4-10-1997

Meeting Notes 1997-04-10

Joint Policy Advisory Committee on Transportation
Meeting: JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

Date: APRIL 10, 1997

Day: THURSDAY

Time: 7:30 a.m.

Place: METRO, CONFERENCE ROOM 370A-B

*1. MEETING REPORT OF MARCH 13, 1997 - APPROVAL REQUESTED.

*2. LETTER TO LCDC REGARDING EVALUATION OF TRANSPORTATION PLANNING RULE IMPLEMENTATION - APPROVAL OF COMMENTS - Andy Cotugno.

*3. RESOLUTION NO. 97-2487 - RECOMMENDING A DEVELOPMENT PROGRAM FOR ADOPTION BY THE OREGON TRANSPORTATION COMMISSION IN THE FY 98 THROUGH 2001 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) - APPROVAL REQUESTED - Andy Cotugno.

*4. DISCUSSION OF '97 LEGISLATIVE PRIORITIES - INFORMATIONAL - Andy Cotugno.

5. INTERSTATE BRIDGE CLOSURE - Gerry Smith.

6. MID-WILLAMETTE VALLEY AREA COMMISSION ON TRANSPORTATION (MWACT) - Andy Cotugno.

*Material enclosed.
DATE OF MEETING: March 13, 1997

GROUP/SUBJECT: Joint Policy Advisory Committee on Transportation (JPACT)

PERSONS ATTENDING: Members: Chair Jon Kvistad and Ed Washington, Metro Council; Charlie Hales, City of Portland; Ed Lindquist, Clackamas County; David Yaden (alt.), Tri-Met; Jim Kight, Cities in Multnomah County; Craig Lomnicki, Cities in Clackamas County; Grace Crunican, ODOT; Dave Lohman (alt.), Port of Portland; Tanya Collier, Multnomah County; Dean Lookingbill (alt.), Southwest Washington RTC; Lou Ogden (alt.), Cities of Washington County; Roy Rogers, Washington County; and Mary Legry (alt.), WSDOT

Guests: Don Wagner (JPACT alt.) and Dave Williams, ODOT; Jim Howell, AORTA; Howard Harris, DEQ; Rosemary Trudeau, CPO 12; Doug Longhurst, Pacific University; Ivan Burnett, City of Forest Grove; John Magnano, WSDOT; Lisa Naito (JPACT alt.), Metro; Steve Dotterrer, Elsa Coleman, Steve Dotterrer, Marc Zolton and Mark Lear, City of Portland; Susie Lahsene, Port of Portland; Scott Rice, City of Cornelius; Karl Mawson, City of Forest Grove; Peter Fry, Central Eastside Industrial Council; John Rist and Rod Sandoz, Clackamas County; John Rosenberger, Washington County; Dick Feeney, Bernie Bottomly and G.B. Arrington, Tri-Met; Xavier Falconi, TVEDC; Mayor Drake, City of Beaverton (JPACT member); Richard Ross, City of Gresham; and Phil Donovan, Office of Congressman Blumenauer

Staff: Andy Cotugno, Mike Hoglund, Pamela Peck and Lois Kaplan, Secretary

MEDIA: Gordon Oliver, The Oregonian

SUMMARY:

The meeting was called to order and a quorum declared by Chair Jon Kvistad.
MEETING REPORT

Commissioner Rogers moved, seconded by Commissioner Lindquist, to approve the February 13, 1997 JPACT meeting report as submitted. The motion PASSED unanimously.

TRIBUTE TO DICK WAKER

Chair Kvistad noted the recent passing of former JPACT Chair and Metro Presiding Officer, Dick Waker. He acknowledged that Metro and JPACT will be missing a good friend of the region.

