

# PROPOSED RULE AMENDMENTS AND NEW RULES

August 1, 2012

## DIVISION 44

### METROPOLITAN GREENHOUSE GAS REDUCTION TARGETS AND PORTLAND METROPOLITAN AREA SCENARIO PLANNING

660-044-0000

#### Purpose

- (1) This division implements provisions of section 37 (6), chapter 865, Oregon Laws 2009, and section 5 (1), chapter 85, Oregon Laws 2010, that direct the Land Conservation and Development Commission (“commission”) to adopt rules setting targets for reducing greenhouse gas emissions from light vehicle travel for each of the state’s metropolitan areas for the year 2035 to aid in meeting the state goal in ORS 468A.205 to reduce the state’s greenhouse gas emissions in 2050 to 75 percent below 1990 levels.
- (2) **This division also 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. 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. The requirements set forth in this division for scenario planning apply only to the Portland metropolitan area. Nothing in this division is intended to require scenario planning be conducted by other metropolitan areas, or provide for commission or department review or approval of scenario plans developed or adopted by other metropolitan areas. While a preferred scenario may include assumptions about state or federal policies, programs or actions that would be put in place to reduce greenhouse gas emissions, nothing in this division or commission approval of a preferred scenario is intended to grant authority to the commission, Metro or local governments to approve or require implementation of those policies, programs or actions.**
- (3) ~~(2)~~The targets in this division provide guidance to local governments in metropolitan areas on the level of reduction in greenhouse gas emissions to achieve as they conduct land use and transportation scenario planning. Land use and transportation scenario planning to meet the targets in this division is required of the Portland metropolitan area and is encouraged, but not required, in other metropolitan areas. Success in developing scenarios that meet the targets will depend in large part on the state funding for scenario planning; on the state developing strategies and actions that reduce greenhouse gas emissions from light vehicle travel within metropolitan areas; and on state and local governments jointly and actively engaging the public on the costs and benefits of reducing greenhouse gas emissions.
- (4) ~~(3)~~Land use and transportation scenario planning is intended to be a means for local governments in metropolitan areas to explore ways that urban development patterns and transportation systems would need to be changed to achieve significant reductions in greenhouse gas emissions from light vehicle travel. Scenario planning is a means to address benefits and costs of different actions to accomplish reductions in ways that allow communities to assess how to meet other important needs, including accommodating economic development and housing needs, expanding transportation options and reducing transportation costs.

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- 1 (5) ~~(4)~~The expected result of land use and transportation scenario planning is information on  
2 the extent of changes to land use patterns and transportation systems in metropolitan areas  
3 needed to significantly reduce greenhouse gas emissions from light vehicle travel in  
4 metropolitan areas, including information about the benefits and costs of achieving those  
5 reductions. The results of land use and transportation scenario planning are expected to  
6 inform local governments as they update their comprehensive plans, and to inform the  
7 legislature, state agencies and the public as the state develops and implements an overall  
8 strategy to meet state goals to reduce greenhouse gas emissions.
- 9 (6) ~~(5)~~The greenhouse gas emissions reduction targets in this division are intended to guide an  
10 initial round of land use and transportation scenario planning over the next two to four  
11 years. The targets are based on available information and current estimates about key  
12 factors, including improvements in vehicle technologies and fuels. Pursuant to  
13 OAR 660-044-0035, the commission shall review the targets by June 1, 2015, based on the  
14 results of scenario planning, and updated information about expected changes in vehicle  
15 technologies and fuels, state policies and other factors.
- 16 (7) ~~(6)~~Success in meeting the targets will require a combination of local, regional and state  
17 actions. State actions include not only improvements in vehicle technology and fuels, but  
18 also other statewide efforts to reduce greenhouse gas emissions from light vehicle travel.  
19 These efforts—which are programs and actions to be implemented at the state level—are  
20 currently under review by the Oregon Department of Transportation as part of its Statewide  
21 Transportation Strategy to reduce greenhouse gas emissions. As metropolitan areas develop  
22 scenario plans to reduce greenhouse gas emissions and compare them to the targets in this  
23 division, it is incumbent that metropolitan areas and the state work as partners, with a shared  
24 responsibility of determining how local and statewide actions and programs can reach the  
25 targets.
- 26 (8) ~~(7)~~Nothing in this division is intended to amend statewide planning goals or administrative  
27 rules adopted to implement statewide planning goals.

