

Climate Friendly and Equitable Communities Agency Request Budget Outreach Report

*Oregon Department of Land Conservation and Development
July 7, 2022*

Executive Summary

In 2020, the Department of Land Conservation and Development (DLCD) initiated the Climate Friendly and Equitable Communities Rulemaking to update Oregon's administrative rules guiding land use and transportation planning to improve equitable outcomes, and reduce climate pollution from land use and transportation in Oregon's eight metropolitan areas. The rulemaking and ensuing implementation work aims to collaborate with, and build capacity in, underserved and historically excluded communities to meaningfully engage in decision-making about public policies and investments to help Oregon meet its legislatively adopted climate goals and advance racial equity through land use and transportation planning.

To inform the department's program and budget, staff interviewed members of community-based organizations that served on the rulemaking advisory committee, hosted an open forum for community members, and administered a survey of local governments. This report contains a summary of the input gathered by the department through these engagement actions to help better understand the needs of the implementing partners in local governments and community-serving organizations. The information gathered provides the department with insight into local opportunities and constraints around achieving the climate and equity objectives of the rulemaking. This information was gathered with guidance from the department's community engagement plan to complete a Racial Equity Impact Statement for the agency request budget for the 2023-2025 biennium.

Key themes from the interviews, forum, and survey include:

- Local government and community-based partners demonstrated need and desire to meaningfully implement the requirements but need funding to reduce pollution and increase equitable outcomes
- Local governments need grants, model code, technical assistance, and training
- Community-based organizations need capacity building resources and stipends to support meaningful community engagement



Key Findings

The interviews, community needs forum, and local government partner survey provided mediums through which DLCD staff could distill which resources local government and community-based partners need to implement the rules and continue meaningfully engaging in state, regional, and local actions. Key findings from each engagement effort are detailed below. The interviews were most helpful in providing insight into the strengths and areas of improvement of DLCD's engagement processes, while the community needs forum and local government partner survey helped identify forms of implementation support DLCD should account for as staff develops the 2023-2025 Agency Budget Request. Key findings from each engagement action are detailed below.

Community-Based Organization Interviews

DLCD conducted closing interviews with seven community-based organization members of the rulemaking advisory committee and one additional member. The interviews revealed:

- Compensation was valuable and helpful in supporting engagement
- Power dynamics continue between those with technical knowledge and experience in land use issues and those newer to these issues; need to uplift marginalized voices
- Capacity and relationship building forums specifically for community-benefit organizations would be helpful
- There is a need for additional educational and summary materials for complex subject matter

Community Needs Forum

DLCD hosted a virtual community needs forum for community-based and community-serving organizations and advisors. The forum revealed:

- Communities can leverage existing networks, current planning work and infrastructure, and available funding streams to support rule implementation
- Gaps stem from disparate local perceptions, limited capacity for engagement, disjointed information and resource sharing, limited funding availability, limitations in existing regulations, lack of political and market support, and undermaintained infrastructure
- Needed support includes direct funding for meaningful community engagement, technical assistance, programmatic support, and educational opportunities

Local Government Partners Needs Survey

DLCD administered a local government partners needs survey to jurisdictions affected by the updated rules. The survey revealed:

- Local governments will need model code, template community engagement plans, technical assistance, funding, staff training and capacity building
- Phased implementation will support a more reasonable workload and timeline for local governments
- The rules and desired outcomes need to align with local values and processes

Summary of Engagement Feedback

From May 2020 to May 2022, staff engaged with and gathered input from transportation and land use planners, climate planners, city and regional planning academics, non-profit leaders from homeless, environmental, and aging organizations, environmental justice advocates, political advocates, attorneys, and elected officials from across the state. At the conclusion of the rulemaking, DLCDC launched a subsequent public engagement effort to help the department better understand the needs of our community and local government partners to implement the rules and inform the agency request budget for 2023-25.

The engagement activities consisted of three main efforts.

- 1. Community-Benefit Organization Interviews:** Toward the close of the rulemaking process, advisory committee members, particularly representatives of underserved communities were interviewed to reflect on the process, how the agencies could improve practices going forward as well as the details of the agencies budget request going forward to achieve climate and equity outcomes.
- 2. Community Needs Forum:** The department held an open web-based community forum, including an invitation to constituencies from partner agencies, to review and comment on rule implementation program elements with a specific focus on the needs of our community-based partners to participate in local implementation of the rules.
- 3. Local Partner Needs Survey:** The department sent a survey to local government representatives on what resources, tools, data, methods, and other information they need to implement the climate and equity objectives identified in the rules.