RESOLUTION NO. 97-2467 - AMENDING THE MTIP AND ADOPTING A JOINT METRO/ODOT REGION 1 RECOMMENDATION TO THE OREGON TRANSPORTATION COMMISSION TO ALLOCATE ANTICIPATED FY 1998-2001 STATE MODERNIZATION AND REGIONAL FLEXIBLE FUNDS

Andy Cotugno explained that this resolution represents a major step in the process toward approving the Metro Transportation Improvement Program (MTIP) and State Transportation Improvement Program (STIP). Back in September, a public meeting was held followed by release of a draft program for public comment. A series of four public meetings were held in the Portland metropolitan region in February. March 11 concluded the public comment period.

This year, the MTIP/STIP process was conducted as a joint effort with ODOT. ODOT also held public hearings throughout the state outside the metro area. Andy reported that 360 comments were received, 296 of which were in support of the Highway 47 project.

Andy then reviewed the Staff Report/Resolution that would amend the MTIP and adopt a joint Metro/ODOT Region 1 recommendation for allocation of the FY 1998-2001 state Modernization and Regional Flex Program funds. Also reviewed were the "friendly amendments" proposed by TPAC at its February 28 meeting.

Andy explained that the ODOT/Metro objective was to maintain current commitments; to acknowledge already allocated Flex funds that will spill over into FY 98; and allocate a portion of the Flex Program to fully fund previously funded projects in ODOT's Modernization program.

It was noted that Resolves 5 (relating to allocation of "urban" area projects before programming of "rural" area projects) and 6 (relating to "Safety and Bridge" program funding) are subject to approval of the Oregon Transportation Commission (OTC).
Exhibit A to the resolution identifies the state's FY 98-01 Modernization projects and the regional Flex projects, which are comprised of Regional STP, CMAQ and Transportation Enhancement funds. Exhibit B reflects the Flex Fund recommendation for new projects for FY 98-2001.

A document and addendum of public comments received on the MTIP/STIP was distributed at the meeting.

Action Taken: Commissioner Hales moved, seconded by Dave Yaden, to recommend approval of Resolution No. 97-2467, amending the MTIP and adopting a joint Metro/ODOT Region 1 recommendation to the Oregon Transportation Commission to allocate anticipated FY 1998-2001 state Modernization and Regional Flexible funds.

In discussion, Doug Longhurst of Pacific University thanked Metro staff and the Metro Council Transportation Planning Committee for its efforts on behalf of the Highway 47 project. He distributed an open letter from the residents, businesses, organizations and public and private institutions of Forest Grove in support of the Highway 47 truck route bypass project as a regional transportation priority.

Commissioner Collier expressed Multnomah County’s appreciation for committee and staff support of the Hawthorne Bridge sidewalks, enabling them to undertake several improvements relating to cables, decks and painting. A discussion followed on the bridge color scheme. Commissioner Collier reported that five artists were enlisted to view the Hawthorne Bridge in all kinds of weather and light in order to select the right colors, which resulted in green, rust and black.

Dave Lohman commented that the inclusion of preliminary engineering funds for freight mobility projects is the third allocation the Port has received. It represents about 7 percent of the total allocation. He noted that funding in the pipeline for freight mobility has been limited even though freight mobility forms the basis for international trade. He urged the committee to be supportive of such considerations in the future.

In calling for the question, the motion PASSED unanimously.

RESOLUTION NO. 97-2464 – APPROVING THE FY 1998 UNIFIED WORK PROGRAM

Andy Cotugno explained that the FY 1998 Unified Work Program includes all federally-funded local projects of regional significance.
Action Taken: Councilor Washington moved, seconded by Commissioner Lindquist, to recommend approval of Resolution No. 97-2464, approving the FY 1998 Unified Work Program. The motion PASSED unanimously.

WASHINGTON, D.C. RECAP

Andy Cotugno felt that Metro area representatives experienced a strong sense of support for ISTEA and light rail by the Oregon delegation on their recent trip to Washington, D.C. He noted that meetings were held with the entire Metro area delegation, highlighting their responses and the region's impact coming from a position of unanimity. Andy reported a surprising endorsement by Congressman Rahall and Shuster at the Transportation and Infrastructure ISTEA hearing, with comments indicating that the South/North project would be a hallmark project.

