

Understanding the Climate-Friendly and Equitable Communities Rulemaking Effort

Revised January 9, 2022 -
Bend Neighborhood Association Roundtable

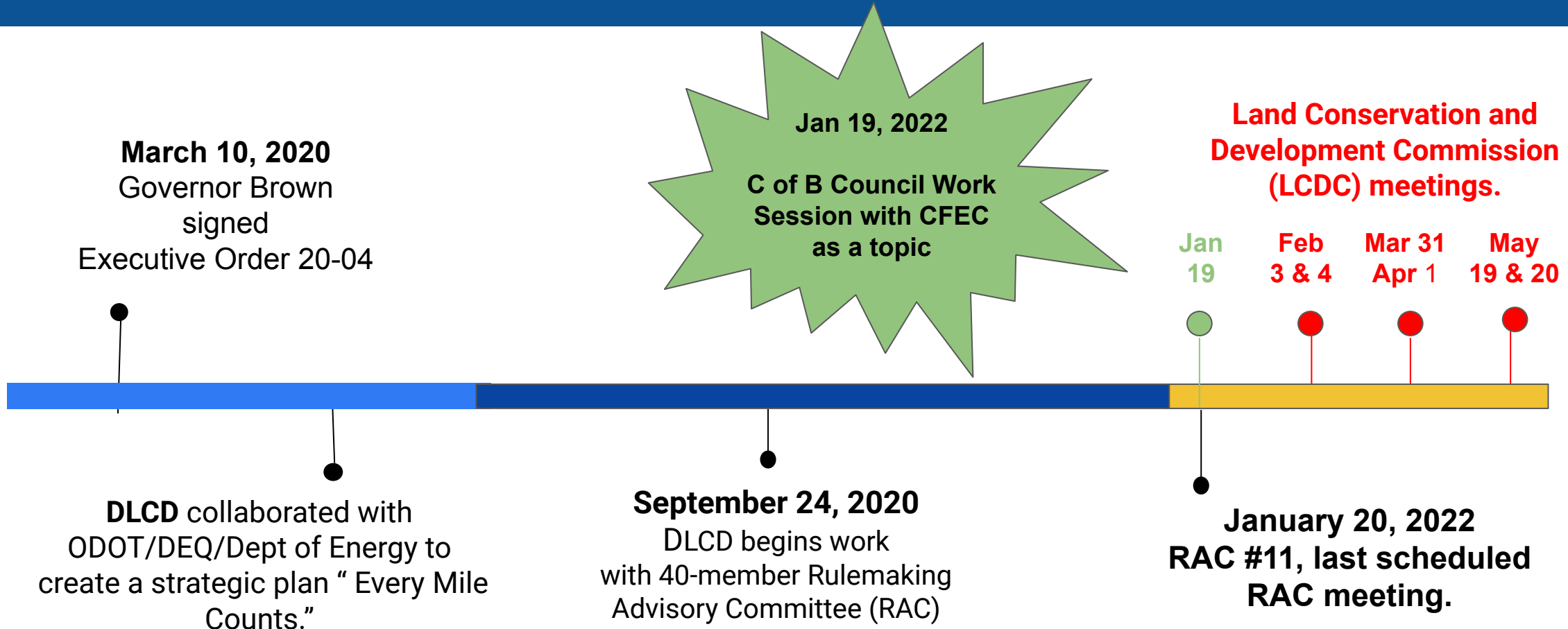
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What is driving this rulemaking effort ?

- In 2018, the State determined Oregon will not meet its 2050 emission goals.
- Governor signed Executive Order 20-04 on March 10, 2020 with 3 directives to 20+ agencies:
 - *“Prioritize actions that reduce GHG emissions in a cost-effective manner.”*
 - *“Prioritize and expedite actions that will help vulnerable populations and impacted communities impacted by climate change impacts.”*
 - *“Agencies shall prioritize any processes and procedures, including but limited to rulemaking processes....that could accelerate reductions....”*

Timeline Status Overview



Overview of Oregon Administrative Regulations (OAR) to be amended.

Division 7
Metropolitan Housing
Rules

Only applies to
Portland.

Division 8
Housing Rules

One major rule

Division 44
Metropolitan
Greenhouse Gas
Reductions rules

Must meet
designated annual
emission targets.

Division 12
Transportation Rule

The majority of
proposed rules occur in
this division.



*Maintain sufficient land
within climate friendly areas
to accommodate at least 30
% of current and forecasted
housing need.*



See the next slide.