Community Benefit Organization Interviews

Staff identified several key themes from interviews conducted with community benefit organizations (CBO) that served on the rulemaking advisory committee (RAC). Those relevant to the budget and implementing program are presented below.

Community Engagement Values

Engagement values expressed by interviewees included:

- Cultivating a sense of belonging, trust, and confidence for members to bring their authentic selves into the process
- Creating inclusive spaces that address power dynamics, provide multiple platforms for input, and ensure all voices are heard
- Ensuring RAC is composed of people with an array of backgrounds, disciplines, and expertise for an inclusive and equitable process, and dedicates time to discuss equity and other issues important to members

RAC Process and Meetings

Areas of Success

Members communicated the following comments about successful aspects of the process:

- Staff liaisons helped members understand materials and provided process guidance
- Compensation helped elevate this process as a priority for member participation
- Diverse engagement tools such as plenary and breakout room discussions were helpful

Areas of Improvement

Members shared their thoughts around areas of improvement of the process:

- Historically marginalized voices need to be lifted over those of institutional voices. Some members felt they did not have the institutional knowledge or jargon to communicate effectively or meaningfully as a community advocate
- Democratic participation, education, diverse leadership with an equity lens, and acknowledging power dynamics were not adequately met
- Staff can be more mindful of the abilities of participants, such as being aware to refrain from using language that requires sight when addressing blind participants

Process Suggestions

Members provided the following suggestions for creating a more equitable and productive process:

- Convene smaller group meetings, including ones specific for CBO members, for relationship-building and deeper understanding of materials. Ensure transfer of information between subgroup and larger plenary
- Have shorter meetings, alternating meeting times to accommodate members' schedules, and use accessibility tools such as closed captioning, translators, and visual descriptions
- Use engagement and facilitation tools, such as Jamboard, Miro board, polls, think-pair-share, "Taking Stack" to ensure all voices are heard. Create a slack channel for an additional medium of communication for CBOs
- When meeting in person for enhanced relationship building opportunities, provide transportation, childcare, and consider walking/biking/transit tours of facilities or areas that will be impacted. When meeting virtually, provide Wi-Fi and laptops

Information and Materials

Members provided the following feedback and suggestions regarding meeting materials, administrative rule language, and on the ability to share information to communities.

Meeting Materials

- Appreciation for summary memos and guidance on where to focus attention within the meeting packets
- Include a term glossary, highlighted/bolded key information, and color-coded systems in the packets

- Provide the agenda, informational material, and discussion questions well in advance of meetings
- Partner with CBOs to create easily digestible materials such as videos and summaries of completed work, especially to aid CBO members share the outcomes and legacy of this effort to their communities

Administrative Rules

- DLCD attempted to the best of their abilities to translate meeting materials into issues that are important to their communities.
- Use real life examples to illustrate how the rules apply to areas.
- Members expressed feeling heard, validated, and appreciated.
- Develop engaging and understandable materials on what are Climate Friendly and Equitable Communities for a wide range of ages.
- Process resulted in meaningful impacts. Desire for DLCD to continue to engage communities on DLCD endeavors

Information-sharing

- DLCD should have prepared high-level materials and visuals that CBO members could translate into other languages and take the information back to their communities
- Compensation for CBOs, for example via a grant, can help host community meetings and provide compensation for food, staff time, materials, etc.
- Advertising on kiosks, billboards, and public transit can support outreach and information sharing

Community Forum Results and Key Themes

DLCD hosted a community forum on April 14, 2022 to solicit input from community-based and community-serving organizations and advisors on the implementation of the equity-related program elements and future implementation needs.

Key themes and a comprehensive summary of comments heard at the forum, organized by question, are presented below.

Key Themes

- Communities can leverage existing networks, current climate friendly planning work and infrastructure, and available funding streams to support rule implementation
- Gaps include disparate local perceptions, capacity for engagement, information and resource sharing, funding availability, status of existing land and regulations, political and market support, and existing infrastructure
- Needed support includes direct funding, capacity building, technical assistance, education, and outreach

Discussion Questions

Question 1: What assets existing in your community can help achieve the equity and climate outcomes in the rules?