Andy also reported on Congresswoman Furse's contact with the Senate Appropriations Committee and Congressman Blumenauer being appointed to the Transportation and Infrastructure Committee.

A meeting was held with FTA, indicating there is $5.7 billion in the six-year authorization bill. $3.7 billion has already been committed, leaving a balance of $2.0 billion for allocation.

In summary, Andy concluded that the South/North light rail project is moving forward and viewed positively.

Commissioner Hales thanked Andy Cotugno for his support. He cited the importance of everyone from the region being prepared. Success of the trip resulted from the Congressional delegation being of one accord; the region and the MPO being in consensus on projects; and the connection between land use and transportation being emphasized. He expressed initial concern in that Senator Hatfield was no longer on the scene but felt that there was no political backlash against previous Portland area light rail allocation because of the way the Senator had conducted himself throughout his career. He commented that the region owes Senator Hatfield a debt of gratitude.

Commissioner Lindquist reported that there are new team players that are in full support of the projects.

Councilor Washington publicly thanked Councilor Naito who, at the last minute, substituted for him on the Washington, D.C. trip in light of his family emergency. He shared the enthusiasm of the teamwork demonstrated by the Congressional delegation and thanked Metro staff for their preparation for the trip.
Mayor Ogden, attending his first JPACT meeting as alternate for the cities of Washington County, commented that he had recently met with the entire Oregon delegation, with the exception of Congresswoman Purse and Congressman DeFazio, who expressed support for full authorization of ISTEA as committed to in its present form. Also discussed were efforts to maintain our statewide interests for Amtrak.

Dick Feeney, Executive Director of Governmental Affairs at Tri-Met, felt that the group representing the region was more focused than ever before and was received exceptionally well by the Oregon delegation. He reported on the $5.7 billion allocation for transit over a period of six years rather than five years. He indicated that there was some indecision about whether the Transportation Loan Program can be paid back through federal formula funds.

Chair Kvistad noted that he also met with Senators Gorton and Murray from the Washington delegation on the issue of rail when he was back in Washington, D.C and had been well received.

**TRANSIT CHOICES FOR LIVABILITY**

Dave Yaden, Tri-Met’s Executive Director of Policy and Planning, reported that the first phase of the Transit Choices for Livability project has been completed and the Regional Advisory Committee has published its report. Copies of the document were distributed at the meeting.

G.B. Arrington, Tri-Met’s Director of Strategic Planning, spoke of the need for more transit in the suburbs but to provide it in a different way. The committee addressed the mobility and growth management goals of the Regional Centers of Hillsboro, Gresham, Beaverton and Oregon City in order to respond to their traffic needs.

The Tri-Met Board will be asked for $2 million to implement two pilot projects in September. G.B. reported that four community workshops will be held in the Metro area to engage the public in discussion on the pilot projects. They are scheduled as follows:

- **Wednesday, April 2**
  7:00 p.m.
  Gresham City Hall

- **Thursday, April 3**
  7:00 p.m.
  Carnegie Center, Oregon City
Monday, April 7
7:00 p.m.
Hillsboro City Hall

Tuesday, April 8
7:00 p.m.
Beaverton City Hall

Key findings of the Regional Advisory Committee resulted in the need to address suburban transit service now; a different approach in transit tailored to the suburban community travel needs; the need for public/private partnerships to provide a more cost-effective service; strengthening the transit/land use connection; and seeking additional funds for transit.

Tri-Met will strive to get community ownership for those services tailored to the suburban community. Strategies have been identified which include use of a smaller, suburban bus and projects that have a high partnership stemming from either employers or marketing of those projects.

G.B. reported that they're on an aggressive schedule.

Commissioner Hales felt that Tri-Met's effort will result in added value to the transportation system. He noted that everyone seems to be supportive of the light rail extension to the airport.

