

Draft Outline Portland Metro Scenario Planning Rule

Rule Concept	Explanation of Changes from March 13 th Draft
Title	
Revise title of Division 44 to add “Portland Metropolitan area scenario planning” Metropolitan Greenhouse Gas Reduction Targets <u>and</u> Portland Metropolitan Area Scenario Planning	
Purpose	
This division implements provisions of Oregon Laws 2009, chapter 865, Section 38 regarding land use and transportation scenario planning to reduce greenhouse gas emissions in the Portland metropolitan area. <u>The Commission’s intent and expectation is that the requirements set forth in this rule will be integrated into and addressed as part of existing procedures for coordinated regional planning in the Portland metropolitan area.</u>	<u>New language added to express rule intent.</u>
Definitions	
<p>“Preferred land use and transportation scenario” includes:</p> <ul style="list-style-type: none"> • land use and transportation concept map; • an estimate of expected population and employment growth by jurisdiction and land use design types • land use and transportation policies and programs and investments needed to achieve the scenario <p>“Preferred land use and transportation scenario” means <u>a generalized plan for the Portland metropolitan area adopted by Metro as an amendment to the regional framework plan that achieves the targets for reducing greenhouse gas emissions set forth in OAR 660-044-0020. The preferred scenario sets forth a planned pattern of development and supporting policies, programs and actions as provided in Section (3)</u></p>	<p><u>Definition has been revised. Bulleted list of elements that make up a for scenario plan (i.e. map, estimate of growth, implementing policies) are provided in the body of the rule to avoid duplication and potential confusion – see Cooperative Selection, section (3) below.</u></p>
Other New Terms	
<ul style="list-style-type: none"> • Land use design type - Adapted from Metro “design type” • Metropolitan travelshed – area surrounding the metropolitan area that generates a significant amount of commuting travel into the metropolitan area; • Planning period – 2035 for initial scenario planning; plan updates will address other periods, i.e. 2040, 2045 etc. • Performance measures – to be specified in preferred scenario, used to monitor 	<p><u>“Design type” means the conceptual areas described in the Metro 2040 Growth Concept text and map in Metro's regional framework plan, including central city, regional centers, town centers, station communities, corridors, main streets, neighborhoods, industrial areas, and employment areas. (Metro UGMFP, Title 10.10)</u></p>

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<p>implementation</p> <ul style="list-style-type: none"> • Reference case scenario – used to estimate outcome of existing plans in 2035 (end of planning period) 	
<p><u>Existing Terms</u></p> <ul style="list-style-type: none"> • Functional plan - • Growth Concept - • Metro - • Regional framework plan – • Statewide transportation strategy – 	<p>(r) "Growth Concept Map" means the conceptual map demonstrating the 2040 Growth Concept design types attached to this plan.(Metro UGMFP, Title 10.10)</p>
<p>Process for Cooperative Selection of a Preferred Scenario; Initial Adoption HB 2001, Section 37</p> <p>(8) [The rules shall] <u>establish a process for cooperatively selecting a land use and transportation scenario for each metropolitan service district to achieve the greenhouse gas emissions reductions identified in the rules adopted pursuant to subsection (6) of this section ...</u></p> <p>(2) (b) A metropolitan service district, in accordance with rules adopted under subsection (8) of this section, <u>shall select, after public review and comment on the scenarios and in consultation with local governments within the jurisdiction of the metropolitan service district, one scenario described in paragraph (a) of this subsection as a part of its planning responsibilities under ORS 268.390.</u></p> <p>(8)(c) [The rules shall] <u>Establish a cycle for initial adoption... of the transportation and land use scenario...</u></p>	
<p>(1) Metro shall by December 31, 2014, amend the regional framework plan and the regional growth concept to include a preferred land use and transportation scenario that meets targets in OAR 660-044-0020 consistent with the requirements of this division.</p>	
<p>(2) In preparing and selecting a preferred land use and transportation scenario Metro shall:</p> <p>(a) Consult with affected local governments, <u>Port of Portland, TriMet, and ODOT</u></p> <p>(b) Consider adopted comprehensive plans and local aspirations for growth in developing and selecting a preferred land use and transportation scenario</p> <p>(b) (1) <u>Use assumptions about population, housing and employment growth consistent with the coordinated population and employment projections for the metropolitan area for the planning period</u></p> <p>(b)(c) Use evaluation methods and analysis tools for estimating greenhouse gas emissions that are:</p> <ul style="list-style-type: none"> i. Consistent with the provisions of this division ii. Reflect best available information and practices iii. Coordinated with ODOT <p>(e)(d) <u>Coordinate</u> Make assumptions about state</p>	<p><u>(a) Added Port of Portland, TriMet and ODOT as agencies to be consulted in cooperative selection</u></p> <p>RAC members expressed interest that economic feasibility of alternatives be addressed. <u>Need to define what is meant by new investments or new funding sources</u></p>