- **Network weaving:** CBO and government networks have resources and best practices around community engagement, transportation, housing, and climate advocacy.

“There are different community-based organizations already doing the work, but they’re overburdened and trying to prioritize”

-Rebeka Dawit, Associate Attorney, Crag Law Center

- **Current Planning Work:** Several jurisdictions are leading the charge in developing plans and policies that advance the climate and equity objectives of the rules.

“We have existing goals at the state regional and local levels for the most part about climate and equity that are strong and meaningful, and those goals can be pushing us quickly and strongly in the right direction”

– Sara Wright, Transportation Program Manager, Oregon Environmental Council

- **Existing Infrastructure:** Jurisdictions have existing infrastructure that supports a more climate-friendly and equitable built environment, such as multimodal transit facilities,
- **Available Funding:** Existing funding sources are supporting the buildout of bike and pedestrian facilities in their jurisdictions.

Question 2: What gaps existing in your community would stand in the way of achieving the equity and climate outcomes the rules seek to advance?

- **Division Among Local Perceptions:** The lack of a shared, cohesive community vision serves as a barrier to rule implementation
- **Community Engagement:** There is a lack of commitment to trust and relationship-building through sustained, equitable community engagement, particularly with non-expert audiences. Compensation, Hybrid formats, accessible language and mediums, tangible examples, and leveraging the power of storytelling can make communications interesting, impactful, and accessible. Emphasis on engagement fatigue.

“I’m one of the founders of a local Asian affinity group, which is kind of the hat I have on now, because that group is, we’re just getting bombarded—My concern is just the engagement fatigue. A lot of affinity groups, especially community organizations, are really starting to shut down engagement opportunities. And this work is so important.”

- Le’Ann O’Neill, Allyship in Action and Bend Bikes

“It should not have to require a lawyer to understand basic community actions. We’re really honing in on the need for communication. The need for building trust within these communities.”

-Rebekah Dawit, Associate Attorney, Crag Law Center

“Beware of tokenism”

– Patricia Selinger, AARP Oregon Volunteer, Livable Communities

- **Coordination, Resource, Data, Knowledge Sharing:** Lack of coordination between existing groups and efforts limits the sharing of knowledge, resources, data, best-practices, and capacity.
- **Funding:** Funding is needed for developer incentives, equitable engagement, staff and consultant resources, and buildout
- **Land and Regulations:** There is a lack of vacant and available land for urban scale development in central and core areas and inhibitory regulation and rising land and permitting costs for infill development
- **Political and Market Support:** Smaller metropolitan areas with less aggressive markets, deficits in infill developers, and lack of progressive political leadership in a jurisdiction all serve as potential barriers to rule implementation
- **Status of Existing Infrastructure:** Poorly maintained infrastructure falls short ensuring optimum safety and accessibility and ends up being used by primarily underserved populations rather than a broad cross-section of the local population.

“We have good existing transportation networks, but most of them are really focused on, for example, in downtown Eugene, it’s heavily focused in the downtown areas but not in other parts of the city for example West Eugene. You don’t see that same kind of reflection. The planning is all in one location.”

– Meet Panchal, Environmental Justice Statewide Projects Manager, Beyond Toxics

Question 3: What resources would you need to best leverage community assets and address community gaps to achieve equitable implementation of the rules?

- **Financial Support:** Communities need funding for community engagement capacity building, infrastructure buildout, and programmatic elements such as grant writers

“The resources we want the most is money and time. It takes a lot of money and time to get groups level. At the same time resources at the program level. Resources at the program level versus at the project level.” – Meet Panchal, Environmental Justice Statewide Projects Manager

- **Technical Assistance.** Communities need technical assistance such as templates, model plans and codes, mapping tools, best-practices, studies, and evaluations
- **Education, Engagement and Capacity building:** Communities need support for better sharing of information techniques, best practices, and accomplishments

Summary of Local Governments Survey and Themes

DLCD staff distributed a survey from April 14 – May 9, 2022 to representatives from jurisdictions with populations over 5,000 in each of Oregon’s eight metropolitan areas impacted by the rules.

Key themes and results from the survey are presented below organized by survey question. Most questions included an open-ended opportunity for response and staff summarized information into themes and quotes to illustrate specific ideas and sentiments.

