



April 9, 2026

To: Land Conservation and Development Commission
From: Brenda Ortigoza Bateman, Ph.D., Director
Matt Crall, Planning Services Division Manager
Bill Holmstrom, Land Use and Transportation Planner
Subject: **Agenda Item 3, April 23-24, 2026, LCDC Meeting**



Rulemaking: Transportation Planning Rules Initiation

I. Agenda Item Summary

The Department of Land Conservation and Development (DLCD or department) is asking the Land Conservation and Development Commission (LCDC or commission) to initiate rulemaking to amend the [Transportation Planning Rules \(Oregon Administrative Rules chapter 660, division 12, or TPR\)](#) and the [Metropolitan Greenhouse Gas Reduction Target Rules \(Oregon Administrative Rules chapter 660, division 44\)](#). The department recommends a rulemaking charge that includes the repeal of two rules and makes minor changes to other rules. A rulemaking advisory committee would guide the rulemaking.

a. Purpose

Staff will present the proposed charge of the rulemaking scope to the commission. DLCD seeks feedback on the draft charge and the draft list of interests for the rulemaking advisory committee.

b. Objective

Commission initiates rulemaking and provides guidance on the staff approach to the rulemaking advisory committee.

For further information about this report, please contact Bill Holmstrom, Land Use and Transportation Planner, at 971-375-5975 or bill.holmstrom@dlcd.oregon.gov.

II. Background

a. Metropolitan Areas

This rulemaking would amend multiple rules within the Transportation Planning Rule or TPR. These rules mostly apply in metropolitan areas. The commission adopted these updated rules in 2022. The commission also made substantial amendments in 2023. The rules require cities and counties within metropolitan areas to go beyond the planning required for cities and counties outside metropolitan areas.

Oregon's eight metropolitan areas are: Albany, Bend, Corvallis, Eugene-Springfield, Grants Pass, Medford, Portland, and Salem-Keizer.

b. Scope of Rulemaking

Staff have included Attachment A as the draft rulemaking charge. The proposed rulemaking includes four elements:

1. Repeal Rule 0210

In 2023, the commission heard strong opposing testimony on what should change in OAR 660-012-0210. The commission decided to defer this decision to a later date. The commission postponed the effective date of the rule to December 31, 2027. The commission did not intend the existing rule text adopted in 2022 to take effect without any further adjustments. They anticipated a future rulemaking process would reexamine the rule text before the end of 2027.

i. Rule Summary

The rule is short but broadly written. The text of the rule is:

“660-012-0210: Transportation Modeling and Analysis

“(1) This rule does not become effective until December 31, 2027.

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

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

“(4) The assumptions and inputs used with the modeling or analysis must be consistent with acknowledged plans.

“(5) The modeling or analysis must demonstrate that the land use decision will not increase vehicle miles traveled per capita.”

Section (1) of the rule clearly sets out the effective date of the rule. The commission added this section in the 2023 amendments.

Sections (2) through (4) of the rule are related to transportation models or analysis of the transportation system. The rule includes basic requirements for these models or analyses.

Section (5) of the rule requires that any modeling or analysis of land use decisions show that the decision will not increase vehicle miles traveled (VMT) per capita.

ii. Discussion

This rule significantly evolved from the earliest drafts. Parts of the original rule concept became integrated with other rules over the course of the rule development process with remaining pieces transformed into the adopted rule.

Early rule drafts included requirements that cities design transportation system plans to reduce VMT per capita to meet VMT reduction targets. Other rules within the division now have similar requirements, including OAR 660-012-0100, OAR 660-012-0160, OAR 660-012-0180, and OAR 660-012-0905.

Sections (2) through (4) of the adopted rule describe how planning models used for transportation planning must operate. Original concepts in the draft rule directing models to achieve a desired outcome were not workable. The adopted rule only reiterates routine analysis standards. Staff expect removing these sections will not make a material difference in practice.

Section (5) of the adopted rule applies to land use decisions where cities or counties use transportation modeling or analysis to make the decision. The section requires that the modeling or analysis demonstrate that the decision will not increase VMT per capita. The requirement that an individual land use decision not increase VMT per capita could have unintended consequences.

For instance, many of the other rules in the TPR require system-level reduction of VMT per capita. This ensures that, on balance, communities reduce VMT per capita. In some instances, it may be difficult to avoid increases in VMT per capita from a specific action. Other actions could reduce VMT per capita to balance across the community to meet the overall requirement to reduce VMT per capita.