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<p>and federal policies and programs expected to be in effect in over the planning period, including the Statewide Transportation Strategy, <u>in coordination</u> with affected-the responsible state agencies</p> <p>(d)(e) Evaluate a reference case scenario that reflects implementation of existing adopted comprehensive plans and transportation plans</p> <p>(e)(f) Evaluate at least three alternative land use and transportation scenarios for meeting GHG reduction targets</p> <p>(f)(g) Develop and apply evaluation criteria that assess how alternative land use and transportation scenarios compare with the reference case in achieving important regional goals or outcomes, including but not limited to:</p> <ul style="list-style-type: none"> i. Public health ii. Air quality iii. Household spending on transportation or energy iv. Cost of infrastructure v. <u>Economic development</u> v.vi. Access to parks and open space vi.vii. Equity <p>(g)(h) If the preferred scenario relies on new investments or funding sources to achieve the targets, evaluate the feasibility of the investments or funding sources including:</p> <ul style="list-style-type: none"> o a general estimate of the amount of additional funding needed; o identification of potential/likely funding mechanisms for key actions, including local or regional funding mechanisms; and, o coordination of estimates of potential state and federal funding sources with relevant state agencies (i.e. ODOT for transportation funding) <p>(h)(i) Evaluate-Consider effects of alternative scenarios on development and travel patterns in the metropolitan travelshed (i.e. whether proposed policies will cause change in development or increased light vehicle travel between metropolitan area and surrounding communities compared to reference case)</p>	<p>Option: Change to: "including, for example:"</p>
<p>(3) The preferred land use and transportation scenario shall:</p> <p>(a) Describe proposed changes to regional and local</p>	<p><u>Description of the preferred scenario is revised and expanded to list key details to be included.</u></p>

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	<p>land use and transportation plans and other regional or local programs or actions needed to implement the preferred scenario in a manner that achieves the targets, including amendments to regional functional plans and local comprehensive plans and transportation system plans.</p> <p>(a)(b) Adopt performance measures and performance targets to be used to monitor and guide implementation of the preferred land use and transportation scenario, including carry out key actions called for in the preferred scenario.</p> <p>(c) Make recommendations for state or federal policies or actions to support the preferred scenario</p> <p><u>(3) The preferred land use and transportation scenario shall include:</u></p> <p><u>(a) A description of the land use and transportation growth concept providing for land use design types</u></p> <p><u>(b) A concept map showing the land use design types;</u></p> <p><u>(c) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-0020</u></p> <p><u>(d) Planning assumptions upon which the preferred scenario relies including:</u></p> <p><u>(i) assumptions about state and federal policies, programs;</u></p> <p><u>(ii) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in this division (OAR 660-044-0010)</u></p> <p><u>(iii) assumptions or estimates of expected housing and employment growth by jurisdiction and land use design type;</u></p> <p><u>(iv) assumptions about proposed regional programs or actions other than those that set requirements for city and county comprehensive plans and land use regulations, such as investments and incentives.</u></p> <p><u>(e) Performance measures and targets to monitor and guide implementation of the preferred scenario. Performance measures and targets shall be related to key elements, actions and expected outcomes from the preferred scenario, and may include but are not limited to:</u></p> <ul style="list-style-type: none"><u>- transit revenue hours of service per capita</u><u>- mode split</u><u>- residential density</u><u>- bike/walk trips per capita</u><u>- distance of housing and employment from transit stops</u>	
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	<p><u>The performance measures shall include performance measures adopted to meet requirements of OAR 660-012-0035(5).</u></p> <p><u>(f) Recommendations for state or federal policies or actions to support the preferred scenario</u></p>	<p><u>OAR 660-012-0035 is the portion of the TPR that require metropolitan areas to adopt standards to demonstrate and measure how the region will reduce reliance on the automobile and increase availability and convenience of alternative modes of transportation. Metro’s approved standard sets non-SOV (single occupant vehicle) mode share targets for different land use design types set forth in the 2040 Growth Concept.</u></p>
<p>(4)</p>	<p>Metro shall adopt findings demonstrating that implementation of the preferred land use and transportation scenario <u>meets the requirements of this division and</u> can reasonably be expected to achieve the GHG emission reductions as set forth in the target in OAR 660-044-0020. Metro’s findings shall:</p> <p>(a) Demonstrate Metro’s process for cooperative selection of a preferred alternative meets the requirements in (2)(a)-(i)</p> <p>(b) Explain how the expected pattern of land use development in combination with land use and transportation policies, programs, actions set forth in the preferred scenario will result in levels of GHG emissions from light vehicle travel that achieve the target in 660-044-0020.</p> <p>(c) Explain how the preferred scenario and other provisions of the Regional Framework Plan are consistent with each other.</p> <p><u>(d) Explain how the preferred scenario is or will be made consistent with other applicable statewide planning goals or rules.</u></p>	
<p>Adoption of Regional Plans to Implement the Preferred Scenario HB 2001, Section 37 (8) On or before January 1, 2013, the Land Conservation and Development Commission, in consultation with the Oregon Transportation Commission, shall adopt rules that establish ... a process for the adoption of regional or local plans to implement the scenario.</p>		
<p>(1)</p>	<p>Within one year of LCDC’s approval of Metro’s preferred land use and transportation scenario, Metro shall adopt or amend regional functional plans to implement relevant portions of the preferred land use and transportation scenario.</p>	<p style="text-align: center;">-</p>
<p>(2)</p>	<p>The regional functional plans or amendments shall set requirements, deadlines and compliance procedures for local comprehensive plans, including for amendments to local comprehensive and local transportation system plans needed to carry out the preferred land use and transportation scenario.</p>	<p style="text-align: center;">-</p>

