

Climate-Friendly and Equitable Communities

Frequently Asked Questions

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General Questions

What is the CFEC program?

The Department of Land Conservation and Development's Climate-Friendly and Equitable Communities rulemaking significantly updated Oregon's administrative rules on housing and transportation planning within Oregon's eight metropolitan areas.

ODOT, in partnership with DLCD, will be supporting communities with implementation efforts. The ODOT Statewide Planning Unit, Transportation Planning & Analysis Unit (TPAU) and the Climate Office will each support CFEC implementation through specific and coordinated initiatives. ODOT is leading initiatives to update technical guidance documents such as the Transportation System Plan Guidelines, Analysis Procedures Manual and modeling guidance; facilitate regional scenario planning and greenhouse gas reduction target setting efforts; develop a robust multimodal infrastructure inventory; and, provide funding and technical support for local transportation system plan updates.

What are the key changes established through the updated TPR?

CFEC rulemaking amended Oregon Administrative Rules (OAR) 660-012, better known as the Transportation Planning Rules (TPR) and OAR 660-044 (Metropolitan Greenhouse Gas Reduction Targets) in 2022. In whole, the rule changes require jurisdictions within metropolitan areas to:

- Plan for region greenhouse gas reduction targets and set performance measures to monitor progress.
- Identify neighborhoods for targeted development of compact, mixed-use areas served with high quality walking, bicycling and transit infrastructure and services.
- Complete additional analysis during development of Transportation System Plans including increased analysis of walking, biking, transit facilities and services and more rigorous study of projects increasing vehicle capacity.
- Reform parking regulations and support EV charging.

What guidance, technical support and resources will ODOT provide?

ODOT is updating key technical resources and tools to support development of CFEC-compliant planning. This includes the TSP Guidelines, Analysis Procedures Manual, modeling guidance, and (the more internally focused) Development Review Guidelines. ODOT is also coordinating with jurisdictions and data managers to build out a TPR-compliant multimodal inventory and will complete updates to models for CFEC compliance.

Additionally, ODOT is funding scenario planning work as required in CFEC rulemaking and is standing up a TSP funding program.

To support ongoing communications and education, ODOT will host occasional webinars and online Office Hours and will also provide ongoing updates and new resources via GovDelivery emails and the [CFEC Planning webpage](#). CFEC program staff are available for questions and to attend local meetings.

Can a jurisdiction seek exemptions to these rules?

Various exemptions are available. Within Oregon's eight metropolitan areas, the provisions in OAR 660-012-0100(4) provide for exemptions in two cases:

- Cities and counties with a population of less than 10,000 within the urban area/Urban Growth Boundary (UGB)
- Jurisdictions of any size that are newly included in an existing metropolitan area or a newly designated metropolitan area

PSU population projections should be used to make population determinations. However, in its rules, PSU does have provision for using 2020 Census data under certain circumstances. Metro conducts population estimating for areas within the Metro UGB.

Exemption requests are made to and granted by the Department of Land Conservation and Development, which has provided guidance on their [CFEC webpage](#).

The 2020 Census brought a new jurisdiction into an MPO; when would that jurisdiction need to comply with CFEC?

OAR 660-012-0100 Transportation System Plans in Metropolitan Areas states that, "The director [of the Department of Land Conservation and Development] may also grant a whole or partial temporary 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. The director shall use the criteria and process as provided in OAR 660-012-0055(7) to decide to approve an exemption." This exemption opportunity would likely occur after the local process to officially bring the new jurisdiction into the MPO.

What if we don't comply with the regulations?

Oregon Administrative Rules require communities to comply with the TPR. Work programs, alternative dates and exemptions create opportunities for jurisdictions to seek reprieve from some requirements.

If a TSP is not updated as required, a jurisdiction may not be able to complete needed transportation improvements, urban growth boundary expansions or other actions needed to support community growth. The Land Conservation and Development Commission may initiate enforcement actions or may remand land use decisions, meaning they be returned to the jurisdiction for further consideration. Where required, if scenario planning work is not completed by a jurisdiction that jurisdiction's land use decisions must still be consistent with the adopted scenario. If not, those land use decisions may be taken to the Land Use Board of Appeals.