Rule 0210, as written, does not allow cities to consider these system wide effects to balance local increases in VMT per capita. This restriction could prevent planned and needed development.

For example, residents in a new housing development at the edge of a community may, on average, take longer trips and be more likely to travel in a motor vehicle compared to residents near the center of the community. This could increase VMT per capita. Cities and counties could balance this increase with development and transportation system investments across the community that reduce VMT per capita. The rule, as written, does not allow consideration of these other actions.

2. Change Directed by Commission

In 2025, the commission reviewed a major report on progress from Metro. As part of that review, the commission directed that future major reports have separate corrective actions for each missed target. The proposed amendment would amend the rules to be consistent with the commission's direction.

3. Eliminate Redundant Reporting for Metro

In 2012, the commission adopted rules directing Metro to create a regional scenario plan. The rules included a monitoring and reporting requirement in OAR 660-044-0060. Metro must report on progress "implementing the preferred scenario including status of performance measures and performance targets adopted as part of the preferred scenario."

The commission adopted OAR 660-012-0900 in 2022. This rule requires Metro, and cities and counties in other metropolitan areas, to report regularly when updating the regional transportation plan. This update occurs every four or five years. Reports must include the status of regional and local performance measures.

These two rules created overlapping reporting requirements for Metro, with very similar content, but slightly different review processes. This is confusing and needlessly burdensome for Metro, the department, and commission. Even with the repeal of OAR 660-044-0060, Metro will still report regularly as required in OAR 660-012-0900. The repeal of OAR 660-044-0060 will not change any other reporting requirement for Metro or any city or county.

4. Small Corrections

The department has found small typos, inconsistencies, and errors in the rules. The proposed amendment would make small corrections, including but not limited to the list below.

- 1) OAR 660-012-0005: Definitions –section (13): Remove “six-year highway plan,” which is an obsolete term.
- 2) OAR 660-012-0012: Effective Dates and Transition – subsection (4)(d): Use consistent terms.
- 3) OAR 660-012-0020: Elements of Transportation System Plans – subsections (2)(g) through (i): Remove subsection (g), which is obsolete.
- 4) OAR 660-012-0055: Timing of Adoption and Update of Transportation System Plans; Exemptions – section (7): Use consistent terms.
- 5) OAR 660-012-0100: Transportation System Plans in Metropolitan Areas – section (4): Use consistent terms.
- 6) OAR 660-012-0130: Decision-Making with Underserved Populations – section (2): Update tribal engagement language.
- 7) OAR 660-012-0135: Equity Analysis – subsection (3)(c): Remove “significant,” which is an unnecessary modifier.
- 8) OAR 660-012-0135: Equity Analysis – subsection (3)(e): Correct reference to “subsection” rather than “section.”
- 9) OAR 660-012-0155: Prioritization Framework – paragraph (3)(a)(B): Include consistent terms.
- 10) OAR 660-012-0190: Transportation System Refinement Plans – section (1): Change “of” to “to.”
- 11) OAR 660-012-0315: Designation of Climate-Friendly Areas – section (1): Use consistent terms.
- 12) OAR 660-012-0315: Designation of Climate-Friendly Areas – subsection (4)(b): Use consistent terms.
- 13) OAR 660-012-0315: Designation of Climate-Friendly Areas – subsection (6)(a): Use consistent terms.
- 14) OAR 660-012-0320: Land Use Requirements in Climate-Friendly Areas – section (3): Use consistent terms.