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<p>(3) As part of its adoption, Metro shall adopt findings which demonstrate that actions required by functional plans or amendments are consistent with and adequate to carry out the <u>relevant portions of the preferred land use and transportation scenario. The findings shall demonstrate that assumptions or allocations of housing and employment growth to specific areas are consistent with the estimates or assumptions in the preferred scenario. In the event Metro's allocations or assumptions vary from those upon which the preferred scenario is based, Metro shall demonstrate that the revised assumptions or allocations, in combination with other measures adopted to as part of the functional plans or amendments will meet the GHG reduction target in OAR 660-044-0020.</u></p>	<p>Uses existing regional process for regional and local implementation of the framework plan and growth concept – Metro amendments to regional functional plans will define specific actions locals need to implement through comprehensive plans and TSPs.</p>
<p>(4) <u>Those portions of the preferred scenario that Metro chooses to implement by setting requirements for city and county comprehensive plans and land use regulations shall be set forth in amendments to the appropriate functional plan. The amendments shall meet the following minimum planning standards:</u></p> <ul style="list-style-type: none"> <u>(1) The Council shall follow the process set forth in the Metro Charter for adoption of amendments to the Regional Framework Plan;</u> <u>(2) To adopt or amend a functional plan, the Council shall follow the process set forth in the Metro Charter for adoption of ordinances;</u> <u>(3) The Council shall strive for flexibility when establishing new requirements for cities and counties, and shall consider offering optional compliance paths to cities and counties, such as adoption of standards described in paragraph (5), adoption of a model ordinance developed by Metro, or adoption of their own standards that will achieve performance standards described in paragraph (5);</u> <u>(4) Amendments to a functional plan that establish new requirements for cities and counties shall be made enforceable in the functional plan pursuant to ORS 268.390(6);</u> <u>(5) New requirements for city and county comprehensive plans and land use regulations shall follow one or more of the following approaches, or a similar approach:</u> <ul style="list-style-type: none"> <u>(a) Standards, such as a specified distance or dimension, number or type of dwelling units or percentage;</u> <u>(b) A specification of uses or types of development, such as mixed-use or multi-</u> 	