Key Themes

- Local jurisdictions are supportive of the climate and equity outcomes the rules seek to advance, and hope to support the development of safe and connected multimodal transportation, opportunities for housing, and robust community engagement in planning processes
- Local jurisdictions are concerned about producing desired development, unrealistic timelines, lack of staff capacity, unintended consequences, community pushback, and lack of financial and political support
- Grant assistance, models/templates, and procurement support were the most frequently selected forms of agency support

Survey Questions

When you think about the Climate Friendly and Equitable Communities rules, what are your greatest hopes for your community?

- Rules support local governments to achieve local climate and equity goals
- Mandates are consistent with local goals and are collaborative
- Effective
- Create walkable urban centers with affordable housing

“To set and implement a baseline set of rules statewide that would have a meaningful impact to reduce greenhouse gas emissions while also creating better places statewide that are designed for people rather than cars.”

- Derek Severson, Senior Planner, City of Ashland

When you think about the Climate Friendly and Equitable Communities rules, what are your greatest concerns for your community?

- Unintended consequences in limiting development capacity
- Inconsistent with local values
- Implementation effort and timeline
- Increased regulation
- Loss of local control

“Our community has a very rural feel, one that is tightly woven. It is integral to the sense of “place”. My concern is this will create a change, inconsistent with our community's identity and sense of what it means to live here. Some of our community leaders look at (some) state legislation as a mandate that is inconsistent with our community's values.”

- Aaron Prunty, Senior Planner, City of Eagle Point

What are the most pressing equity issues in your community?

The top answer choices selected for this question, in order, were:

1. Affordable housing
2. Inclusion in government decision making
3. Access to mobility and transportation choices
4. Climate change and resilience

What barriers, if any, exist that prevent implementing the equity and equitable engagement components of the rule?

The top answer choices selected for this question, in order, were:

1. Lack of community awareness/interest
2. Lack of staff capacity
3. Lack of staff expertise
4. Community distrust of government institutions

“We need to acknowledge that building relationships with under-represented communities will take time and will not be easy. Doing so will require patience and keeping promises.”

- Damian Syrnyk, Senior Planner III, City of Bend

Based on the barriers you identified above, what resources, data, technical support, or funding would be most helpful in complying with the equity and equitable engagement portions of the rules?

The top answer choices selected for this question, in order, were:

1. Grant assistance
2. Model community engagement plans and resources
3. Staff support
4. Technical assistance

What are your greatest concerns regarding the Climate Friendly Area zoning?

The top answer choices selected for this question, in order, were:

1. Community pushback
2. Lack of staff capacity or time
3. Inability to deliver desired development
4. Requirement deadlines

“More than an inability, it could be a barrier to development. In our experience it is not the zoning that drives the desired development, it's the market and development incentives. Existing or exacerbating community engagement fatigue, so that the engagement damages relationships. Or that the engagement requirements are so prescribed or that there is not enough time for the engagement, so that it is not meaningful.”

- Heather O'Donnell & Alissa Hansen, Senior Planner & Planning Director, City of Eugene

Considering the option for prescriptive standards for Climate Friendly Area zoning and the outcome-oriented option, which option do you think your jurisdiction will prefer?

- *Most of the respondents that answered this question indicated they did not know whether they would elect for the prescriptive or outcome-oriented approach to Climate Friendly Area zoning*

Which of the following engagement tools do you expect to utilize for the two phases of Climate Friendly Area work?

The top answer choices selected for this question, in order, were:

Climate Friendly Area Study

1. Online surveys
2. Engaging with community-based organizations
3. Focus groups

Climate Friendly Area Zoning

1. Engaging with community-based organizations
2. Online survey
3. Community engagement in progress

What tools and incentives do you think would be most useful to facilitate the development forms and intensities called for in Climate Friendly Areas?

- Tax credits, exemptions, and abatements for multi-family housing
- State-funded land banking
- Density bonuses

“Energy efficiency tax credits, Multi-unit tax exemption and abatement, developer reimbursement of SDCs, state-funded land banking”

- Anne Catlin, Senior Planner, City of Albany

The proposed rules state that Climate Friendly Area ZONING must be completed by June 30, 2024. Do you think your jurisdiction will need additional support to meet that deadline?

- Most jurisdictions that answered this question indicated that they would need additional support to complete their Climate Friendly Area Zoning by June 30th, 2024.