Transportation System Plans

How will the Transportation System Plan funding program work?

The CFEC TSP Funding Program supports jurisdictions in developing CFEC-compliant Transportation System Plans (TSPs). Available funds will be prioritized for communities with a deadline in the TPR to update transportation system plans before 2030. This includes communities over 10,000 outside the Portland metropolitan area. In recognition of work already underway – including Climate Smart Communities, 2040 Centers and regional policies – the TPR does not require TSP updates within the Portland Metro area by any specific date. Similarly, there is no deadline for communities under 5,000 in other metropolitan areas, and jurisdictions between 5,000 and 10,000 are allowed exemptions.

ODOT staff will coordinate with cities and counties to schedule TSP updates between 2024 and 2029. There is no application process. ODOT will facilitate a consultant selection process under ODOT's Transportation Land Use Planning (TLUP) Price Agreement series. City and county representatives will inform consultant selection and will guide development of the statement of work covering work for their jurisdiction. To receive funding for this work, jurisdictions must agree to 1) lead an equitable community engagement process, and 2) contribute an additional cash match of 10.27% of the consultant contract amount.

How much will a Transportation System Plan update cost?

It is anticipated that a full CFEC-compliant TSP could cost up to double what they had previously - \$400,000 to over \$1M for a large TSP. ODOT is developing a statewide multimodal infrastructure inventory that will mitigate data collection costs for most jurisdictions. Additionally, ODOT staff can facilitate TSP Assessments to support strategic TSP updates and potentially create cost-savings.

What is considered a ‘Major’ update to a TSP?

The definition of a major TSP update is in OAR 660-012-0105(2). There are three tests; if any one of them is met, it is a major update:

- (a) Includes a change to the horizon year of the plan;
- (b) Is adopted after January 1 of the planning horizon year of the acknowledged plan; or
- (c) Adds a facility authorized as provided in OAR 660-012-0830.

When considering an example such as an Area Plan, that project could trigger a full CFEC-compliant TSP update if it changes the horizon year of the existing plan or plans for a capacity-enhancing facility as outlined in OAR-660-012-0830. Generally, a capacity-enhancing facility would include a new or expanded arterial, highway or bridge; new or expanded interchanges; and increase in the number of general-purpose travel lanes for anything but a local road; or new/expanded auxiliary lanes that are ½ mile or more. While an area plan may not trigger a full TSP update, components of the TSP that are updated through the area plan should be updated to be CFEC-compliant.

What’s the difference between a major and minor update to a TSP?

For metropolitan areas, the TPR outlines two types of TSP updates: major and minor (660-012-0105). A major update is one that changes the horizon year of the plan or adds a project that requires enhanced review under 660-012-0830 because it potentially adds capacity, such as a road widening. A major update triggers a complete review of all parts of the TSP, including compliance with the updated rules for a metropolitan area.

A minor update to a transportation plan updates the core transportation system plan elements applicable to the scope of the minor update, complies with the engagement requirements of 660-012-0120, identifies concentrations of underserved populations as defined by 660-012-0125, and conducts an engagement-focused equity analysis as defined in 660-012-0135. Any part of the TPR “touched” in the scope of the TSP must be updated based on current TPR standards.

A major update is required for jurisdictions that must complete a TSP update by 2030 (OAR 660-012-0012(4)). Cities under 5,000 population and jurisdictions within the Portland metro area have no deadline in the TPR. As such, they can proceed with a major or minor update.

What is ‘Section -0830’ and how does that impact projects in a current Transportation System Plan?

OAR 660-012-0830 requires additional analysis for some projects expanding capacity for vehicular travel. Additional analysis is required for:

- A new or extended arterial street, highway, freeway, or bridge carrying general purpose vehicle traffic;
- New or expanded interchanges;
- An increase in the number of general purpose travel lanes for any existing arterial or collector street, highway, or freeway; and
- New or extended auxiliary lanes with a total length of one-half mile or more.

