cities and counties shall set block length and block perimeter standards at distances that
- 19 will provide for pedestrian network connectivity. Cities and counties may allow alleys or
- 20 public pedestrian facilities through a block to be used to meet a block length or perimeter
- 21 standard.
- 22 (d) Cities and counties shall set standards to reduce out-of-direction travel for people using
- 23 the pedestrian or bicycle networks.
- 24 (4) Cities and counties shall have land use regulations in commercial and mixed-use districts that
- 25 provide for a compact development pattern, easy ability to walk or use mobility devices, and
- 26 allow direct access on the pedestrian, bicycle, and public transportation networks. Commercial or
- 27 mixed-use site design land use regulations must meet the following requirements:
- 28 (a) Primary pedestrian entrances to buildings ~~shall~~must be oriented to a public pedestrian
- 29 facility and be accessible to people with mobility disabilities. An uninterrupted
- 30 accessway, courtyard, plaza, or other pedestrian-oriented space must be provided
- 31 between primary pedestrian entrances and the public pedestrian facility, except where the
- 32 entrance opens directly to the pedestrian facility. All pedestrian entrances ~~shall~~must be
- 33 designed to be barrier-free.
- 34 (b) ~~No vehicular~~Motor vehicle parking, circulation, access, ~~display, or~~and loading ~~shall~~may
- 35 ~~be permitted~~located on- site beside or behind buildings. Motor vehicle parking,
- 36 circulation, access, and loading must not be located on site between buildings and public
- 37 pedestrian facilities. Bicycle parking may be permitted.
- 38 (c) On-site accessways ~~shall~~must be provided to directly connect key pedestrian entrances to
- 39 public pedestrian facilities, to any on-site parking, and to adjacent properties, as
- 40 applicable.

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 31 of 45

- 1 (d) Any pedestrian entrances facing an on-site parking lot must be secondary to primary  
2 pedestrian entrances as required in this section. Primary pedestrian entrances for uses  
3 open to the public must be open during business hours.
- 4 (e) Large sites must be designed with a connected network of public pedestrian facilities to  
5 meet the requirements of this section.
- 6 (f) Development on sites adjacent to a transit stop or station on a priority transit corridor  
7 ~~shall~~must be oriented to the transit stop or station. The site design must provide a high  
8 level of pedestrian connectivity and amenities adjacent to the stop or station. ~~Cities and~~  
9 ~~counties shall establish standards to provide for transit infrastructure where needed~~If  
10 there is inadequate space in the existing right of way for transit infrastructure, then the  
11 infrastructure must be accommodated on site.
- 12 (g) Development standards ~~shall~~must be consistent with bicycle parking requirements in  
13 OAR 660-012-0630.
- 14 (h) ~~This section does~~These site design land use regulations need not apply to districts with a  
15 predominantly industrial or agricultural character.
- 16 (5) Cities and counties shall have land use regulations in residential neighborhoods that provide for  
17 slow neighborhood streets comfortable for families, efficient and sociable development patterns,  
18 and provide for connectivity within the neighborhood and to adjacent districts. Cities and counties  
19 must adopt land use regulations to meet these objectives, including but not limited to those related  
20 to setbacks, lot size and coverage, building orientation, and access.
- 21 (6) Cities and counties shall have land use regulations that ensure auto-oriented land uses are  
22 compatible with a community where it is easy to walk or use a mobility device. Auto-oriented  
23 land uses include uses related to the operation, sale, maintenance, or fueling of motor vehicles,  
24 and uses where the use of a motor vehicle is accessory to the primary use, including drive-  
25 through uses. Land use regulations must meet the following requirements:
- 26 (a) Auto-oriented land uses must provide safe and convenient access opportunities for people  
27 walking, using a mobility device, or riding a bicycle. Ease of access to goods and services  
28 must be equivalent to or better than access for people driving a motor vehicle.
- 29 (b) Outside of climate-friendly areas, cities and counties may provide for exemptions to this  
30 rule in cases where an auto-oriented land use cannot reasonably meet the standards of this  
31 rule. Standards developed in cases of an exemption must protect pedestrian facilities.
- 32 (7) Cities and counties with an urban area over 100,000 in population must have reasonable land use  
33 regulations that allow for development of low-car districts. These districts must be developed  
34 with no-car or low-car streets, where walking or using mobility devices are the primary methods  
35 of travel within the district. Cities and counties must make provisions for emergency vehicle  
36 access and local freight delivery. Low-car districts must be allowed in locations where residential  
37 or mixed-use development is authorized.
- 38 (8) Cities and counties must implement land use regulations to protect transportation facilities,  
39 corridors, and sites for their identified functions. These regulations must include, but are not  
40 limited to:
- 41 (a) Access control actions consistent with the function of the transportation facility,  
42 including but not limited to driveway spacing, median control, and signal spacing;