28 Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6) and (8); Chapter 85 Oregon  
29 Laws 2010 Special Session (Senate Bill 1059) §5

30 Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6) and (8); Chapter 85 Oregon Laws  
31 2010 Special Session (Senate Bill 1059) §5

32 Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

## 33 **660-044-0005**

### 34 **Definitions**

35 For the purposes of this division, the definitions in ORS 197.015 and the statewide planning  
36 goals apply. In addition, the following definitions shall apply:

- 37 (1) “1990 baseline emissions” means the estimate of greenhouse gas emissions from light  
38 vehicle travel in each metropolitan area for the year 1990, as presented by the Department  
39 of Environmental Quality and the Oregon Department of Energy included in the Agencies’  
40 Technical Report.
- 41 (2) “2005 emissions levels” means an estimate of greenhouse gas emissions from light vehicle  
42 travel in a metropolitan area for the year 2005.

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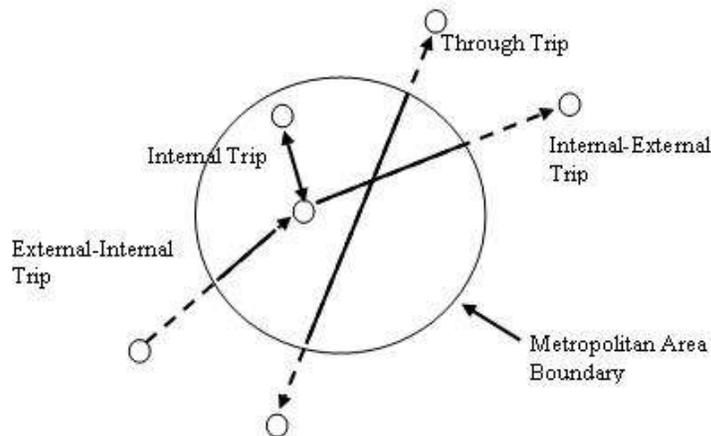
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- 1 (3) “2035 greenhouse gas emissions reduction goal” means the percentage reduction in  
2 greenhouse gas emissions from light vehicle travel in a metropolitan area needed by the  
3 year 2035 in order to meet the state goal of a 75 percent reduction in greenhouse gas  
4 emissions from 1990 levels by the year 2050 as recommended by the Department of  
5 Environmental Quality and the Oregon Department of Energy in the Agencies’ Technical  
6 Report.
- 7 (4) “Agencies’ Technical Report” means the report prepared by the Oregon Department of  
8 Transportation, the Department of Environmental Quality and the Oregon Department of  
9 Energy and submitted to the commission on March 1, 2011, that provides information and  
10 estimates about vehicle technologies and vehicle fleet to support adoption of greenhouse gas  
11 reduction targets as required by section 37 (7), chapter 865, Oregon Laws 2009, and  
12 section 5 (2), chapter 85, Oregon Laws 2010.
- 13 (5) **“Design type” means the conceptual areas described in the Metro 2040 Growth**  
14 **Concept text and map in Metro’s regional framework plan, including central city,**  
15 **regional centers, town centers, station communities, corridors, main streets,**  
16 **neighborhoods, industrial areas and employment areas.**
- 17 (6) **“Framework plan” or “regional framework plan” means the plan adopted by Metro**  
18 **pursuant to ORS 197.015(17).**
- 19 (7) **“Functional plan” or “regional functional plan” means an ordinance adopted by**  
20 **Metro to implement the regional framework plan through city and county**  
21 **comprehensive plans and land use regulations.**
- 22 (8) (5) “Greenhouse gas” means any gas that contributes to anthropogenic global warming  
23 including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons,  
24 perfluorocarbons and sulfur hexafluoride. ORS 468A.210(2). Greenhouse gases are  
25 generally measured in terms of CO<sub>2</sub> equivalents—CO<sub>2</sub>e—which means the quantity of a  
26 given greenhouse gas multiplied by a global warming potential factor provided in a state-  
27 approved emissions reporting protocol.
- 28 (9) (6) “Greenhouse gas emissions reduction target” or “target” means the percent reduction in  
29 greenhouse gas emissions from light vehicle travel within a metropolitan area from 2005  
30 emissions levels that is to be met by the year 2035 through scenario planning. Greenhouse  
31 gas emissions reduction targets are expressed as a percentage reduction in emissions per  
32 capita, *i.e.*, total emissions divided by the population of the metropolitan area. Targets  
33 represent additional reductions from 2005 emissions levels beyond reductions in vehicle  
34 emissions that are likely to result by 2035 from the use of improved vehicle technologies  
35 and fuels and changes to the vehicle fleet. When determining whether a scenario meets a  
36 target, the reduction per capita is to be calculated as a percentage of the emissions per capita  
37 assuming 2005 light vehicle travel per capita and 2035 baseline assumptions for light  
38 vehicle technologies, fuels and fleet as set forth in Tables 1 and 2 of OAR 660-044-0010.  
39 The combined effect of the baseline assumptions for light vehicle technologies, fuels and  
40 fleet from 1990 to 2035, estimated changes to light vehicle travel from 1990 to 2005, and  
41 scenario planning to meet targets from 2005 to 2035 is to meet the greenhouse gas  
42 emissions reduction goal from 1990 to 2035.

