

# HB 2659

## ADVANCING GREENER & MORE EQUITABLE COMMUNITIES

*HB 2659 directs DLCD to use their existing authority to do what they should have already done: reconvene a meaningful process with local governments to jointly fix the rules, so that Oregonians can achieve the shared vision of more climate-friendly and equitable communities (CFEC).*

- Local governments know their communities best and establishing statewide goals for planning *can* play a role in building a more resilient, greener, and equitable Oregon.
- The rules adopted by DLCD are too rigid and overly prescriptive.
- The rules assume a one-size-fits-all approach, which is in direct conflict with the intent of Oregon's land use system.
- Cities and counties are committed to greener, more equitable communities and we have the expertise to advance those goals.
- The current rules dismiss local expertise and the different needs of each community. The rules assume local governments have the same capacity, resources, infrastructure, and built environments.
- The result of the DLCD rules are more barriers and divides in our communities. The rules do nothing to advance a common vision and do not provide cities with the flexibility needed to advance that vision for their residents.

### Cities impacted by CFEC rules:

- CFEC rules apply to 8 metro areas: Portland Metro, Salem-Keizer, Albany Area, Corvallis Area, Central Lane, Bend, Middle Rogue, and Rogue Valley.
- Most of the rules apply to cities over 10,000 – approximately 29 cities – many of which are still trying to determine the overall impact of the rules as information from DLCD has been incomplete, unclear, and, at times, contradictory.
- **Cities from across the state support HB 2659**, directing DLCD back to the table to work with cities to develop rules that will achieve the goals put forth by LCDC rather than cause potential harm to those in our communities the rules seek to support.
- **Nearly all cities need resources and capacity** to do meaningful work to advance greener and more equitable communities. Planning and development staff are already overwhelmed.

## CITIES SUPPORT CLIMATE-FRIENDLY AND EQUITABLE COMMUNITIES

Executive Order 20-04 directed multiple state agencies to take action to reduce greenhouse gas emissions and avoid the worst effects of climate change. In response, the Department of Land Conservation and Development (DLCD) launched a process to develop what the agency titled: Climate Friendly and Equitable Communities (CFEC) rules.

Local governments participated in the process to support the goals of reducing greenhouse gas emissions and advancing equity for the residents we represent. The department held more than 100 meetings. Cities and counties provided hundreds of pages of comments to inform the rules so they would work for local government and deliver the shared goals and outcomes.

## BUT CURRENT RULES CREATE MORE GREENHOUSE GASSES AND LARGER EQUITY GAPS

The Land Conservation and Development Commission (LCDC) adopted rules that did not consider most of the comments from local governments. The rules are overly prescriptive and assume all communities have equal access to public transit for all residents, failing to recognize the reality of existing transportation options, housing infrastructure, and the demographics of Oregon's cities and communities. The result: rules that are so rigid that the outcomes will deliver barriers - not pathways - to climate-friendly and equitable communities.

## WE MUST HAVE FLEXIBILITY FOR CITIES IN ORDER TO MEET COMMON GOALS

Local governments have been trying to work with DLCD throughout this entire process. Government planning experts, beginning with detailed recommendations for the draft rules and more recently during implementation, have been asking DLCD to exercise their existing authority and extend the first enforcement deadlines indefinitely until a process to reconvene and fix the outstanding issues can be addressed with meaningful input from cities.

## ACHIEVING JOINT GOALS REQUIRES AMENDING THE RULES TOGETHER

Absent action from the agency to work with cities on a new engagement process leaves local governments with few options. As a result, legislation has been introduced to direct the agency to stay the rules and develop a strategy with local governments to amend the rules to recognize local control, community circumstances, and demographic differences so that all governments have the flexibility needed to advance equity and create greener communities.



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