- 15) OAR 660-012-0320: Land Use Requirements in Climate-Friendly Areas – subsection (5)(a): Use consistent terms.
- 16) OAR 660-012-0320: Land Use Requirements in Climate-Friendly Areas – section (10): Use consistent terms.
- 17) OAR 660-012-0325: Transportation Review in Climate-Friendly Areas and Centers – section (3): Clarify applicability to transportation system plans.
- 18) OAR 660-012-0405: Parking Regulation Improvements – paragraph (4)(a)(A): Remove explanatory text accidentally included when filed in 2023.
- 19) OAR 660-012-0405: Parking Regulation Improvements – section (5): Clarify applicability of this provision.
- 20) OAR 660-012-0415: Parking Maximums and Evaluation in More Populous Communities – subsection (1)(a): Remove conflicting provision.
- 21) OAR 660-012-0425: Reducing the Burden of Parking Mandates – subsection (2)(c): Remove redundant requirement.
- 22) OAR 660-012-0610: Bicycle System Requirements – subsection (5)(a): Update reference document.
- 23) OAR 660-012-0805: Street and Highway System Inventory – section (2): Provide more flexibility to use available data.
- 24) OAR 660-012-0830: Enhanced Review of Select Roadway Projects – subsection (2)(g): Use consistent terms.
- 25) OAR 660-012-0830: Enhanced Review of Select Roadway Projects – section (4): Use consistent terms.
- 26) OAR 660-012-0830: Enhanced Review of Select Roadway Projects – subsection (5)(a): Use consistent terms.
- 27) OAR 660-012-0830: Enhanced Review of Select Roadway Projects – subsection (8)(b): Use consistent terms.
- 28) OAR 660-012-0900: Reporting – subsection (7)(c): Correct grammar.
- 29) OAR 660-02-0900: Reporting – section (8): Clarify language and use consistent terms.
- 30) OAR 660-12-0920: Compliance Hearings – subsections (7)(b) through (d): Remove subsection determined to be inapplicable by the Oregon Court of Appeals.

c. Rulemaking Process

1. Schedule

If the commission initiates this rulemaking, the department will convene a rulemaking advisory committee. The committee would meet twice over the summer. The department would then ask the commission to hold a hearing in October. The rulemaking advisory committee would meet again shortly after the hearing to make final recommendations to the department. The commission could adopt the amendments in February 2027.

2. Advisory Committee Members

The advisory committee would mainly be composed of past advisory committee members with a focus on local government implementors. Staff recommend that the committee include representatives from cities and counties in metropolitan areas, Metro, the League of Oregon Cities, and the Association of Oregon Counties.

III. Recommended Action

The department recommends the commission initiate rulemaking to amend OAR chapter 660, division 12, as described in the staff report and in Attachment A, Rulemaking Charge.

Suggested Motion: I move that the commission directs the department to begin rulemaking as described in the staff report and in Attachment A, Rulemaking Charge.

Alternate Motion: I move that the commission directs the department to begin rulemaking as described in the staff report and in Attachment A, Rulemaking Charge, with the following changes...

IV. Attachments

- a. Rulemaking Charge



Amendments to the Transportation Planning Rules Draft Rulemaking Charge

April 9, 2026

Summary

In 2022, the Oregon Land Conservation and Development Commission (LCDC or commission) substantially amended the [Transportation Planning Rules](#) (Oregon Administrative Rules chapter 660, division 12; “TPR”) and related rules in OAR chapter 660, divisions 8 and 44. In 2023, the commission adopted a follow up set of TPR amendments to clarify and correct several rules.

Since 2023, staff at the Oregon Department of Land Conservation and Development (DLCD or department) identified needed changes to the TPR for clarity and consistency.

DLCD recommends the following four elements as the scope of the proposed rule amendment as the charge to a rulemaking advisory committee.

1. Repeal Rule 0210

Action: Repeal Oregon Administrative Rule (OAR) 660-012-0210: Transportation Modeling and Analysis.

The commission directs repeal of the rule because:

- The original intent of the rule has shifted
- Key concepts of the original rule reside in other rules within the division
- Parts of the rule are unnecessary
- A key provision of the rule could have unintended and undesirable consequences

The rulemaking would also amend other rules that refer to OAR 660-012-0210.

2. Progress Reports

Action: Amend a rule about progress reports consistent with direction from the commission.

OAR 660-012-0900 requires cities, counties, and Metro to submit reports on progress, including results for performance measures to determine whether they met the targets for each performance measure. OAR 660-012-0900(7)(c)(D) requires that cities, counties, and Metro must propose corrective actions if the report shows they did not meet one or more targets.

The proposed change would clarify that the report must specifically connect corrective actions to each missed target. The rules would no longer allow a general set of corrective actions to address a group of missed targets.

3. Eliminate Redundant Reporting for Metro

Action: Repeal Oregon Administrative Rule (OAR) 660-044-0060: Monitoring.

The rulemaking would also amend other rules that refer to OAR 660-044-0060.

4. Small corrections

Action: Correct small typos, inconsistencies, and errors, including but not limited to the items listed in the commission staff report.

The rulemaking would also update cross references that refer to statutes or administrative rules that have been renumbered.