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- 1 (10) ~~(7)~~ “Greenhouse gas emissions reduction toolkit” means the toolkit prepared by the Oregon  
2 Department of Transportation and the department to assist local governments in developing  
3 and executing actions and programs to reduce greenhouse gas emissions from light vehicle  
4 travel in metropolitan areas as provided in section 4, chapter 85, Oregon Laws 2010.
- 5 (11) ~~(8)~~ “Land use and transportation scenario planning” means the preparation and evaluation by  
6 local governments of two or more land use and transportation scenarios and the cooperative  
7 selection of a preferred scenario that accommodates planned population and employment  
8 growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in  
9 the metropolitan area. Land use and transportation scenario planning may include  
10 preparation and evaluation of alternative scenarios that do not meet targets specified in this  
11 division.
- 12 (12) ~~(9)~~ “Light vehicles” means motor vehicles with a gross vehicle weight rating of 10,000  
13 pounds or less.
- 14 (13) ~~(10)~~ “Light vehicle travel within a metropolitan area” means trips made by light vehicles  
15 that begin and end within the same metropolitan planning area, and that portion of other  
16 trips made by light vehicles that occurs within the metropolitan planning area, including a  
17 portion of through trips (*i.e.*, trips that pass through the metropolitan planning area but do  
18 not begin or end there) and that portion within the metropolitan planning area of other light  
19 vehicle trips that begin or end within the metropolitan planning area. Trips and portions of  
20 trips that are within the metropolitan planning area are illustrated by solid lines as shown in  
21 Figure 1.



22  
23 **Figure 1. Light vehicle travel within a metropolitan area.** Circles indicate trip origins and  
24 destinations. Arrows indicate the direction of travel. Solid lines indicate the portion of each type of  
25 trip that is considered travel within a metropolitan area for purposes of this definition.

26 **(14) “Metro” means the metropolitan service district organized for the Portland**  
27 **metropolitan area under ORS chapter 268.**

28 (15) ~~(11)~~ “Metropolitan planning area” or “metropolitan area” means lands within the boundary  
29 of a metropolitan planning organization as of the effective date of this division.

