

# Climate-Friendly Areas and Equitable Communities Rulemaking Effort (December 8, 2021 Update)

## Executive Order 20-04 Goals:

- ❑ Reduce emissions.
- ❑ Prioritize actions to help vulnerable populations and impacted communities adapt to climate change impacts.
- ❑ Act with urgency.

## Previous Posts

- ❑ Overview - Introduction to topic
- ❑ Appendix - Source documents
- ❑ RAC #9 Meeting Materials (1st full set)
- ❑ DLCDC Website

Find past materials at:

<http://www.bendnaforums.org/land-use-hot-topics.html>



## Contents of this Post

- ❑ Six Categories of rules
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# Six Categories of Rules

1. Set up “equity committee” to review efforts through an equity lens.
2. Designate 30% of the community with a different set of standards to increase density and reduce parking to create a compact walkable neighborhood.
3. Reduce or eliminate parking mandates.
4. Prioritize pedestrian, biking and transit options.
5. New “standards” in addition (or replace) mobility standards to prioritize projects.
6. Annual reporting to monitor progress against targets.

# Schedule - Recent Meetings Comments

- **11/18/21 - LCDC meeting**

- DLCDC Director Rue, *“rulemaking needs to work on the ground.”*
- VMT reduction critical to quantifying emissions
- Need to hold meetings with practitioners, RAC work groups and developers.
- Need for market analysis (DLCDC made no effort to do so to date.)
- Ariel Nelson, League of Oregon Cities praised Eugene’s community engagement. Lots of unanswered questions. Need more than studios. Must be implementable.
- Commissioner Nick Lelack (Bend resident), *“...setting up cities for success.”*

- **12/2/21 - DLCDC Meeting with “Regional Practitioners” (Bend staff):**

- **Mary Winters**

- Bend’s winters will be a problem.
- Bend’s recent bond election is a contract with the public and priorities can’t be changed.

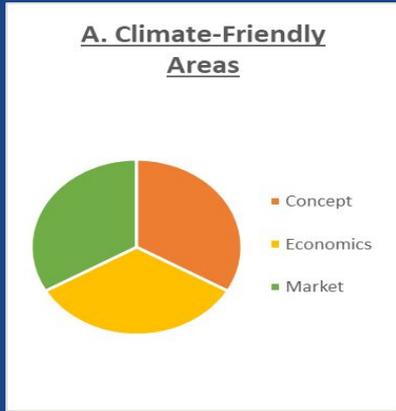
- **Brian Rankin**

- With no vacant land in the core, the CFA’s would have to be “re-development(?)”
- Allotted time and funding from the state to implement.
- How to comply with these rules and still comply with state goals #9 & #10.
- How future of single family detached units and future UGB expansions.
- Needs for software to perform required analysis.

# Schedule - Future Meetings

- ❑ 12/8 to 12/14 - Work group meetings on specific topics with “expert practitioners.”  
<https://content.govdelivery.com/accounts/ORDLCD/bulletins/2fed52b>
- ❑ December meeting with developers? (None scheduled yet.)
- ❑ 12/17/21 - RAC #10
- ❑ January TBD - RAC #11
- ❑ Feb 3 & 4 - LCDC
- ❑ March 31 & April 1 - LCDC
- ❑ May 29-20 - LCDC (adopt?)

# Key Issue - Will rules create walkable neighborhoods?



DLCD has made no effort to analysis the economics and the market. They “hope the market will respond.” Are Bend’s economics a huge challenge to the viability of the CFA’s?



DLCD “hopes” the marketplace will develop the commercial and office spaces in the “mixed-use” buildings to achieve a balanced neighborhood. Development history in Bend suggests this is not likely to happen.

## Other issues:

- ❑ DLCD focuses heavily on a single performance measure, Vehicle Miles Traveled. VMT’s definition excludes all commuting trips. In 2011, the # of commuting employees nearly matched the # of employees residing in Bend.
- ❑ Elimination of parking mandates is based on studies by academics who assume commodity economics applies to real estate rents/sales. However, the rents/sales are not a function of a project’s expenses.

# Call to Action?

- ❑ The rules are still in flux, but now is the time to become familiar with the rules.
- ❑ Now is the time to document that the rule's three-legged stool will collapse because of the reality of economics and the marketplace.
- ❑ What will be the potential adverse consequences of relying on “hope” instead of facts (State goal #2.....*requires a factual basis for decisions*)?
- ❑ Are there alternatives? Do more than just say no.
- ❑ We need to take our concerns to the LCDC in their February meeting. Once LCDC adopts the rules, there are few options for the city to choose between on the implementation.
- ❑ Educating the public (can we collaborate with city staff to educate the public?)