Is your jurisdiction interested in using the Work Program option to adopt Climate Friendly Area zoning?

- Half of the respondents anticipate creating a work program to comply with the Climate Friendly Area zoning regulations. 10% indicated they will likely not use a work program, while the remaining 40% indicated they do not know whether they will use the work program option or not.

What forms of support would be most useful in assisting your jurisdiction with the development and adoption of land use and development standards for Climate Friendly Areas?

The top answer choices selected for this question, in order, were:

1. Model code
2. Grant assistance
3. Procurement and management of contracts

Place the following rulemaking elements in the order in which you plan to implement them.

Respondents generally ranked the rulemaking elements in order of implementation as:

1. Climate Friendly Area designation
2. Mapping underserved neighborhoods
3. Mapping key destinations
4. Parking reform
5. Multi-modal inventories
6. Updating transportation system performance standards
7. Performance measures and targets
8. Major update to the transportation systems plan

What hopes do you have about completing modal plans and inventories?

- Community becomes more walkable
- More complete analysis of deficiencies on local streets would be beneficial
- Complements local efforts and not duplicate or disregard past work
- Covers entire community and not done in an inequitable and harmful way
- Integrated with local databases
- Provide more clarity on design concepts
- Help prioritize investments for underserved communities
- Close gaps in bike and pedestrian networks
- Better communicate vision of a multi-modal network

“The City hopes to better communicate a unified vision of a multi-modal transportation system in such a way that inspires the community to help fund projects to implement that vision.”

- Julie Warncke - Transportation Planning Manager, Lisa Andersen-Ogilvie - Planning Administrator, Eunice Kim - Long Range Planning Manager, City of Salem

What concerns do you have about completing modal plans and inventories?

- Unrealistic expectations
- No change in how people actually use the system
- Vague goals and standards
- Repeating process
- Planning for active transportation infrastructure in downtown
- Resources and staffing
- Duplication of efforts

Are there any barriers (e.g. available data, staff capacity) that would prevent you from integrating the pedestrian, bicycle, transit facility, and streets/highway inventories into your plans?

- Availability of data and detail
- Resources and staff time and capacity
- Capacity to use information to update plans, projects, and programs.
- Need for consultant support to build multimodal level of service analysis

“Even after doing the inventories, we would need resource capacity to identify what needs to be done in terms of creating and adopting a plan (policies, projects, programs) and then identifying sufficient resource to implement the plan, in particular to complete the identified projects.”

-Emma Newman, Senior Transportation Planner, City of Springfield

Aside from actual data for your modal inventories, what other resources would be helpful in incorporating modal inventories into your plan?

The top answer choices selected for this question, in order, were:

1. Grant assistance
2. Model code
3. Procurement and management of contracts
4. Staff support

What strategies are you most likely to employ to facilitate the production of affordable housing in Climate Friendly Areas within your jurisdiction?

The top answer choices selected for this question, in order, were:

1. Government subsidized housing
2. Revise and/or streamline the development review process
3. Land banking
4. Multiple unit tax exemptions and construction excise tax

The intensity of development and speculation in Climate Friendly Areas may contribute to gentrification and displacement. Which tools are you likely to employ to mitigate harmful outcomes?

The top answer choices selected for this question, in order, were:

1. Preservation of low-cost rental housing
2. Conversion of distressed commercial development
3. Land banking
4. Eviction prevention programs

What resources would be helpful to support the achievement of equitable housing outcomes?

The top answer choices selected for this question, in order, were:

1. Grant assistance
2. Model code

3. Procurement and management of contracts
4. Staff support

What do you think will be the most challenging part of parking reform for your community?

Respondents generally ranked the challenges as the following:

1. Business community concerns
2. Management and enforcement of paid parking
3. Inconvenience for car owners
4. Increased cost of on-street parking
5. Developer concerns

What resources would be helpful in implementing parking reform in your community?

The top answer choices selected for this question, in order, were:

1. Procurement and management of contracts
2. Model code
3. Staff support
4. Grant assistance

What resources would be helpful to connect regional greenhouse gas reduction planning to your local plans?

The top answer choices selected for this question, in order, were:

1. Grant assistance
2. Staff support
3. Procurement and management of contracts
4. Model code

These results have informed development of DLCD's POP for Climate Friendly and Equitable Community rule implementation (203), as well as Equitable Engagement (201).