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- 1 (16) ~~(12)~~“Metropolitan planning organization” means an organization located wholly within the  
2 State of Oregon and designated by the Governor to coordinate transportation planning in an  
3 urbanized area of the state pursuant to 49 U.S.C. 5303(c). ORS 197.629(7). Included are  
4 metropolitan planning organizations for the following areas: the Portland metropolitan area,  
5 the Bend metropolitan area, the Corvallis metropolitan area, the Eugene-Springfield  
6 metropolitan area, the Salem-Keizer metropolitan area and the Rogue Valley metropolitan  
7 area.
- 8 (17) **“Planning period” means the period of time over which the expected outcomes of a**  
9 **scenario plan estimated, measured from a base year, typically 2005, to a future year**  
10 **that corresponds with greenhouse gas emission targets set forth in this division.**
- 11 (18) **“Preferred land use and transportation scenario” means a generalized plan for the**  
12 **Portland metropolitan area adopted by Metro through amendments to the regional**  
13 **framework plan that achieves the targets for reducing greenhouse gas emissions set**  
14 **forth in OAR 660-044-0020 as provided in OAR 660-044-0040**
- 15 (19) ~~(13)~~“Scenario planning guidelines” means the guidelines established by the Oregon  
16 Department of Transportation and the department to assist local governments in conducting  
17 land use and transportation scenario planning to reduce greenhouse gas emissions from light  
18 vehicle travel in metropolitan areas as provided in section 3, chapter 85, Oregon Laws 2010.
- 19 (20) ~~(14)~~“Statewide Transportation Strategy” means the statewide strategy adopted by the  
20 Oregon Transportation Commission as part of the state transportation policy to aid in  
21 achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205 as  
22 provided in section 2, chapter 85, Oregon Laws 2010.

23 Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6) and (8); Chapter 85 Oregon  
24 Laws 2010 Special Session (Senate Bill 1059) §5

25 Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6) and (8); Chapter 85 Oregon Laws  
26 2010 Special Session (Senate Bill 1059) §5

27 Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

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**No amendments are proposed to the following rules in this division:**

**660-044-0010**  
**Target Setting Process and Considerations**

**660-044-0020**  
**Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area**

**660-044-0025**  
**Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas**

**660-044-0030**  
**Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions**

**660-044-0035**  
**Review and Evaluation of Greenhouse Gas Reduction Targets**

**660-044-0020**  
**Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area**

(The text of this rule is included for information only. No amendments are proposed to this rule.)

(1) Purpose and effect of targets

(a) Metro shall use the greenhouse gas emissions reduction targets set forth in section (3) of this rule as it develops two or more alternative land use and transportation scenarios that accommodate planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area as required by section 37 (6), chapter 865, Oregon Laws 2009.

(b) This rule does not require that Metro or local governments in the Portland metropolitan area select a preferred scenario or amend the Metro regional framework plan (as defined in ORS 197.015(16)), functional plans, comprehensive plans or land use regulations to meet targets set in this rule. Requirements for cooperative selection of a preferred land use and transportation scenario and for implementation of that scenario through amendments to comprehensive plans and land use regulations as required by section 37 (8), chapter 865, Oregon Laws 2009, shall be addressed through a separate rulemaking that the commission is required to complete by January 1, 2013.

(2) This rule applies to the Portland metropolitan area.

(3) The greenhouse gas emissions reduction target, as set forth in OAR 660-044-0005(6), for the Portland metropolitan area is a 20 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.

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- 1 (4) The greenhouse gas emissions reduction target in section (3) of this rule identifies the level  
2 of greenhouse gas emissions reduction to be met through land use and transportation  
3 scenario planning consistent with baseline assumptions and guidance in  
4 OAR 660-044-0010(2)(b)(A) to (C), including reductions expected to result from actions  
5 and programs identified in the Statewide Transportation Strategy.

6 Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws  
7 2010 Special Session (Senate Bill 1059) §5

8 Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010  
9 Special Session (Senate Bill 1059) §5

