



Date: April 21, 2011

To: Joint Policy Advisory Committee on Transportation (JPACT) and Metro Policy Advisory Committee (MPAC) Members and Interested Parties

From: Tom Kloster, AICP, Transportation Planning Manager

Subject: Proposed Amendments to the Oregon Transportation Planning Rule and Oregon Highway Plan

Attached, please find the final recommendations from a joint Oregon Transportation Commission and Land Conservation and Development Commission panel that met recently to consider changes to Oregon's land use and transportation policies.

Specifically, the panel reviewed changes to the Transportation Planning Rule and related provisions in the Oregon Highway Plan made in 2005 that have caused concern in recent years over unintended effects on development in our local communities. Metro and many Portland area local governments say the changes made it extremely difficult to amend local plans to enable development of the vibrant, transit-oriented neighborhoods that the region has been pursuing for more than a decade.

The panel has recommended that the full commissions *initiate parallel, fast-track processes to complete several targeted changes to both the planning rule and Oregon Highway Plan by December of this year.*

Metro will continue to track this work, and provide periodic updates to our regional partners, as well as coordinate comments from the region as specific amendments to the planning rule and highway plan are proposed.

Background

In September 2010, the land commission heard local concerns over recent (2005) amendments to Section 0060 of the planning rule. In our region, the chief concern is whether changes to the rule were inadvertently promoting sprawl by rejecting proposals for housing and commercial development in our already urbanized areas.

In November, the League of Oregon Cities petitioned land commission for rulemaking, as a quick way to fix the problems with the planning rule. In January,

the land commission and the transportation commission formed a joint subcommittee to explore rulemaking for the planning rule and amendments to the highway plan, based on local concerns and interest from state legislators.

In March, the joint subcommittee endorsed a staff recommendation to begin a rulemaking process to revise the planning rule. That endorsement will now go to the respective commissions for formal action. These are the highlights from the March subcommittee meeting (also described in detail in the attached April 14 final report from the panel):

- A formal rulemaking process to revise the planning rule is proposed to begin by May, and conclude by December, in part to demonstrate to legislators that the two commissions are committed to resolving the issues, and also to be responsive to ongoing local government concerns.
- Revisions to the planning rule will be strategic, limited to Section 0060, which is the section on plan amendments and zone changes that have been the focus of local government concerns.
- The solutions will be bold, and directly respond to the Metro region's concerns over the TPR inadvertently limiting mixed-used development in centers and station areas.
- A separate but coordinated process by the Oregon Department of Transportation will oversee development of a "framework" for amending the highway plan, in tandem with the planning rule, since the two policies are closely linked. The highway plan amendments would focus on updating the state's mobility policy for state-owned roadways.

For both the planning rule and highway plan tracks, the report calls for the respective commissions to complete their work by December. Metro will continue to follow this process, and likely be asked to serve on the rules advisory committee for the project. We will bring regular updates to JPACT and MPAC, and coordinate comments from the region as formal proposals for amending the planning rule and highway plan are released.