Section -0830 exempts certain types of projects, including access management, safety, and operational projects as well as projects under \$5 million, dedication of right of way to non-vehicular modes, projects on two-lane facilities, and projects that do not increase the number of general-purpose travel lanes on an existing facility.

How should an *Enhanced Review of Selected Roadway Projects* as outlined in 660-012-0830 be conducted if a project crosses multiple jurisdictions?

Because Section -0830 requires that the analysis be completed in coordination with affected jurisdictions, the analysis may be completed in one TSP; the analysis does not need to be completed for the transportation system plan for each affected jurisdiction.

Are Counties required to complete CFEC-compliant TSP updates?

Updates to the Transportation Planning Rules made during the CFEC rulemaking process apply to the Urban Growth Boundaries (UGBs) of cities within metropolitan areas. It is anticipated that cities will continue to plan for all areas within their UGB to support requirements for comprehensive planning; where this is the case and cities are planning for all areas of a county within a UGB then the county should not need to complete a CFEC-compliant TSP update.

What are the considerations for Portland Metro-area communities?

The TPR applies to Metro area communities except where stated otherwise. OAR 660-012-0140 Transportation System Planning in the Portland Metropolitan Area specifically outlines unique considerations for Metro-area communities. Key considerations include but are not limited to:

- Cities and counties must amend comprehensive plans, land use regulations, and transportation system plans to be consistent with Metro's regional transportation system plan.
- Metro may adopt provisions into a regional functional plan that require cities and counties to meet an additional requirement for transportation system planning.
- Metro provides direction on inventory requirements for transportation system plans which may be different than inventory requirements outlined in the Rule.

- With approval from LCDC, Metro may adopt alternative requirements into a regional functional plan. Upon adoption by Metro, cities and counties that comply with the alternative requirements of the regional functional plan are no longer required to meet the specific requirements of the TPR as described in the LCDC order.
- Metro area communities are not required to establish Climate Friendly Areas or complete associated work. Metro area communities are required to adopt Town Centers in lieu of CFAs.

Scenario Planning and Greenhouse Gas Target Planning

Which jurisdictions are required to complete Scenario Planning?

Jurisdictions in the Salem-Keizer metropolitan area are required to develop a regional scenario plan that meets the region's greenhouse gas reduction target and includes performance measures for tracking progress towards the target. Jurisdictions in the Eugene-Springfield metropolitan area are required to complete the preferred scenario requirements from the existing Central Lane Scenario Planning work and developing performance measures for tracking progress towards the target.

Which jurisdictions are required to complete Region Greenhouse Gas Reduction Targets?

Jurisdictions in the metropolitan areas of Albany, Bend, Corvallis, Middle Rogue and Rogue Valley are required to develop the greenhouse gas performance measures and targets in OAR 660-012-0905 and OAR 660-012-0910 for reporting purposes OAR 660-012-0900.

How do we report on progress toward Region Greenhouse Gas Targets?

Jurisdictions with an adopted Scenario Plan are required to report on the performance measures to monitor progress towards the region greenhouse gas target developed as part of the Scenario Plan in the TSP update per 660-012-0910.

Jurisdictions that do not have an adopted Scenario Plan are required to report on the performance measures and targets in OAR 660-012-0905 and OAR 660-012-0910 in the TSP update or initial Major Report required per 660-012-0900.

Metro will report on behalf of jurisdictions within the Portland Metro area.

What resources are available to support Scenario Planning and Region Greenhouse Gas Targets?

ODOT is supporting scenario planning efforts for jurisdictions in the Salem-Keizer metropolitan area including completion of a regional plan to meet the regional greenhouse

gas target and development of performance measures for tracking progress. ODOT will support jurisdictions in the Eugene-Springfield metropolitan area in completing the preferred scenario requirements from the existing Central Lane Scenario Planning work and developing performance measures for tracking progress towards the scenario. ODOT is also supporting jurisdictions in the remaining metropolitan areas to develop the initial Major Report required per 660-012-0900. New guidance will be developed for other metropolitan areas to also set their own preferred scenario that meets the target, if interested.