Chair Kvistad thanked Tri-Met for its effort and was happy that the issue of suburban transit was being addressed.

SMITHSONIAN EXHIBIT

Chair Kvistad asked if a request could be forwarded to the Tri-Met Board for bus accommodations to America's Smithsonian exhibit scheduled at the Portland Expo Center in April. Dave Yaden indicated he would forward the request.

LEGISLATIVE ISSUES

Discussion was held on the legislative proposal for a 10-cent gas tax increase along with a $20.00/year vehicle registration fee increase. The first 6 cents of the gas tax increase would go to operations, maintenance and preservation with the remainder allocated for capital through the proposed Livability and Economic Opportunity (LEO) Fund.

Comments included the fact that there is a lot of activity going on with the trucking community and significant shifts of cost
responsibility at issue. The Association of Oregon Counties (AOC) have proposed a $10.00 vehicle registration fee add-on in the four urban counties. In addition, the coalition of county representatives is proposing a second package for legislative consideration that would address "special needs" in the small cities and small counties.

Grace Crunican asked whether JPACT has taken a position on this matter. Commissioner Rogers indicated that it has not been considered by JPACT but has been considered by Clackamas, Washington and Multnomah Counties. He spoke of the need for a better formula based on the growth the counties have encountered. He also noted that it hasn’t addressed the Multnomah County bridge problems as well. He noted that the tri-county area cannot survive and implement Region 2040 with the allocation/distribution as currently proposed.

It was noted that Senate Bill 100 included no change in the formula at a time when land use compliance must be addressed. The counties feel the current funding formula is geared for rural counties. There is no recognition in the formula relating to urban counties’ need to meet state mandates in order to make the densities work and take care of the urban problems.

Commissioner Rogers asked for ODOT assistance in addressing the problem. He noted that the standards in the county are the same as those for roadways located within the city.

Mayor Lomnicki, Chair of the League of Oregon Cities Transportation Committee, noted that he has been in discussion with the state on the Oregon Transportation Initiative. He thought the AOC understood that the new 50/30/20 formula takes into account giving more dollars to the counties by recognizing those roads that are on the urban systems.

A discussion followed on the differences in the formula allocation between cities and counties. Mayor Lomnicki indicated that the concern is over funds that have not yet been secured. He expressed concern that there is a difference of opinion so late in the process. He spoke of the split between counties and cities and the need to recognize the importance of net benefit. Issues raised were whether this is the proper direction for those funds as a region and whether it diminishes the capacity for us as a region. The region’s priority is for an arterial improvement program funded regionally and balanced against the Oregon Transportation Initiative.

Commissioner Hales reported that the City of Portland has established three issues to be addressed by the Legislature:
1) a responsible response to Ballot Measure 47; 2) real improvement in school funding; and 3) real improvement in transportation funding. He felt a 10-cent gas tax increase is enough to make a difference. He cited the importance of communicating which projects we wish to support with revenue based upon passage of a gas tax increase.

A discussion followed on whether the counties will receive enough through the existing formula and increase to be effective. Commissioner Hales felt the proposal is within bounds.

Commissioner Collier expressed support of the proposed surcharge, hoped the Legislature would also be supportive, and did not feel it would interrupt the Arterial Program. She noted that densities are not an issue in Multnomah County but that bridges pose a problem.

Grace Crunican indicated that part of the counties' proposal is not to go along with the Governor's proposal for the OTI. She noted that the OTI proposes two funds: one for operations and maintenance and one for capital. The counties want to keep their capital funds. A discussion followed on public process and competition at the regional level. Grace indicated she would be more supportive of the AOC proposal if the $10.00 were put into a regional Arterial Fund. By sending the funds directly to the counties, the benefit of discussion is lost and it lacks competition at the JPACT table.

Dave Lohman noted that he supported Grace's concerns. The Port wants to support county projects that provide freight mobility. If it becomes county-isolated funding, he felt that flexibility would be limited.