- 1 (b) Standards to protect future construction and operation of streets, transitways, paths, and  
2 other transportation facilities;
- 3 (c) Standards to protect public use airports as provided in OAR 660-013-0080;
- 4 (d) Processes to make a coordinated review of future land use decisions affecting  
5 transportation facilities, corridors, or sites;
- 6 (e) Processes to apply conditions to development proposals in order to minimize impacts and  
7 protect transportation facilities, corridors or sites for all transportation modes;
- 8 (f) Regulations to provide notice to public agencies providing transportation facilities and  
9 services, railroads, Metropolitan Planning Organizations, the Oregon Department of  
10 Transportation, and the Oregon Department of Aviation of:
- 11 (A) Land use applications that require public hearings;
- 12 (B) Subdivision and partition applications;
- 13 (C) Other applications ~~which~~that affect private access to roads; and
- 14 (D) Other applications within airport noise corridors and imaginary surfaces  
15 ~~which~~that affect airport operations.
- 16 (g) Regulations ~~assuring~~ensuring that amendments to land use designations, densities, and  
17 design standards are consistent with the functions, capacities and performance standards  
18 of facilities identified in the TSP.

19 **660-012-0340: Land Use Assumptions for Transportation Planning**

- 20 (1) Future land use assumptions developed under this rule are for the purposes of transportation  
21 planning. These land use assumptions are distinct from those used to plan for residential land  
22 needs as provided in ORS 197.296.
- 23 (2) A city, county, or Metro must develop and adopt future land use assumptions for transportation  
24 planning consistent with this rule when preparing a transportation system plan, or zoning a  
25 climate-friendly area or Region 2040 center as provided in OAR 660-012-0325.
- 26 (3) Future land use assumptions must be developed for future years, including but not limited to the  
27 planning horizon year of the transportation system plan, and a common horizon year for all  
28 jurisdictions within the metropolitan area.
- 29 (4) Future land use assumptions must be consistent with the most recent final population forecast as  
30 provided in OAR 660-032-0020, or OAR 660-032-0030, as applicable.
- 31 (5) Future land use assumptions for transportation planning must assume existing acknowledged  
32 comprehensive plan designations and policies, and existing land use regulations remaining in  
33 force throughout the planning period; except where these designations, policies, or regulations are  
34 superseded by statute or rule. Future land use assumptions must assume existing acknowledged  
35 urban growth boundaries throughout the planning period.
- 36 (6) Where applicable, future land use assumptions for transportation planning must allocate growth  
37 assumptions for employment and housing within climate-friendly areas as provided in OAR 660-  
38 012-0320 before allocating growth to other parts of the city or county.
- 39 (7) Future land use assumptions must be developed at a sufficient level of detail to understand where  
40 future development is expected.



1 **660-012-0360: Key Destinations**

- 2 (1) Cities and counties shall use best available data to identify key destinations for purposes of  
3 coordinated land use and transportation planning. Key destinations are destinations described in  
4 this rule, as well as other destinations determined locally that are expected to attract a higher than  
5 average rate of pedestrian, bicycle, or transit trips.
- 6 (2) Key destinations may include, but are not limited to:
- 7 (a) Climate\_friendly areas;
  - 8 (b) Pedestrian-oriented commercial areas outside of climate\_friendly areas;
  - 9 (c) Transit stations, stops, and terminals;
  - 10 (d) Retail and service establishments, including grocery stores;
  - 11 (e) Child care facilities, schools, and colleges;
  - 12 (f) Parks, recreation centers, paths, trails, and open spaces;
  - 13 (g) Farmers markets;
  - 14 (h) Libraries, government offices, community centers, arts facilities, post offices, social  
15 service centers, and other civic destinations;
  - 16 (i) Medical or dental clinics and hospitals;
  - 17 (j) Major employers;
  - 18 (k) Gyms and health clubs;
  - 19 (l) Major sports or performance venues; and
  - 20 (m) Other key destinations determined locally.

21 **660-012-0400: Parking Management**

- 22 (1) OAR 660-012-0400 through OAR 660-012-0450 apply to:
- 23 (a) Cities within metropolitan areas; and
  - 24 (b) Portions of counties in a metropolitan area within an urban growth boundary, where the  
25 population of the unincorporated area within the urban growth boundary is 5,000 or  
26 more, and the area is served with urban water and sanitary services.
- 27 (2) Cities and counties shall adopt comprehensive plans and land use regulations that implement  
28 provisions of OAR 660-012-0405 through OAR 660-012-0415.
- 29 (3) Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu  
30 of removing parking mandates, cities and counties may amend their comprehensive plans and  
31 land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430,  
32 OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

33 **660-012-0410: Electric Vehicle Charging**

- 34 (1) This rule applies to cities within a metropolitan area.
- 35 (2) Cities shall ensure new development supports electric vehicle charging pursuant to amendments  
36 to the state building code adopted pursuant to ORS 455.417.