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	<p><u>storey;</u></p> <p><u>(c) Performance standards or levels of service to be achieved by city or county actions or land use regulations, leaving a city or county free to choose among types of actions or regulations;</u></p> <p><u>(d) Prohibitions on barriers or limitations on planned uses or development;</u></p> <p><u>(e) Limitations on planned uses or development that would otherwise undermine the purpose of a plan or zone designation;</u></p> <p><u>(f) Design standards, such as bicycle parking at transit stops; or</u></p> <p><u>(g) Requirements for city or county programs or systems, such as parking management or a sidewalk network.</u></p>	
	<p><u>(5) When it adopts an updated regional transportation system plan required by required by OAR 660-012, Metro shall demonstrate that the updated plan is consistent with the preferred scenario as provided in (3) above.</u></p> <p><u>ADD IN DETAIL FROM LOCAL TSPS BELOW</u></p>	<p><u>New section to address the RTP/RTSP. Basically, applies same test to RTSP as is applied to local TSPs – calling for plans to use housing and employment allocations that are consistent with those estimated in the preferred scenario. (660-012 is the Transportation Planning Rule – TPR.)</u></p>
<p>Commission Review of Regional Plans (of Framework Plan and Functional Plan Amendments)</p> <p>ORS 197.274(2)</p> <p>With the prior consent of the Land Conservation and Development Commission, Metro may submit to the Department of Land Conservation and Development an amendment to the Metro regional framework plan or to a component of the regional framework plan in the manner provided for periodic review under ORS 197.628 to 197.650 if the amendment implements a program to meet the requirements of a land use planning statute, a statewide land use planning goal or an administrative rule corresponding to a statute or goal.</p>		
	<p>(1) The commission shall review Metro’s preferred land use and transportation scenario and amendments to functional plans to implement the preferred land use and transportation scenario in the manner provided for periodic review under ORS 197.628 to 197.650.</p> <p>(2) The commission’s review of preferred land use and transportation scenario shall determine whether the preferred scenario can reasonably be expected to achieve GHG emission reductions as set forth in the targets in OAR 660-044-0020, other requirements of this division, and any applicable statewide planning goals.</p> <p>(3) The commission’s review of amendments to functional plans shall determine whether the adopted functional plans are consistent with and adequate to carry out relevant portions of the preferred land use and transportation scenario.</p>	

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<p>(4) The commission may conduct review <u>of Metro's preferred</u> scenario in conjunction with review of a UGB update or an update to the regional transportation system plan.</p>	
<p>Adoption of Local Plans to Implement the Preferred Scenario HB 2001, Section 37 (8) On or before January 1, 2013, the Land Conservation and Development Commission, in consultation with the Oregon Transportation Commission, <u>shall adopt rules that establish ... a process for the adoption of regional or local plans to implement the scenario.</u></p> <p>(3) Except as provided in subsection (5) of this section, a local government within the jurisdiction of the metropolitan service district <u>shall amend its comprehensive plan and land use regulations implementing the plan to be consistent with the scenario</u> adopted by a metropolitan service district in a manner provided by rules adopted under subsection (8) of this section.</p> <p>(8)(a)) [The rules shall] <u>Identify minimum planning standards</u> for achieving reductions in greenhouse gas emissions through comprehensive plans and transportation system plans;</p> <p>(8)(b)) [The rules shall] <u>Identify planning assumptions and approaches</u> to meet minimum planning standards identified in paragraph (a) of this subsection that ensure the Department of Land Conservation and Development can approve the changes to the regional framework plan, comprehensive plans and land use regulations implementing the comprehensive plans;</p>	
<p>(1) Local governments shall amend comprehensive plans, and use regulations, and transportation system plans to be consistent with and implement relevant portions of the preferred land use and transportation scenario consistent with the standards set forth in (2)-(4) below. <u>“Consistent” for the purpose of this section means “substantial compliance” as that term is defined in Metro’s Urban Growth Management Functional Plan.</u></p>	<p><u>Adds definition for “consistent” tied to Metro’s definition of substantial compliance - “Substantial compliance” means city and county comprehensive plans and implementing ordinances, on the whole, conforms with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.</u></p>
<p><u>(2) Implementation through Comprehensive Plan Updates</u> In adopting an update to a comprehensive plan including comprehensive plan or land use regulation amendments to implement or and be consistent with <u>provisions in the adopted regional functional plans to implement</u> the preferred land use and transportation scenario, local governments shall demonstrate that the update or amendment:</p> <p>(a) Uses population, housing and employment allocations to specific areas and land use design types that are consistent with estimates in the <u>preferred scenario</u>, including assumptions about densities, infill, and redevelopment.</p> <p>(b) Applies comprehensive plan designations and zoning districts that are consistent with land use</p>	