Chair Kvistad spoke of JPACT's role as a facilitator, regional coordinator and communicator and the need for a team effort. He suggested that a memo be drafted for consideration at the next JPACT meeting. He also cited the need to be supportive of a regional and state package. He felt the counties should coordinate with ODOT and the cities prior to allocation of funds. He indicated he would work with Councilor Washington and Andy Cotugno to provide an overview of the components of the add-on proposal, its purpose, its impacts, and how JPACT can be supportive.

Mayor Lomnicki indicated the House Transportation Committee meeting is scheduled for the week of March 17. This proposal has not been discussed by the JPACT Finance Committee.
Commissioner Collier didn't want to hurt the state's proposal but felt a plan could be developed for the best use of the $10.00 add-on funds.

**Action Taken:** There was committee consensus to schedule a JPACT Finance Committee meeting on Tuesday, March 18, at 8:00 a.m. to discuss the add-on legislative proposal, providing the committee with available information. Commissioner Hales volunteered to work with Andy Cotugno in providing materials on the STIP relating to the $10.00 surcharge. Commissioner Washington asked that Councilor Naito, Chair of Metro's Governmental Affairs Committee, also be included. Councilor Naito indicated that she would be happy to work with the JPACT Finance Committee, citing the importance of resolving the issue as soon as possible.

It was noted that there are no representatives on the JPACT Finance Committee from the cities of each county. Commissioner Lindquist cautioned the committee in not losing sight of the regional impact.

**ADJOURNMENT**

There being no further business, the meeting was adjourned.

**REPORT WRITTEN BY:** Lois Kaplan

**COPIES TO:** Mike Burton  
JPACT Members
April 24, 1997

Mr. William Blosser, Chair
Land Conservation and Development Commission
1175 Court Street Northeast
Salem, Oregon 97310-0590

Dear Mr. Blosser:

This letter is in response to the Commission's Transportation Planning Rule evaluation report. Metro's Joint Policy Advisory Committee on Transportation (JPACT), Metro Policy Advisory Committee (MPAC) and the Metro Council have reviewed the draft recommendations prepared by your consultant on possible changes to the rule. The following comments are submitted for your consideration:

**Broader Mission of the TPR**

The consultant's review of the TPR focuses on the specific requirements for local governments to achieve per capita reductions in vehicle miles traveled (VMT) and parking spaces. The consultant has provided a number of findings on both of these quantitative measures. Specific comments on their findings are included in this letter.

Metro and its partners urge you to expand your review to consider the broader context of these measures as they relate to the overall mission of the TPR. We believe that Section 660.12.035(7) envisions a broader review when it directs the Commission to evaluate "...the results of efforts to achieve the [parking and VMT/capita] reductions." In this context, we believe that the Commission should define "results" as the effectiveness of the measures in helping local governments to plan for compact, multi-modal and more livable communities. In the Portland region, the 2040 Growth Concept began this effort; the Urban Growth Management Functional Plan has begun implementation; and we are continuing to use these measures and others to develop the transportation element of the Regional Framework Plan.

We therefore conclude that it is premature to revise the current standards, as recommended in the draft report to the Commission. Instead, we propose that the LCDC adopt new language that better defines the role of these measures in acknowledging local transportation plans. The new compliance language should be molded around a principle of good faith, with recognition of the extensive effort that the Portland region has made toward both the letter and intent of the TPR. We believe that, when the Commission evaluates the transportation element of the Regional Framework Plan, the Regional Transportation Plan (RTP) and local transportation system plans, acknowledgment should be based upon our best effort to meet the intent of the TPR while balancing competing land use and transportation goals to build more livable communities.

Instead, the draft recommendations proposed in the consultant's report are narrowly focused on standards and punitive measures that would not necessarily reflect the broader philosophical intent of
the TPR. We propose that the Commission delay a change to the VMT and parking requirements until (1) Metro has completed the Regional Framework Plan and (2) local governments in the Portland region have adopted local plan amendments that implement the Urban Growth Management Functional Plan (UGMFP).