10 Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

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## 1 Proposed New Rules

2 660-044-0040

### 3 Cooperative Selection of a Preferred Scenario; Initial Adoption

- 4 (1) Metro shall by December 31, 2014, amend the regional framework plan and the  
5 regional growth concept to select and incorporate a preferred land use and  
6 transportation scenario that meets targets in OAR 660-044-0020 consistent with the  
7 requirements of this division.
- 8 (2) In preparing and selecting a preferred land use and transportation scenario Metro  
9 shall:
- 10
- 11 (a) Consult with affected local governments, the Port of Portland, TriMet, and the  
12 Oregon Department of Transportation;
- 13 (b) Consider adopted comprehensive plans and local aspirations for growth in  
14 developing and selecting a preferred land use and transportation scenario;
- 15 (c) Use assumptions about population, housing and employment growth consistent  
16 with the coordinated population and employment projections for the  
17 metropolitan area for the planning period;
- 18 (d) Use evaluation methods and analysis tools for estimating greenhouse gas  
19 emissions that are:
- 20 (A) Consistent with the provisions of this division;
- 21 (B) Reflect best available information and practices; and,
- 22 (C) Coordinated with the Oregon Department of Transportation.
- 23 (e) Make assumptions about state and federal policies and programs expected to be  
24 in effect in over the planning period, including the Statewide Transportation  
25 Strategy, in coordination with the responsible state agencies;
- 26 (f) Evaluate a reference case scenario that reflects implementation of existing  
27 adopted comprehensive plans and transportation plans;
- 28 (g) Evaluate at least two alternative land use and transportation scenarios for  
29 meeting greenhouse gas reduction targets and identify types of amendments to  
30 comprehensive plans and land use regulations likely to be necessary to  
31 implement each alternative scenario;
- 32 (h) Develop and apply evaluation criteria that assess how alternative land use and  
33 transportation scenarios compare with the reference case in achieving  
34 important regional goals or outcomes;
- 35 (i) If the preferred scenario relies on new investments or funding sources to  
36 achieve the target, evaluate the feasibility of the investments or funding sources  
37 including:
- 38 (A) a general estimate of the amount of additional funding needed;
- 39 (B) identification of potential/likely funding mechanisms for key actions,  
40 including local or regional funding mechanisms; and,
- 41 (C) coordination of estimates of potential state and federal funding sources  
42 with relevant state agencies (i.e. the Oregon Department of  
43 Transportation for transportation funding); and,

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- 1                    **(D) Consider effects of alternative scenarios on development and travel**  
2                    **patterns in the surrounding area (i.e. whether proposed policies will**  
3                    **cause change in development or increased light vehicle travel between**  
4                    **metropolitan area and surrounding communities compared to reference**  
5                    **case)**
- 6 **(3) The preferred land use and transportation scenario shall include:**
- 7                    **(a) A description of the land use and transportation growth concept providing for**  
8                    **land use design types;**
- 9                    **(b) A concept map showing the land use design types;**
- 10                   **(c) Policies and strategies intended to achieve the target reductions in greenhouse**  
11                   **gas emissions in OAR 660-044-0020;**
- 12                   **(d) Planning assumptions upon which the preferred scenario relies including:**
- 13                            **(A) assumptions about state and federal policies, programs;**
- 14                            **(B) assumptions about vehicle technology, fleet or fuels, if those are different**  
15                            **than those provided in OAR 660-044-0010;**
- 16                            **(C) assumptions or estimates of expected housing and employment growth by**  
17                            **jurisdiction and land use design type; and**
- 18                            **(D) assumptions about proposed regional programs or actions other than**  
19                            **those that set requirements for city and county comprehensive plans and**  
20                            **land use regulations, such as investments and incentives.**
- 21 **(e) Performance measures and targets to monitor and guide implementation of the**  
22 **preferred scenario. Performance measures and targets shall be related to key**  
23 **elements, actions and expected outcomes from the preferred scenario. The**  
24 **performance measures shall include performance measures adopted to meet**  
25 **requirements of OAR 660-012-0035(5).**
- 26 **(f) Recommendations for state or federal policies or actions to support the preferred**  
27 **scenario.**
- 28 **(4) When amending the regional framework plan, Metro shall adopt findings**  
29 **demonstrating that implementation of the preferred land use and transportation**  
30 **scenario meets the requirements of this division and can reasonably be expected to**  
31 **achieve the greenhouse gas emission reductions as set forth in the target in OAR 660-**  
32 **044-0020. Metro's findings shall:**
- 33                    **(a) Demonstrate Metro's process for cooperative selection of a preferred**  
34                    **alternative meets the requirements in (2)(a)-(j);**
- 35                    **(b) Explain how the expected pattern of land use development in combination with**  
36                    **land use and transportation policies, programs, actions set forth in the**  
37                    **preferred scenario will result in levels of greenhouse gas emissions from light**  
38                    **vehicle travel that achieve the target in 660-044-0020;**
- 39                    **(c) Explain how the framework plan amendments are consistent with and adequate**  
40                    **to carry out the preferred scenario, and are consistent with other provisions of**  
41                    **the Regional Framework Plan; and,**
- 42                    **(d) Explain how the preferred scenario is or will be made consistent with other**  
43                    **applicable statewide planning goals or rules.**
- 44 **(5) Guidance on evaluation criteria and performance measures.**
- 45                    **(a) The purpose of evaluation criteria referred to in subsection (2)(h) is to**  
46                    **encourage Metro to select a preferred scenario that achieves greenhouse gas**  
47                    **emissions reductions in a way that maximizes attainment of other community**