- 1 (23) As authorized in ORS 455.417(4), for new multifamily residential buildings with five or more  
2 residential dwelling units, and new mixed-use buildings consisting of privately owned  
3 commercial space and five or more residential dwelling units, cities shall require the provision of  
4 electrical service capacity, as defined in ORS 455.417, to accommodate 40 percent of all vehicle  
5 parking spaces.

6 **660-012-0415: Parking Maximums and Evaluation in More Populous Communities**

- 7 (1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits  
8 but within the urban growth boundary, and cities with populations over 25,000 within ~~Metro~~the  
9 Portland metropolitan area, shall set parking maximums in climate-friendly areas and in regional  
10 centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station  
11 Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set  
12 parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR  
13 660-012-0440.
- 14 (a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit  
15 and two off-street parking spaces per non-studio residential unit in a multi-unit  
16 development in climate-friendly areas and within one-half mile walking distance of  
17 priority transit corridors. These maximums shall include visitor parking;
- 18 (b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor  
19 space for all commercial and retail uses other than automobile sales and repair, eating and  
20 drinking establishments, and entertainment and commercial recreation uses;
- 21 (c) For land uses with more than 65,000 square feet of floor area, surface parking may not  
22 consist of more area than the floor area of the building;
- 23 (d) In setting parking maximums, cities and counties shall consider setting maximums equal  
24 to or less than 150 percent of parking mandates in their adopted land use regulations in  
25 effect as of January 1, 2020. A city or county that sets a higher parking maximum must  
26 adopt findings for doing so. In no case shall the city or county exceed the limits in  
27 subsections (a) through (c) in climate-friendly areas and for developments on parcels or  
28 lots within one-half mile of transit corridors and three-quarters mile of rail transit stops  
29 listed in OAR 660-012-0440; and
- 30 (e) Non-surface parking, such as tuck-under parking, underground and subsurface parking,  
31 and parking structures may be exempted from the calculations in this section.
- 32 (2) Cities with populations over 200,000 shall, in addition to the requirements in section (1) of this  
33 rule:
- 34 (a) Study the use of priced on-street timed parking spaces in those areas subject to OAR 660-  
35 012-0435 or 660-012-0440. This study shall be conducted every three years or more  
36 frequently. Cities shall adjust prices to ensure availability of on-street parking spaces at  
37 all hours. This shall include all spaces in the city paid by minutes, hours, or day but need  
38 not include spaces where a longer-term paid residential permit is required;
- 39 (b) Use time limits or pricing to manage on-street parking spaces in an area at least one year  
40 before authorizing any new structured parking on city-owned land including more than  
41 100 spaces in that area after March 31, 2023;

- 1 (c) Adopt procedures ensuring prior to approval of construction of additional structured  
2 parking projects of more than 300 parking spaces designed to serve existing uses,  
3 developer of that parking structure must implement transportation demand management  
4 strategies for a period of at least six months designed to shift at least 10 percent of  
5 existing vehicle trips ending within one-quarter mile of the proposed parking structure to  
6 other modes; and
- 7 (d) Adopt design requirements requiring applicants to demonstrate that the ground floor of  
8 new private and public structured parking that fronts a public street and includes more  
9 than 100 parking spaces would be convertible to other uses in the future, other than  
10 driveways needed to access the garage.

11 **660-012-0425: Reducing the Burden of Parking Mandates**

- 12 (1) This rule applies to cities and counties that:
- 13 (a) Are within a metropolitan area; and
- 14 (b) Have not adopted land use regulations without parking mandates as provided in OAR  
15 660-012-0420.
- 16 (2) Cities and counties shall adopt and enforce land use regulations as provided in this section:
- 17 (a) Garages and carports may not be required for residential developments;
- 18 (b) Garage parking spaces shall count towards off-street parking mandates;
- 19 (c) Provision of shared parking shall be allowed to meet parking mandates;
- 20 (d) Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a  
21 site. If any parking is provided on site, required parking for parking for people with  
22 disabilities shall be on site. If all parking is off-site, parking for people with disabilities  
23 must be located within the shortest possible distance of an accessible entrance via an  
24 accessible path and no greater than 200 feet from that entrance;
- 25 (e) Parking mandates shall be reduced by one off-street parking space for each three  
26 kilowatts of capacity in solar panels or wind power that will be provided in a  
27 development;
- 28 (f) Parking mandates shall be reduced by one off-street parking space for each dedicated car-  
29 sharing parking space in a development. Dedicated car-sharing parking spaces shall count  
30 as spaces for parking mandates;
- 31 (g) Parking mandates shall be reduced by two off-street parking spaces for every electric  
32 vehicle charging station provided in a development. Parking spaces that include electric  
33 vehicle charging while an automobile is parked shall count towards parking mandates;  
34 and
- 35 (h) Parking mandates shall be reduced by one off-street parking space for every two units in  
36 a development above minimum requirements that are fully accessible to people with  
37 mobility disabilities.
- 38 (23) Any reductions under section (42) shall be cumulative and not capped.