The consultant has recommended changes in the rule that are heavily based on planning efforts in other metropolitan planning areas (MPOs) in the state. However, Metro staff have also met with representatives of other MPOs, and all MPOs question some of the consultant's conclusions about the ability of these areas to meet the current requirements of the rule. Because the other MPOs encompass a comparatively small number of municipalities and counties, we believe that more active land use alternatives might be possible in these areas. Though they may lack the land use authority that Metro possesses in the Portland region, our region includes the complexity of 27 separate cities and counties. Other MPOs may include only three or four jurisdictions. The draft report does not fully consider these differences, and how other MPOs could better meet both the letter and intent of the TPR in building a more compact urban form.

In general, the draft report fails to fully consider land use efforts that have been, or could be, made to meet the intent of the TPR. This is reflected by a cursory review of land use strategies made by other MPOs and erroneous conclusions about Metro's Region 2040 findings. Based on mistaken VMT/capita reduction statistics that were half the actual amount that was demonstrated for the Portland region in the 2040 effort, the consultant seems to conclude that land use strategies will not make a meaningful contribution to VMT/capita reduction. In fact, the bulk of the 10.8 percent VMT/capita reduction demonstrated in the Region 2040 project was a result of closely coordinated land use and transportation assumptions. Further, we believe that the land use alternatives requirement of the TPR is the best reflection of the overall mission of the rule. The VMT/capita and parking reduction requirements should serve as complements to this primary mission.

**Proposed Revisions to the Draft Recommendations**

The consultant's report also makes several good recommendations on the future use of the VMT and parking standards. However, JPACT and MPAC recommended the following changes based upon our own experiences as we begin to implement the TPR:

**General Issue**

- We strongly endorse the consultant's finding that a broader set of measures should be used to evaluate implementation of the TPR. Metro has begun to develop a long list of measures as part of the regional TSP, some of which could be candidates for the TPR. We have attached a preliminary list of these measures.

**Chapter 2 - Results of Stakeholder Interviews**

- Section 2.4.7 (pages 14-15) should include a summary of Title 2 of the Portland MPO's *Urban Growth Management Functional Plan*, which sets forth regional policy on parking, which was supported by the DLCD and DEQ. This section should also reference level-of-service (LOS) provisions in Title 6 of the UGMFP and work from the *Regional Transportation Plan* (RTP) alternatives analysis effort, which focuses on LOS issues.

**Chapter 3 - Measures to Achieve VMT Per Capita Reduction**

- The various VMT studies cited in Section 3.2 (page 29) are currently the best evidence available to guide VMT policy. As such, they should be more strongly supported in the conclusions made in this
section.

- Section 3.2.2.3 (page 45) regarding pedestrian, bicycle and transit-oriented design should include a summary of relevant Region 2040 and LUTRAQ findings because they are currently the best evidence available on the connection between land use and alternative modes of travel.

Chapter 4 - MPO Plans to Reduce Per Capita VMT and Parking

- The VMT/capita reduction figure of 5.4 percent shown in Section 4.4.1 for the metro region (page 54) is incorrect. The 2040 Recommended Alternative analysis showed a 10.8 percent reduction in VMT/capita. This error substantially affects the conclusions made in this section regarding the ability of MPOs to meet the 10 percent reduction goal.

- Section 4.4.3 regarding expected results from regional and local efforts (page 56) also shows an incorrect 5.4 percent VMT/capita reduction (see previous comment). This section should also be revised to list Metro's adopted Functional Plan requirements that will contribute to VMT/capita reduction, including the parking provisions contained in Title 2 and the Boulevard design, connectivity, modal targets and alternative LOS provisions in Title 6.

