

**Report to the Oregon Legislative Assembly  
Oregon Transportation Commission  
Oregon Land Conservation and Development Commission**

**Regarding  
Transportation Planning Rule and Oregon Highway Plan Amendments  
Required by Senate Bill 795 (2011)**

**Executive Summary**

The Oregon Transportation Commission (OTC) and the Land Conservation and Development Commission (LCDC) are pleased to report to the Oregon Legislature that they have completed the reviews required by [Senate Bill \(SB\) 795 \(2011\)](#) and have amended the Oregon Highway Plan (OHP) and the Transportation Planning Rule (TPR). SB 795 called for changes that would “streamline, simplify and clarify the requirements” and “better balance economic development and the efficiency of urban development with consideration of development of the transportation infrastructure.” OHP and TPR amendments have streamlined the regulatory processes and changed the substance of the rules and policies.

Key changes to the OHP broaden the policy to better consider and balance multimodal and community development objectives along with highway mobility, provide less-stringent requirements for plan amendments that have a small increase in traffic, encourage and expand options for developing alternatives to existing mobility expectations, raise volume-to-capacity ratio thresholds for areas inside urban growth boundaries, and allow use of mobility measures besides volume-to-capacity ratios.

Amendments to the TPR to streamline the regulatory process include a new section (9) that will allow local governments to rezone land without analyzing traffic if the rezoning is consistent with the comprehensive plan map designation and the transportation system plan. Additionally, the rule was amended so that local decisions can be made without traffic analysis if the action includes conditions to prevent any increase in traffic generated at the site (see section 1(c) of the amended rule). To adjust the balance between multiple objectives, the TPR amendments add a new section (11) for economic development projects to reduce the burden of mitigating traffic impacts. Another amendment adds a new section (10) to allow local governments to designate areas where compact urban development is desirable and thus traffic congestion will not be a factor in zoning decisions.

**Joint Subcommittee Process**

In January 2011, LCDC and the OTC convened a Joint Subcommittee based on stakeholder concerns that the TPR and OHP were having unintended consequences for balancing transportation mobility with community and economic development objectives. The Joint Subcommittee held three meetings and heard considerable testimony with concerns related to TPR Section 0060 and OHP mobility standards. One theme often discussed was that economic development, transportation and land use objectives should

be better balanced. Testimony indicated that, in practice, transportation mobility took precedence over these other objectives. Another theme raised by stakeholders was that transportation requirements can make it difficult to increase development intensities, especially within urban centers, which is contrary to statewide planning goals and many community objectives. The Joint Subcommittee developed a [Recommendations Report](#) identifying priority work areas for both the TPR and OHP, which was supported by both Commissions and incorporated as part of SB 795.

### **TPR Amendment Process**

To help draft TPR amendments, LCDC established a Rules Advisory Committee with 22 members representing a broad spectrum of interests, including local governments, economic development, transportation planning and public interest representatives. The committee held six meetings between June and September 2011, and reached consensus on the overall direction of the rule amendments and on the specific text for most sections. The proposed amendments were made available for public review and comment in October. Written testimony was received from over 30 interested parties. LCDC held a public hearing on December 8, taking testimony and deliberating on the remaining issues before adopting amendments on December 9. The [amended rules were filed with the Secretary of State](#) and took effect January 1, 2012.

### **OHP Amendment Process**

ODOT considered input received during the Joint Subcommittee process and earlier stakeholder efforts to draft initial revisions to OHP Policy 1F (Highway Mobility Policy). Staff also provided draft materials to the TPR Rules Advisory Committee in an effort to coordinate the two work areas and collect broader input on the OHP policy revisions.

The OTC released draft OHP Policy 1F revisions for public review and comment on September 21. During the public review period, ODOT staff consulted with Area Commissions on Transportation, OTC-appointed advisory committees and other interested stakeholders across Oregon through meetings, presentations and notification of public review information. The OTC also held a public hearing on November 16. The public comment period closed November 21, allowing staff to incorporate the feedback received and prepare final draft policy revisions and supporting information for OTC review. The OTC adopted [OHP Policy 1F](#) revisions at their December 21, 2011 meeting.

### **Conclusion**

DLCD and ODOT recognized that the TPR and OHP were having unintended consequences on planning and development objectives and took this opportunity to better balance transportation mobility with other important goals. The agencies worked together through a coordinated process to make revisions to the TPR and OHP consistent with the recommendations of the Joint Subcommittee and the requirements of SB 795. Additional information is provided in the accompanying components of this legislative report available at the following project websites:

**OHP Project Site:** <http://www.oregon.gov/ODOT/TD/TP/OHP2011.shtml>  
**TPR Project Site:** [http://www.oregon.gov/LCD/Rulemaking\\_TPR\\_2011.shtml](http://www.oregon.gov/LCD/Rulemaking_TPR_2011.shtml)