- 1 (34) ~~Cities and counties that opt to retain parking mandates under OAR 660-012-0420 shall require the~~  
2 ~~parking for multi-family residential units in the areas in OAR 660-012-0440 be unbundled~~  
3 ~~parking.~~

4 **660-012-0430: Reduction of Parking Mandates for Development Types**

5 (1) This rule applies to cities and counties that:

- 6 (a) Are within a metropolitan area; and  
7 (b) Have not adopted land use regulations without parking mandates as provided in OAR  
8 660-012-0420.

9 (2) Cities and counties may not require more than one parking space per unit in residential  
10 developments with more than one unit.

11 (3) Cities and counties may not require parking for the following development types:

- 12 (a) Facilities and homes designed to serve people with psychosocial, physical, intellectual or  
13 developmental disabilities, including but not limited to a: residential care facility,  
14 residential training facility, residential treatment facility, residential training home,  
15 residential treatment home, and conversion facility as defined in ORS 443.400;  
16 (b) Childcare facility as defined in ORS 329A.250;  
17 (c) Single-room occupancy housing;  
18 (d) Residential units smaller than 750 square feet;  
19 (e) Affordable housing as defined in OAR 660-039-0010;  
20 (f) Publicly supported housing as defined in ORS 456.250;  
21 (g) Emergency and transitional shelters for people experiencing homelessness; and  
22 (h) Domestic violence shelters.

23 **660-012-0435: Parking Reform in Climate-Friendly Areas**

24 (1) This rule applies to cities and counties that:

- 25 (a) Are within a metropolitan area; and  
26 (b) Have not adopted land use regulations without parking mandates as provided in OAR  
27 660-012-0420.

28 (2) Cities and counties shall adopt land use regulations addressing parking mandates in climate-  
29 friendly areas as provided in OAR 660-012-0310. Cities and counties in Metro shall adopt land  
30 use regulations addressing parking mandates in regional centers and town centers designated  
31 under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted  
32 Boundaries map. In each such area, cities and counties shall either:

- 33 (a) Remove all parking mandates within the area and on parcels in its jurisdiction that  
34 include land within one-quarter mile distance of those areas; or  
35 (b) Manage parking by:  
36 (A) Adopting a parking benefit district with paid on-street parking and some  
37 revenues dedicated to public improvements in the area;

- 1 (B) Adopting land use amendments to require no more than one-half off-street  
2 parking space per dwelling unit in the area; and
- 3 (C) Adopting land use regulations without parking mandates for commercial  
4 developments.
- 5 (3) Cities and counties that opt to retain parking mandates under OAR 660-012-0400~~(2)~~ shall require  
6 the parking for multi-family residential units in the areas listed in section ~~(+2)~~ be unbundled  
7 parking.

#### 8 **660-012-0440: Parking Reform near Transit Corridors**

- 9 (1) This rule applies to cities and counties that:
- 10 (a) Are within a metropolitan area; and
- 11 (b) Have not adopted land use regulations without parking mandates as provided in OAR  
12 660-012-0420.
- 13 (2) Cities and counties may not require parking spaces for developments on a lot or parcel that  
14 include lands within three-quarters mile of rail transit stops.
- 15 (3) Cities and counties may not enforce parking mandates for developments on a lot or parcel that  
16 includes lands within one-half mile of frequent transit corridors, including:
- 17 (a) Priority transit corridors designated under OAR 660-012-0710;
- 18 (b) Corridors with bus service arriving with a scheduled frequency of at least four times an  
19 hour during peak service; and
- 20 (c) Corridors with the most frequent transit route or routes in the community if the scheduled  
21 frequency is at least once per hour during peak service.
- 22 (4) Cities and counties may use either walking distance or straight-line distance in measuring  
23 distances ~~under sections (1) and (2) in this rule.~~

#### 24 **660-012-0500: Pedestrian System Planning**

- 25 (1) Transportation system plans must include a pedestrian system element that meets the  
26 requirements of this rule. For the purposes of this division, the pedestrian system is intended to  
27 serve people walking, and those using mobility devices, or other devices that operate at a similar  
28 speed and scale as people walking. The pedestrian system is intended to serve most short trips  
29 under one mile in cities.
- 30 (2) A pedestrian system element must include the following elements:
- 31 (a) The complete pedestrian system as described in section (3) of this rule that includes the  
32 full buildout of the pedestrian system within the urban growth boundary;
- 33 (b) Identification of gaps and deficiencies in the pedestrian system as described in section  
34 (4);
- 35 (c) Locations of key pedestrian destinations as described in OAR 660-012-0360; and
- 36 (d) A list of prioritized pedestrian system projects as described in OAR 660-012-0520.
- 37 (3) The complete pedestrian system is the full buildout of a complete pedestrian system within the  
38 planning area. A city or county determines the complete pedestrian system plan by:

- 1 (a) Using the pedestrian system inventory developed under OAR 660-012-0505 as a base;
- 2 (b) Adding the minimum pedestrian facilities to places that do not presently meet the
- 3 minimum pedestrian system requirements in OAR 660-012-0510; and
- 4 (c) Adding enhanced facilities above the minimum pedestrian system requirements where the
- 5 city or county finds that enhanced facilities are necessary or desirable to meet the goals of
- 6 the jurisdiction's comprehensive plan.
- 7 (4) Cities and counties shall identify gaps and deficiencies in the pedestrian system by comparing the
- 8 complete pedestrian system plan with the pedestrian system inventory developed under OAR
- 9 660-012-0505. Cities or counties must include any part of the complete pedestrian system not
- 10 presently built to the standard in the complete pedestrian system plan as a gap or deficiency.

11 **660-012-0505: Pedestrian System Inventory**

- 12 (1) Pedestrian system inventories must include information on pedestrian facilities and street
- 13 crossings for all areas within climate-friendly areas, within Metro Region 2040 centers, within
- 14 one-quarter mile of all schools, and along all arterials and collectors. Pedestrian system
- 15 inventories ~~must also~~ should include information on ~~all~~ pedestrian facilities, ~~including shared use~~
- 16 paths and street crossings for all areas within the planning area.
- 17 (a) Inventories of pedestrian facilities must include information on width and condition.
- 18 (b) Inventories of street crossings must include crossing distances, the type of crossing,
- 19 closed crossings, curb ramps, and distance between crossings.
- 20 (2) Pedestrian system inventories must include the crash risk factors of inventoried pedestrian
- 21 facilities, including but not limited to speed, volume, and roadway width. Pedestrian system
- 22 inventories must also include the location of all reported injuries and deaths of people walking or
- 23 using a mobility device. This must include all reported incidents from the most recent five years
- 24 prior of available data prior to the year of adoption of the pedestrian system inventory.

25 **660-012-0605: Bicycle System Inventory**

- 26 (1) Bicycle system inventories must include information on bicycle lanes, bicycle routes, accessways,
- 27 paths, and other types of bicycle facilities, including pedestrian facilities that may be used by
- 28 bicycles. Inventories must include information on width, type, and condition.
- 29 (2) Bicycle system inventories must include information on bicycle facilities of all types within
- 30 climate-friendly areas, within Metro Region 2040 centers, within one-quarter mile of all schools,
- 31 on bicycle boulevards, and along all arterials and collectors. Bicycle system inventories should
- 32 include information on bicycle facilities and street crossings for all areas within the planning area.
- 33 (3) Bicycle system inventories must include the crash risk factors of inventoried bicycle facilities,
- 34 including but not limited to speed, volume, separation, and roadway width. Bicycle system
- 35 inventories must also include the location of all reported injuries and deaths of people on
- 36 bicycles. This must include all reported incidents from the most recent five years prior of
- 37 available data prior to the year of adoption of the bicycle system inventory.

1 **660-012-0830: Enhanced Review of Select Roadway Projects**

- 2 (1) Cities and counties shall review and may authorize certain proposed facilities to be included as a  
3 planned project or unconstrained project in any part of the local comprehensive plan, including  
4 the transportation system plan.
- 5 (a) The following types of proposed facilities must be reviewed as provided in this rule:
- 6 (A) A new or extended arterial street, highway, freeway, or bridge carrying general  
7 purpose motor vehicle traffic;
- 8 (B) New or expanded interchanges;
- 9 (C) An increase in the number of general purpose travel lanes for any existing arterial  
10 or collector street, highway, or freeway; and
- 11 (D) New or extended auxiliary lanes with a total length of one-half mile or more.  
12 Auxiliary lane means the portion of the roadway adjoining the traveled way for  
13 speed change, turning, weaving, truck climbing, maneuvering of entering and  
14 leaving traffic, and other purposes supplementary to through-traffic movement.
- 15 (b) Notwithstanding any provision in subsection (a), the following proposed facilities need  
16 not be reviewed or authorized as provided in this rule:
- 17 (A) Changes expected to have a capital cost of less than \$5 million;
- 18 (B) Changes that reallocate or dedicate right of way to provide more space for  
19 pedestrian, bicycle, transit, or high-occupancy vehicle facilities;
- 20 (C) Facilities with no more than one general purpose travel lane in each direction,  
21 with or without one turn lane;
- 22 (D) Changes to intersections that do not increase the number of lanes, including  
23 implementation of a roundabout;
- 24 (E) Access management, including the addition or extension of medians;
- 25 (F) Modifications necessary to address safety needs; or
- 26 (G) Operational changes, including changes to signals, signage, striping, surfacing, or  
27 intelligent transportation systems.
- 28 (c) A proposed facility included in an existing acknowledged plan adopted as provided in  
29 OAR 660-012-0015 that would be required to be reviewed as provided in this rule must  
30 be reviewed to remain in the transportation system plan at the time of a major update to  
31 the transportation system plan.
- 32 (2) Cities and counties choosing to authorize a proposed facility as provided in this rule shall:
- 33 (a) Initiate the authorization process through action of the governing body of the city or  
34 county;
- 35 (b) Include the authorization process as part of an update to a transportation system plan to  
36 meet the requirements as provided in OAR 660-012-0100, or have an existing  
37 acknowledged transportation system plan meeting these requirements;
- 38 (c) Have met all applicable reporting requirements as provided in OAR 660-012-0900;

