



Proposed Administrative Rules for Portland Area Land Use and Transportation Scenario Planning

Background

House Bill 2001, adopted by the 2009 Legislature, directs the Land Conservation and Development Commission (LCDC) to adopt administrative rules to guide Metro and local governments in the Portland metropolitan area as they conduct land use and transportation scenario planning to reduce greenhouse gas emissions from light vehicle travel. LCDC is required to adopt the scenario planning rules by January 1, 2013. The proposed rules would apply only to the Portland metropolitan area.

Scenario planning by the Portland metropolitan area is one part of a statewide effort to reduce greenhouse gas emissions from all sources. Scenario planning considers other efforts to reduce emissions from the transportation sector including expected changes to the transportation system, and improvements to vehicle and fuel technologies as well as other factors

Why is the rule needed?

In 2007, the Oregon Legislature affirmed that global warming poses a serious threat to the economic well-being, public health, natural resources and environment of Oregon. The legislature set a statewide goal of reducing greenhouse gas emissions by 75% below 1990 levels by 2050.

Light vehicles – passenger cars, vans and pickup trucks - are responsible for 20% of Oregon’s greenhouse gas emissions, and much of that comes from travel within Portland metropolitan area. Changes to land use and transportation patterns in metropolitan areas that reduce the distances people need to drive and that expand transportation options are an important and effective way to reduce greenhouse gas emissions. Through scenario planning the region can explore and develop an approach to reduce greenhouse gas emissions that best meets a range of regional and local needs – for economic growth, livable communities, clean air, and other values.

What will this rule do?

The proposed rules would require Metro - in coordination with area local governments and other agencies – to develop, evaluate and cooperatively select a preferred land use and transportation scenario for meeting state adopted targets for reducing greenhouse gas emissions from light vehicle travel by 20% by the year 2035.

The proposed rules:

- describe how Metro is to conduct scenario planning, including the factors Metro is required to consider in developing and selecting a preferred scenario.
- require that Metro adopt a preferred scenario by December 2014 as an amendment to the regional framework plan.
- describe the process by which LCDC will review and approve Metro’s preferred scenario
- outline the process for Metro and local governments to make necessary amendments to other regional and local plans to carry out the preferred scenario.

The proposed rules would also require that Metro monitor and report on progress in carrying out the preferred scenario, and to update the preferred scenario at regular intervals.

How does the proposed rule relate to existing plans and other planning requirements?

The proposed rules would integrate requirements for scenario planning into the existing framework for land use and transportation planning in the Portland metropolitan area. As much as possible, the proposed rules are intended to use existing plans and avoid creating new procedures or requirements for Metro, and area local governments. For example, monitoring and updates to the preferred scenario are to be done as part of reports and updates that region is already scheduled or required to conduct – such as urban growth boundary updates.

Metro and area local governments are already in the process of exploring the region’s options for reducing GHG emissions and meeting other important regional goals through the region’s Climate Smart Communities project. Initial findings from the project – available on the project website – indicate that the state targets can be met, and that existing plans move the region in the right direction, but that additional efforts will be needed.

Through scenario planning, local governments will consider a range of actions to reduce emissions, including new programs or investments which support changes to land use patterns which reduce the distances people need to drive, expanding transportation options and encouraging the use of electric vehicles or other low-emission technologies.



Who may be affected?

As provided in HB 2001, the proposed rules would apply only to the Portland metropolitan area. While the Eugene-Springfield metropolitan area is also required to conduct scenario planning, it would not be subject to these rules. The state's other metropolitan areas (Salem, Bend, Corvallis, and the Rogue Valley) are encouraged, but not required, to conduct scenario planning, and are also unaffected by the proposed rules.

How was this proposal developed?

The department developed the proposed rule with the assistance of a Rulemaking Advisory Committee (RAC). The department and the RAC developed the rule based on the requirements in HB 2001. The RAC met four times between February and May 2012 to advise the department on the details of the proposed rule.

Rulemaking materials available

The proposed rule and other supporting documents, including the Statement of Need and Fiscal Impact, provide additional information about this proposed rulemaking. The documents can be viewed at:

<http://www.oregon.gov/LCD/rulemaking.shtml>

The principal documents the Department used to develop the proposed rules include the relevant provisions of House Bill 2001, and supporting materials provided to the Rulemaking Advisory Committee (RAC). These documents, including the RAC meeting summaries and the supporting documents are available on the Department's website at:

<http://www.oregon.gov/LCD/meetings.shtml> -
[SB 1059 and HB 2001 Rulemaking](#)

The public can also view copies of these documents at the Department's Salem office at 635 Capitol St. NE, Suite 150.

Further Information about Metro's Climate Smart Communities Project

As discussed above, Metro and area local governments are already in the process of developing and evaluating possible ways for the region to reduce greenhouse gas emissions, and to meet other regional goals and objectives through the Climate Smart Communities project. Detailed information about the options being considered and the methods for evaluating different options is available on Metro's website at:

<http://www.oregonmetro.gov/index.cfm/go/by.web/id=3694>

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Public hearings

Two public hearings on the proposed rules are scheduled:

- September 19th in Portland at the Metro Council Chambers (800 NE Grand Avenue, Portland)
- September 20th at 9:00 am in Salem at the state [Agriculture Building](#), 635 Capitol St. NE, in the Basement Hearing Room.

LCDC will consider adopting the proposed rule at its November 2012 meeting in Newberg. (See DLCD website for details.)

How to comment

Interested persons may submit comments on the proposed rulemaking in writing via mail, fax, or email at any time prior to the close of the hearing on September 20.

Please address written comments to the Chair of the Land Conservation and Development Commission care of Casaria Taylor at the Department of Land Conservation and Development, 635 Capitol St, NE, Suite 150, Salem, OR 97301-2540 or email comments to Casaria Taylor at casaria.taylor@state.or.us. You may also fax comments to (503) 378-5518.

Interested persons may testify during the public hearings on September 19th or 20th, or submit written comments at the hearing by providing 20 copies to the commission's assistant.

If you have questions about the proposed rule or would like additional information, contact Bob Cortright at (503) 373-0050 ext. 241 or by email to bob.cortright@state.or.us.