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1 goals and benefits. This rule does not require the use of specific evaluation  
2 criteria. The following are examples of categories of evaluation criteria that  
3 Metro might use:

- 4 (A) Public health;
- 5 (B) Air quality;
- 6 (C) Household spending on energy or transportation;
- 7 (D) Implementation costs;
- 8 (E) Economic development;
- 9 (F) Access to parks and open space; and,
- 10 (G) Equity

11 (b) The purpose of performance measures and targets referred to in subsection  
12 (3)(e) is to enable Metro and area local governments to monitor and assess  
13 whether key elements or actions that make up the preferred scenario are being  
14 implemented, and whether the preferred scenario is achieving the expected  
15 outcomes. This rule does not establish or require use of particular  
16 performance measures or targets. The following are examples of types of  
17 performance measures that Metro might establish:

- 18 (A) Transit service revenue hours;
- 19 (B) Mode share;
- 20 (C) People per acre by 2040 Growth Concept design type;
- 21 (D) Percent of workforce participating in employee commute options  
22 programs; and,
- 23 (E) Percent of households and jobs within one quarter mile of transit

24  
25 Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

26 Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

27 Hist.:

28  
29 **OAR 660-044-0045**

## 30 Adoption of Regional Plans to Implement the Preferred Scenario

- 31 (1) Within one year of the commission's approval of Metro's amendments to the regional  
32 framework plan to select and incorporate a preferred land use and transportation  
33 scenario, Metro shall adopt or amend regional functional plans to implement the  
34 framework plan amendments.
- 35 (2) The regional functional plans or amendments shall set requirements, deadlines and  
36 compliance procedures for local comprehensive plans, including for amendments to  
37 local comprehensive and local transportation system plans needed to carry out the  
38 framework plan amendments. The functional plan amendments shall require that  
39 affected cities and counties adopt implementing amendments to comprehensive plans  
40 and land use regulations within two years of acknowledgement of Metro's functional  
41 plan amendments or by a later date specified in the adopted functional plan.
- 42 (3) The regional functional plans or amendments shall require local governments to  
43 amend local comprehensive plans, transportation system plans and land use  
44 regulations to:
  - 45 (a) Use population, housing and employment allocations to specific areas and land use  
46 design types that are consistent with estimates in framework plan including  
47 assumptions about densities, infill, and redevelopment;

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- 1 (b) Apply comprehensive plan designations and zoning districts that are consistent with  
2 land use design type, including allowing uses and densities that are consistent with  
3 land use design type; and limiting uses that would be incompatible with the design  
4 type specified in the preferred scenario; and,  
5 (c) Include other provisions needed to implement the amended framework plan.  
6

7 (4) As part of its adoption, Metro shall adopt findings which demonstrate that actions  
8 required by functional plans or amendments are consistent with and adequate to carry  
9 out the relevant portions of the preferred land use and transportation scenario set  
10 forth in the adopted framework plan amendments. The findings shall demonstrate  
11 that assumptions or allocations of housing and employment growth to specific areas  
12 are consistent with the estimates or assumptions in the framework plan amendments.  
13 In the event Metro's allocations or assumptions vary from those upon which the  
14 framework plan amendments are based, Metro shall demonstrate that the revised  
15 assumptions or allocations, in combination with other measures adopted to as part of  
16 the functional plans or amendments will meet the GHG reduction target in OAR 660-  
17 044-0020.