- 1 (d) Designate the project limits and characteristics of the proposed facility, including length,  
2 number of lanes, or other key features;
- 3 (e) Designate a facility impact area and determine affected jurisdictions as provided in  
4 section (3);
- 5 (f) Conduct an engagement-focused equity analysis of the proposed facility as provided in  
6 OAR 660-012-0135;
- 7 (g) Develop a public involvement strategy as provided in section (4);
- 8 (h) Conduct an alternatives review as provided in sections (5) and (6);
- 9 (i) Choose to move forward with an authorization report as provided in section (7);
- 10 (j) Complete an authorization report as provided in section (8); and
- 11 (k) Publish the authorization report as provided in section (9).
- 12 (3) A city or county designating a facility impact area and determining affected jurisdictions shall:
- 13 (a) Coordinate with all cities and counties with planning jurisdictions within two miles of the  
14 limits of the proposed facility to determine the extent of the facility impact area;
- 15 (b) Review the extent of the impact of the proposed facility by including all areas where  
16 implementation of the proposed facility is expected to change levels or patterns of traffic  
17 or otherwise change the transportation system or land use development patterns;
- 18 (c) Take particular care when reviewing the facility impact area in places with concentrations  
19 of underserved populations. The city or county must consider the special impact of new  
20 facilities in the context of historic patterns of discrimination, disinvestment, and harmful  
21 investments;
- 22 (d) Designate a facility impact area to include, at minimum, areas within one mile of the  
23 proposed facility; and
- 24 (e) Determine affected jurisdictions by including all cities or counties with planning  
25 jurisdictions in the designated facility impact area.
- 26 (4) A city or county developing a public involvement strategy shall, in coordination with affected  
27 jurisdictions:
- 28 (a) Develop the public involvement strategy as provided in OAR 660-012-0130.
- 29 (b) Require that the public involvement strategy provides for opportunities for meaningful  
30 public participation in decision-making over the course of the authorization process;
- 31 (c) Require that the public involvement strategy includes regular reports to the affected  
32 governing bodies, planning commissions, and the public on the progress of the  
33 authorization process; and
- 34 (d) Coordinate the public involvement strategy with other public involvement activities  
35 ~~which that~~ may be concurrent, including updates to a transportation system plan or  
36 authorizations for other proposed facilities.
- 37 (5) A city or county choosing to undertake an alternatives review shall, in coordination with affected  
38 jurisdictions:



- 1 (a) Have designated the facility impact area, determined affected jurisdictions, transit service  
2 providers, and transportation options providers; and developed a public consultation  
3 strategy as provided in this rule;
- 4 (b) Develop a summary of the expected impacts of the proposed facility on underserved  
5 populations identified as provided in OAR 660-012-0125, particularly, but not  
6 exclusively, in neighborhoods with concentrations of underserved populations. These  
7 impacts must include, but are not limited to, additional household costs, and changes in  
8 the ability to access jobs and services without the use of a motor vehicle;
- 9 (c) Develop a summary of the estimated additional motor vehicle travel per capita that is  
10 expected to be induced by implementation of the proposed facility over the first 20 years  
11 of service, using best available science;
- 12 (d) Investigate alternatives to the proposed facility, as provided in subsections (e) through  
13 (h). Cities and counties must use a planning level of analysis, and make use of existing  
14 plans and available data as much as practical;
- 15 (e) Investigate alternatives to the proposed facility through investments in the pedestrian and  
16 bicycle systems. The city or county must:
- 17 (A) Review the transportation system plan for identified gaps and deficiencies in  
18 pedestrian and bicycle facilities within the facility impact area;
- 19 (B) Determine how much of the need for the proposed facility may be met through  
20 enhanced investments in the pedestrian and bicycle networks;
- 21 (C) Identify pedestrian and bicycle system investments that could contribute to  
22 meeting the identified need which do not require implementation of the proposed  
23 facility; and
- 24 (D) Identify pedestrian and bicycle system investments that could contribute to  
25 meeting the identified need which may be implemented without the proposed  
26 facility, and may be retained if the proposed facility is implemented.
- 27 (f) Investigate alternatives to the proposed facility through investments in the public  
28 transportation system. The city or county must:
- 29 (A) Review the transportation system plan for identified gaps and deficiencies in  
30 public transportation facilities and services within the facility impact area;
- 31 (B) Coordinate with transit service providers to identify opportunities for providing  
32 additional transit service within or to the facility impact area; and
- 33 (C) Identify potential transit facility and service investments that contribute to  
34 meeting the identified need which may be implemented without the proposed  
35 facility.
- 36 (g) Investigate alternatives to the proposed facility through investments in transportation  
37 options programs; or other means to reduce demand for motor vehicle travel. The city or  
38 county must:
- 39 (A) Review the transportation system plan for identified existing and needed  
40 transportation demand management services within the facility impact  
41 area;

- 1 (B) Coordinate with transportation options providers to identify opportunities for  
2 providing transportation demand management services in and around the facility  
3 impact area; and
- 4 (C) Identify potential transportation options program investments that contribute to  
5 meeting the identified need which may be implemented without the proposed  
6 facility.
- 7 (h) Investigate alternatives to the proposed facility that include system pricing. The city or  
8 county must:
- 9 (A) Determine if various types of pricing could substantially reduce the need for the  
10 proposed facility;
- 11 (B) Investigate a range of pricing methods appropriate for the facility type and need,  
12 which may include, but are not limited to: parking pricing, tolling, facility  
13 pricing, cordon pricing, or congestion pricing; and
- 14 (C) Identify pricing methods where it is reasonably expected to meet the need for the  
15 facility, may reasonably be implemented, and can be expected to generate  
16 sufficient revenue to cover the costs of operating the collection apparatus.
- 17 (6) A city or county completing an alternatives review must, in coordination with affected  
18 jurisdictions:
- 19 (a) Review the projects identified in section (5) to determine sets of investments that may be  
20 made that could substantially meet the need for the proposed facility without  
21 implementation of the proposed facility. A city or county must consider adopted state,  
22 regional, and local targets for reduction of vehicle miles traveled to reduce greenhouse  
23 gas emissions when making determinations of substantially meeting the need for the  
24 proposed facility; and
- 25 (b) Complete an alternatives review report upon completion of the alternatives review phase.  
26 The alternatives review report must include a description of the effectiveness of identified  
27 alternatives. The alternatives review report must include the summaries developed in  
28 subsections (5)(b) and (c). The alternatives review report must be provided to the public,  
29 and the governing bodies and planning commissions of each affected city or county. The  
30 alternatives review report must also be included in the next annual report to the director  
31 as provided in OAR 660-012-0900.
- 32 (7) The governing body of the city or county shall review the alternatives review report and may  
33 either:
- 34 (a) Select a set of investments reviewed in the alternatives review report intended to  
35 substantially meet the identified need for the proposed facility. These investments may be  
36 added to the unconstrained project list of the transportation system plan as provided in  
37 OAR 660-012-0170; or
- 38 (b) Choose to complete the authorization report for the proposed facility, as provided in  
39 section (8).
- 40 (8) A city or county choosing to complete an authorization report as provided in section (7) shall,  
41 after completion of the alternatives review, include the following within the authorization report:
- 42 (a) A record of the initiation of the authorization process by the governing body;

- 1 (b) The public involvement strategy developed as provided in section (4), and how each part  
2 of the public involvement strategy was met;
- 3 (c) The alternatives review report;
- 4 (d) A summary of the estimated additional long-term costs of maintaining the proposed  
5 facility, including expected funding sources and responsible transportation facility  
6 operator.
- 7 (9) A city or county shall publish the authorization report upon completion and provide it to the  
8 public and governing bodies of each affected jurisdiction.
- 9 (10) A city or county, having completed and published an authorization report, may place the  
10 proposed project on the list of street and highway system projects with other projects as provided  
11 in OAR 660-012-0820. A proposed project authorized as provided in this rule may remain on a  
12 project list in the transportation system plan as long there are no substantial changes to the  
13 proposed project as described in the authorization report.