Chapter 6 - Conclusions and Recommendations

Section 6.5 (beginning on page 91):

- Item 5 (page 91) regarding VMT/capita reduction should differentiate between the kinds of strategies that are necessary to achieve a 5 percent versus 10 percent reduction in VMT/capita. At this time, it is also premature to modify the 10 percent reduction requirement since the Portland MPO is still involved in a major update to the RTP and is working toward compliance with the current 10 percent standard. Also, from a practical standpoint, the Commission should also consider establishing a fixed based year upon which local TSP findings on VMT per capita would be based.

Compliance with the Transportation Planning Rule for Vehicle Miles Traveled (VMT) reduction is an important issue in the Evaluation Report. The Report recommends changing the standard from 10% reduction in VMT per capita in the 20-year planning period and 20% reduction in 30 years to 5% and 10% VMT reductions, respectively.

Lowering the high target is the wrong approach. Policy-makers should understand and evaluate both the policy approaches taken to reduce reliance on the automobile that have reduced VMT and the policy approaches needed to meet the TPR targets even if those policies are not adopted. To recognize some MPO difficulties and retain the VMT target, the compliance requirement could be modified to be a demonstration of the following three steps:

1. The following policies (Evaluation Report, p. 91) to reduce VMT per capita have been included in the Transportation System Plan:
   a. Maintaining and enhancing compact, mixed-use communities;
   b. Introducing market-based strategies which will affect both the timing and the choice of mode of trips;
   c. Funding and deploying high levels of transit services in corridors where public transportation can economically meet travel needs;
d. Managing parking and activity centers which are accessible by alternative modes to reduce both the number and the impact of excess parking spaces; and

e. Prioritizing the types and locations of transportation investments to support the growth of centers and corridors where accessibility by alternative modes is greatest.

2. That additional policies are considered, including pricing policies, to achieve the 10 percent and 20 percent VMT reduction targets, including the rationale for not selecting these additional measures.

- Item 7 (page 92) regarding mandatory funding and implementation of demand management strategies should not be included in the recommendations. While demand management is a key ingredient of the Portland region’s transportation strategy, it is premature to determine its funding importance with relation to other critical transportation needs.

- Item 9 (page 93), linking MPO performance to funding for transportation improvements, is an inappropriate approach to implementation of the TPR. As stated previously in this letter, we propose a “good faith” approach to compliance with the rule, rather than a punitive one. Instead, the Commission should consider rewarding MPOs that make the best effort toward meeting the TPR.

- Items 11 and 12 (page 95) regarding pricing approaches prematurely concludes that supply-based parking strategies are not an effective approach to per capita parking reductions. In fact, the pricing strategies recommended by the consultant represent a bigger leap of faith than supply-based approaches. The updated RTP will also address this provision, and may demonstrate that supply-based strategies will achieve the TPR standard. Further, Title 2 of the recently adopted UGMFP, which uses a supply-based approach, will be reflected in the RTP.

- Item 14 (page 94-95) proposes a pricing demonstration project. While Metro is involved in a major study of pricing (to be completed in June 1998), we have not, and could not, conclude that “...reducing automobile reliance will not be possible without pricing...”, a conclusion reached in the consultant’s report. At this time, prior to completion of major pricing studies, it is premature to include pricing as a central theme in the TPR.

- Item 16 (page 95) regarding changes to statewide LOS standards should include a reference to related work that Metro has already done in Title 6, Section 4 of the Functional Plan. A version of the optional LOS standard contained in Title 6 of the Functional Plan will likely be included in the regional TSP.

Thank you for reviewing our comments. We have attached supporting documents for your consideration, and look forward to working with the Commission in the future on these issues.

Sincerely,

Jon Kvistad, JPACT Chair
Rob Drake, MPAC Chair
Metro Council Presiding Officer

Attachments
STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2487 FOR THE PURPOSE OF RECOMMENDING A DEVELOPMENT PROGRAM FOR ADOPTION BY THE OREGON TRANSPORTATION COMMISSION IN THE FY 98-2001 STIP

Date: April 2, 1997 Presented by: Andrew Cotugno

Proposed Action

Approval of this resolution would amend the Metropolitan Transportation Improvement Program (MTIP) to include an FY 98-01 Development Program (see Exhibit A of the resolution) and recommends adoption of this program by the Oregon Transportation Commission (OTC) in the State Transportation Improvement Program (STIP).