DLCD's 6 Categories of Division 12 Rulemaking

***Equity for
priority
populations***

Analyse potential
transportation
decisions

**Climate-Friendly
Areas**

*More density with
different land use
standards*

Parking

*Reduce supply &
charge for
on-street parking*

**Support Electric
Vehicle Charging
Facilities**

*Mandate charging
facilities*

**High Quality
Pedestrian,
Bicycle, Transit**

*Develop
alternatives to the
vehicle option*

**Performance
Measures,
Standards and
Targets**

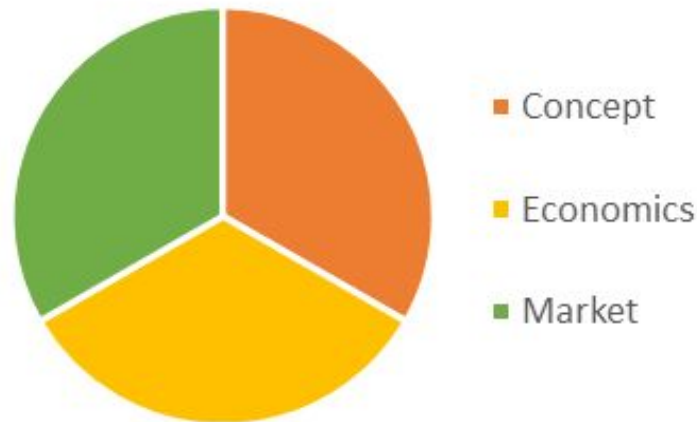
*What drives decisions
and tracts progress*

Why Should You Care?

Has DLCD done their homework?

- Climate Friendly Area rules have been based solely on “concepts”.
- DLCD has not performed any economics or market analysis.
- Instead, DLCD says they “hope the marketplace will respond”.
- Will this concept deliver the mix of uses that will result in a compact walkable and bikeable neighborhood?
- Will the rents be affordable?
- Or will the plan fail to stand on its one leg?

A. Climate-Friendly Area 3 legged stool



What will be the consequences of rules: Benefits or burdens to the community?

- Less vehicles or just parking overflow nightmares?
- Less driving with more walking, biking and transit or just more congestion?
- More affordable housing or less affordable houses?
- Less commuting or more commuting and more miles driven?
- More severe “heat islands”?

“Those who fail to study history are doomed to repeat it.” (Churchill)

Conundrum for Statewide Goals

DLCD Director Rue stated “*Rulemaking needs to work on the ground*”, but are the Statewide Goals being thrown under the bus with this rulemaking process?

#1 Citizen Involvement The DLCD assumed that the cities are engaging citizens while Bend assumed the DLDC was. No attempt to engage the Bend community until today, one week before DLCD’s last meeting.

#2 Land Use Planning The DLCD is ignoring the economic and market factors. No one has provided a factual basis for these land use decisions which is the cornerstone of this goal.

#9 Economic Development - Bend has little vacant land in its core and CFAs would need to displace many businesses. No one is looking at what happens to existing displaced businesses.

#10 Housing [needs] - New construction is very expensive. No one is considering that these rules may lead to more gentrification instead of housing for Bend employees.



Who holds DLCD staff accountable for providing the factual basis that these rules can work as intended?

Q & A

CFEC Experts available to help:

Kevin Young, Senior Urban Planner, kevin.young@dlcd.oregon.gov

Nick Lelack, Deschutes County Administrator, LCDC, nick.lelack@deschutes.org

Damian Syrnyk, City of Bend Growth Management, dsyrnyk@bendoregon.gov

Action Options?

1. Do nothing about rulemaking efforts and wait to attempt to influence city on the few options given to cities after rules are adopted?
2. Collaborate with City Staff to present general concepts and hurdles to overcome in implementing for “*setting up cities for success*” (LCDC Commissioner Nick Lelack on November 17th)
3. Provide comments directly to the Land Conservation and Development Commission (LCDC) using their own statewide goals... i.e. will people drive less?

APPENDIX - Want More Details?

Visit Bendnaforums.org

- Overview
- Appendix - Background Literature *including* Executive Order
- Rulemaking Advisory Committee meeting materials from RAC #10 (185 pages)
- Key rules taken from each of the six categories of Division 12
- Link to DLCD site (1000's of pages and recordings of all 10 RAC meetings).

Where do we send comments?

Submit your written comments by Jan 19th...



for inclusion in LCDC Commission meeting packet on Feb 3 & 4

- Bill Holmstrom, Land Use and Transportation Planning Coordinator, bill.holmstrom@dlcd.oregon.gov
- Kevin Young, Senior Urban Planner, kevin.young@dlcd.oregon.gov
- Casaria Taylor, Rules, Records, & Policy Coordinator, casaria.taylor@dlcd.oregon.gov
- Nick Lelack, Deschutes County Administrator, LCDC, nick.lelack@deschutes.org
- Damian Syrnyk, City of Bend Growth Management, dsyrnyk@bendoregon.gov

Also, there is an opportunity for verbal comments in these meetings. If you wish to provide verbal comments, contact Casaria to confirm the process.