18 (5) Those portions of the preferred scenario in the framework plan that Metro chooses to  
19 implement by setting requirements for city and county comprehensive plans and land  
20 use regulations shall be set forth in amendments to the appropriate functional plan.  
21 The amendments shall meet the following minimum planning standards:

22 (a) The Council shall follow the process set forth in the Metro Charter for adoption of  
23 amendments to the Regional Framework Plan;

24 (b) To adopt or amend a functional plan, the Council shall follow the process set forth in  
25 the Metro Charter for adoption of ordinances;

26 (c) The Council shall strive for flexibility when establishing new requirements for cities  
27 and counties, and shall consider offering optional compliance paths to cities and  
28 counties, such as adoption of a model ordinance developed by Metro;

29 (d) Amendments to a functional plan that establish new requirements for cities and  
30 counties shall be made enforceable in the functional plan pursuant to ORS  
31 268.390(6);

32 (6) When it adopts an updated regional transportation system plan required by required  
33 by OAR 660-012, Metro shall demonstrate that the updated plan is consistent with  
34 framework plan amendments adopting a preferred scenario as provided in (3) above.

35  
36 Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

37 Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

## 39 OAR 660-044-0050

### 40 Commission Review of Regional Plans

41 (1) The commission shall review Metro's framework plan amendments adopting a  
42 preferred land use and transportation scenario and amendments to functional plans to

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1 implement the framework plan amendments in the manner provided for periodic  
2 review under ORS 197.628 to 197.650.

3 (2) The commission's review of framework plan amendments adopting a preferred land use  
4 and transportation scenario shall determine whether the preferred scenario can  
5 reasonably be expected to achieve greenhouse gas emission reductions as set forth in  
6 the targets in OAR 660-044-0020, other requirements of this division, and any  
7 applicable statewide planning goals.

8 (3) The commission's review of amendments to functional plans shall determine whether  
9 the adopted functional plans are consistent with and adequate to carry out relevant  
10 portions of the framework plan amendments.

11 (4) The commission may conduct review of Metro's framework plan amendments  
12 adopting a preferred scenario in conjunction with review of a UGB update or an  
13 update to the regional transportation system plan.

14  
15 Stat. Auth.: ORS 197.040; ORS 197.274(2); Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)  
16 Stats. Implemented: ORS 197.274(2); Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

## 20 OAR 660-044-0055

### 21 Adoption of Local Plans to Implement the Preferred Scenario

22 (1) Local governments shall amend comprehensive plans, and use regulations, and  
23 transportation system plans to be consistent with and implement relevant portions of  
24 the preferred land use and transportation scenario as set forth in Metro's functional  
25 plans or amendments. "Consistent" for the purpose of this section means city and  
26 county comprehensive plans and implementing ordinances, on the whole, conforms  
27 with the purposes of the performance standards in the functional plan and any failure  
28 to meet individual performance standard requirements is technical or minor in  
29 nature.

30 (2) Beginning one year from Metro's adoption of a preferred scenario, local governments  
31 shall, in adopting an amendment to a comprehensive plan or transportation system  
32 plan, other than a comprehensive plan or transportation system plan update or  
33 amendment to implement the preferred scenario, demonstrate that the proposed  
34 amendment is consistent with the preferred land use and transportation scenario.

35 Stat. Auth.: ORS 197.040; ORS 197.274(2); Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)  
36 Stats. Implemented: ORS 197.274(2); Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)

## 39 OAR 660-044-0060

### 40 Monitoring

41 (1) Metro shall as part of reports required by ORS 197.301 prepare a report monitoring  
42 progress in implementing the preferred scenario including status of performance  
43 measures and performance targets adopted as part of the preferred scenario.  
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# PROPOSED RULE AMENDMENTS AND NEW RULES

August 1, 2012

- 1 (2) **Metro's report shall assess whether the region is making satisfactory progress in**  
2 **implementing the preferred scenario; identify reasons for lack of progress, and identify**  
3 **possible corrective actions to make satisfactory progress.**  
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- 5 (3) **The commission shall review the report and shall either find Metro is making**  
6 **satisfactory progress or provide recommendations for corrective actions to be**  
7 **considered or implemented by Metro prior to or as part of the next scheduled update**  
8 **of the preferred scenario.**  
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11 Stat. Auth.: ORS 197.040; ORS 197.301; ORS 197.274(2); Chapter 865 Oregon Laws 2009 (House Bill 2001)  
12 §37(8)

13 Stats. Implemented: ORS 197.301, Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(8)  
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