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<p>design type – including allowing uses and densities that are consistent with land use design type; and limiting uses that would be incompatible with the design type specified in the <u>preferred scenario plan</u>.</p> <p><u>(c) Implements functional plan requirements which carry out the preferred scenario which Metro directs be accomplished through the adoption or amendment of a comprehensive plan or land use regulation.</u></p>	
<p><u>(3) Implementation through TSP Updates</u> In adopting a TSP update, including a TSP amendment or land use regulation amendment to implement the preferred land use and transportation scenario, local governments shall demonstrate that the proposed transportation system plan update or amendment:</p> <p>(a) Uses population, housing and employment allocations to specific areas and land use design types that are consistent with estimates in the preferred scenario, including assumptions about densities, infill, and redevelopment.</p> <p>(b) Implements regional requirements for:</p> <ul style="list-style-type: none"> - street connectivity – standards and local circulation plans - street design standards - parking management measures; including reduced minimum parking requirements - siting of major transit stops - sidewalk and bikeway improvements - transportation demand management programs - <u>transportation system management and operation measures</u> 	
<p><u>(4) Other Plan Amendments</u> <u>Beginning one year from Metro’s adoption of a preferred scenario, local governments shall, in an adopting an amendment to a comprehensive plan or TSP (other than a comprehensive plan or TSP update or amendment to implement the preferred scenario) a local government shall, demonstrate that the proposed comprehensive plan amendment is consistent with the preferred land use and transportation scenario.</u></p>	<p><u>Adds language which indicates requirement to be consistent begins one year from Metro’s adoption of the preferred scenario.</u></p>
<p>Monitoring ORS 197.301 (1)A metropolitan service district organized under ORS chapter 268 shall compile and report to the Department of Land Conservation and Development on performance</p>	

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measures described in this section at least once every two years. The information shall be reported in a manner prescribed by the department.	
<p>(1) Metro shall as part of reports required by ORS 197.301¹ prepare a report monitoring progress in implementing the preferred scenario including status of performance measures and performance targets adopted as part of the preferred scenario.</p> <p>(2) Metro's report shall assess whether region is making satisfactory progress in implementing the preferred scenario; identify reasons for lack of progress, and identify possible corrective actions to make satisfactory progress.</p> <p>(3) The commission shall review the report and shall either find Metro is making satisfactory progress or provide recommendations for corrective actions to be considered or implemented by Metro prior to or as part of the next scheduled update of the preferred scenario.</p>	
<p>Update Cycle HB 2001, Section 37 (8)(c)) [The rules shall] <u>Establish a cycle for initial adoption and updating of the transportation and land use scenario</u> required by this section, including planning periods beyond 2035, relating the cycle to periodic review under ORS 197.628 to 197.650 and to urban growth. ORS 197.299(1) [Metro] shall complete the inventory, determination and analysis required under ORS 197.296(3) <u>not later than five years after</u> the completion of the previous, inventory determination and analysis.</p>	
<p>(1) Metro shall update the preferred land use and transportation scenario to meet the requirements of this division in conjunction with a scheduled UGB update.</p>	<p>This would combine update of the preferred scenario with the existing process for UGB review and expansion under ORS 197.298. Scenario planning and UGB expansion address closely related issues about how the region can best accommodate expected population, housing and employment growth.</p>
<p>(2) Unless otherwise approved or directed by the commission, Metro's update of the preferred scenario shall:</p> <p>(a) be for a planning period corresponds with a target year specified in this division,</p> <p>(b) assess whether additional programs, investments or actions would enable the adopted and approved preferred scenario to meet the target for the updated planning period, i.e. with minimal changes to the growth concept map and land use design types in the previously adopted and preferred</p>	<p>(a) LCDC is expected to periodically amend Division 44 to set GHG reduction targets for subsequent planning periods. (i.e. 2040, 2045, 2050)</p> <p>(b) Update would focus on consideration of new actions, programs or measures to achieve the preferred scenario, rather than repeating the entire scenario planning process.</p>

¹ The adopted Regional Framework Plan includes policies which list performance measures, calls for measures to be completed every two years and directs that corrective action be taken if anticipated progress is found lacking. (Framework Plan, Policy 7.8.)

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<p>scenario.</p>	<p>Broader reassessment of the underlying land use concept approved in the preferred scenario should only be needed if these other measures are not sufficient to meet targets.</p>
<p><u>(3) The Commission may at Metro's request, approve an extension of time of up to two years to allow Metro to prepare an updated scenario in coordination with other related plan updates</u></p>	<p><u>Adds provision allowing extension of up to 2 years for update.</u></p>

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