Do required household-based VMT per capita reduction measures take into account other aspects of Oregon's Statewide Transportation Strategy?

The requirement to not increase household-based VMT per capita is built upon the fact that reductions in vehicle mix and fuel efficiencies have already been incorporated into the greenhouse gas reduction performance targets.

Modeling and Performance Measures

Can you explain the different performance measures and performance targets outlined in CFEC rulemaking and how they apply to TSPs, scenario planning and land use planning?

Scenario planning encompasses both *land use* and *transportation planning* and will be evaluated using *performance measures* (OAR 660-012-0910) against defined *performance targets* over time. For example, a regional performance measure in a scenario plan might be the percentage of registered vehicles in a jurisdiction that are zero-emission vehicles, and the performance target could be set at five percent in the year 2030. *Performance targets* are goal oriented and represent the path to reach a region's greenhouse gas reduction targets, which then roll up to track progress to the statewide targets set by the legislature.

The development of *performance standards* is required in OAR 660-012 to evaluate transportation facilities and land use actions such as TSPs and land development projects. Performance standards are measured against specific *thresholds* that depend on land use context, type of transportation facility, time horizon, and other factors. A well-known *transportation standard* in the Highway Design Manual (HDM) is the volume-to-capacity (v/c) ratio. When this *transportation standard* is used, for example, in a STIP project to evaluate an Interstate ramp terminal within an MPO and a UGB at the 20-year planning horizon, the *threshold* is a v/c ratio of 0.75. OAR 660-012 now requires affected jurisdictions to use a minimum of one additional *transportation standard* unrelated to motorized vehicle performance, to evaluate transportation projects and *land use planning* actions. In most cases, *performance standards* are required to be met.

Are the transportation demand models ready for CFEC compliance?

There are six different travel demand models for the eight Oregon MPO areas, as well as the VisionEval scenario planning tool. Over the years, the models have been developed using different software and with differing levels of detail and staff support and expertise. The CFEC rules were developed with these variations in modeling capabilities in mind and the expectation is that each of the models will allow affected jurisdictions to comply with the CFEC rulemaking. The CFEC modeling and analysis contract will develop guidance and procedures for using the existing tools and travel demand models (both trip-based and activity-based) to meet the requirements of the CFEC rulemaking.

What are key terms to know for CFEC?

Term	Definition
Vehicle Miles Traveled per Capita	Household-based Vehicle Miles Traveled per Capita (HH-based VMT per capita) will be used as a performance measure will be used to evaluate land use actions and TSP updates. The analysis mechanism will be determined through the modeling and analysis contract and will use travel demand models to calculate the sum of all VMT generated by individual households within the subject jurisdiction, divided by the population of that jurisdiction.
Performance Measures (rule 0905)	Indicators used to assess the performance of the transportation system and demonstrate progress towards meeting OAR 660-044 greenhouse gas reduction performance targets.
Performance Targets (rule 0910)	Future year targets set for performance measures to be used in major reports to demonstrate progress towards meeting the region's greenhouse gas reduction target. They include an established baseline and benchmarks for performance of the planned system to track progress over time.
Performance Standards (rule 0215)	Performance standards are adopted by a city or county during development of a TSP and include a threshold to determine whether the measured, estimated, or projected

	<p>transportation facility performance meets the performance standard. Performance standards may vary by facility and are used by cities and counties to review comprehensive plan and land use regulation amendments consistent with rule 0060. The same standards are typically used to review land development applications consistent with the local development code but are not required to be the same.</p>
Thresholds	<p>Numerical value set for each performance standard to determine if the performance standard is met.</p>
Evaluation Criteria	<p>Used to compare and select alternatives.</p>
Prioritization Factors	<p>Criteria specified in the TPR used for prioritizing facilities and services by mode, in specific areas, and systemwide (rules 0155, 0520, 0620, 0720, and 0820)</p>