## 14 **Changes to Division 44**

### 15 **660-044-0015: Applicability – Compliance Schedule**

- 16 (1) OAR 660-044-0000 through OAR 660-044-0020, OAR 660-044-030, and OAR 660-044-0040  
17 through OAR 660-044-0060 of this division apply to Metro. OAR 660-044-0055 applies to the  
18 cities and counties within Metro.
- 19 (2) OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and  
20 OAR 660-044-0100 through 660-044-0130 of this division apply to the cities and counties within  
21 the metropolitan planning area of the Central Lane Metropolitan Planning Organization as  
22 provided in subsections (a) and (b).
- 23 (a) These cities and counties must:
- 24 (A) Submit a work program containing all of the elements provided in OAR 660-044-  
25 0100 to the department for review under section (4) by June 30, 2023;
- 26 (B) Prepare a land use and transportation scenario plan as provided in OAR 660-044-  
27 0110 and submit it for review by the commission as provided in OAR 660-044-  
28 0120 by December 31, 2023 or another date in the approved work program;
- 29 (C) Adopt local amendments as provided in OAR 660-044-0130 by December 31,  
30 2026, or other date in the approved work program.
- 31 (b) These cities and counties may use the preferred scenario submitted to the commission  
32 and legislature in 2015 as required by Oregon Laws 2010, chapter 865, as the basis for  
33 the land use and transportation scenario plan. If these cities and counties use the preferred  
34 scenario from 2015, then they:
- 35 (A) Are neither required to redo the prior work that produced the preferred scenario,  
36 nor comply with requirements of OAR 660-044-0110 specific to the preferred  
37 scenario.
- 38 (B) Are required to produce only the additional elements that build on the preferred  
39 scenario to prepare a complete transportation and land use scenario plan, as  
40 provided in OAR 660-044-0110(3) and 660-044-0110(9) through (10).

Changes from Temporary Rules to Proposed Permanent Rules

July 7, 2022

Page 44 of 45

- 1 (3) OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and  
2 OAR 660-044-0100 through 660-044-0130 of this division apply to the cities and counties within  
3 the metropolitan planning area of the Salem-Keizer Area Transportation Study. These cities and  
4 counties must:
- 5 (a) Submit a work program containing all of the elements provided in OAR 660-044-0100 to  
6 the department by June 30, 2023;
- 7 (b) Prepare a land use and transportation scenario plan as provided in OAR 660-044-0110  
8 and submit it for review by the commission as provided in OAR 660-044-0120 by June  
9 30, 2024, or another date in the approved work program; and
- 10 (c) Adopt local amendments as provided in OAR 660-044-0130 by June 30, 2025, or another  
11 date in the approved work program.
- 12 (4) Cities and counties may request, and the director or commission may approve, applying OAR  
13 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-  
14 044-0100 through 660-044-0130 of this division to the cities and counties within a metropolitan  
15 area and establishing compliance schedule under the following procedures.
- 16 (a) Cities and counties within a metropolitan area may jointly submit a proposed work  
17 program or resubmit a revised work program as provided in OAR 660-044-0100.
- 18 (b) The department shall consult with the Oregon Department of Transportation to review a  
19 proposed work program. The director may approve the work program or refer the work  
20 program to the commission with recommended revisions.
- 21 (c) If the director refers a proposed work program to the commission under subsection (b),  
22 the commission shall hold a hearing to review the proposed work program and the  
23 recommended revisions. The commission may approve the work program based on OAR  
24 660-044-0100 or remand the work program with required revisions.
- 25 (5) The commission may issue an order applying OAR 660-044-0000 through 660-044-0015, OAR  
26 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this  
27 division to cities and counties within a metropolitan area and establishing a compliance schedule  
28 using the procedures below.
- 29 (a) The department will provide the cities and counties a draft order with compliance  
30 schedule prior to a commission hearing.
- 31 (b) The commission will hold a hearing and consider any revised or alternate order proposed  
32 by cities or counties, and any public testimony.
- 33 (c) When considering whether to issue an order, the commission shall consider the following  
34 factors using the best available data:
- 35 (A) Greenhouse gas emissions including actual measurements, model estimates,  
36 recent trends, and future projections under current adopted plans;
- 37 (B) Local transportation and land use actions that influence greenhouse gas emissions  
38 and more equitable outcomes, including adopted plans, recent actions by cities  
39 and counties, and development trends;
- 40 (C) Population growth including recent trends and future projections;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

(D) Presence or absence of regional cooperation on greenhouse gas emissions reduction;

(E) Vehicles miles traveled per capita in the metropolitan area, including actual measurements, model estimates, recent trends, and future projections under current adopted plans; and

(F) State and local funding available for scenario planning.

(6) The director may grant a whole or partial exemption from the requirements of this division to cities or counties outside of the Portland metropolitan area with a population of less than 5,000 within the metropolitan planning area. The director may also grant a temporary whole or partial exemption from the requirements of this division to jurisdictions of any size that are newly included in an existing metropolitan area or a newly designated metropolitan area.