The resolution also amends the MTIP to include FY 98-01 Bridge and Highway Preservation projects included in the Draft STIP (see Exhibit B of the resolution); recommends adoption of the projects by the OTC in the Final STIP; and authorizes Metro staff to administratively amend the program to reflect any revisions that may result as final scope and cost estimates are developed by ODOT for the statewide program of such projects.

Background and Analysis

Metro Resolution No. 97-2467 was recently approved and allocated all expected FY 98-01 Modernization funds to current and newly programmed transportation construction projects. The resolution did not address two other discretionary program areas that are also the subject of updated programming in the new STIP: the Development Program and the Bridge and Highway Preservation Programs.

Development Program

The Development Program is a set of State Highway Modernization projects (as opposed to local system projects) approved for expenditure of state gas tax funds to complete environmental analyses and/or preliminary engineering through FY 98-01, but which do not enjoy any commitment of construction funds. The Development Program does not expend Regional Flexible funds but, nevertheless, the region has an interest in these projects: they address early planning prerequisites and, therefore, Development projects become the logical candidates for allocation of FY 02-03 construction funds in the next STIP update cycle.

As was the case with the State Modernization Program, there are no new Development projects "on the table" at this time. The Development Program makes no commitment of construction funds and commits only inexpensive "front-end" project planning and design dollars. Therefore, it has traditionally been vastly overprogrammed. That is, the cost to build all the projects ODOT traditionally has in development during any one STIP cycle dwarfs the actual construction funds that will be available in the next STIP cycle. The OTC desired to reduce this overprogramming
because the practice consumes scarce transportation funds
designing projects that have no hope of timely construction.
Therefore, the OTC required ODOT Region 1 staff to identify a set
of projects to be developed over the next four years whose
eventual expected cost to construct will be no greater than $136
million. This is the amount of construction funds the OTC
expects will be available in the two-year period FY 02-03. This
requires eliminating from the STIP currently approved Development
projects whose total expected construction cost exceeds $400
million. Metro and ODOT Region 1 staff have agreed to recommend
OTC adoption of the Development Program list shown in Exhibit A
of the Resolution.

The list of recommended Development projects is composed mostly
of work phases that have been deferred from the region’s priority
highway projects currently under construction: e.g., completion
of US 26 widening/reconstruction; Phase 2 of the I-5/217/Kruse
Way Interchange Reconstruction and upgrade of Farmington Road to
urban standards as part of a deal to release this state highway
to ownership by Washington County. The set of projects recom-
mended for EIS completion represent, appropriately, the "next
wave" of system expansion projects including the elements of the
Tualatin-Sherwood Expressway and the Sunrise Corridor.

In trimming the Development Program, ODOT has eliminated what was
formerly known as the Reconnaissance Section. This was a work
program whose purpose was analysis of Regional Highway system
deficiencies that was the first step in refining the scope of
projects destined for detailed analysis and preliminary design in
the Development Program. With elimination of this activity as a
formal element of the STIP, the planning work programs maintained
by both ODOT and Metro’s Transportation Planning Department will
need to address this function. For instance, it should be
expected that the scope and detail of current and future planning
efforts such as the South Willamette River Crossing Study, and
the planned Highway 217, I-5 North and I-205 Corridor Studies
will need to be adequately funded in order to serve the function
of the defunct Reconnaissance Section.

Bridge and Preservation Program

A second subject of the resolution is the somewhat perfunctory
adoption of Bridge and Highway Preservation projects included in
the Draft STIP (see Exhibit B). ODOT maintains a statewide
system for identification of these needs and for prioritizing the
projects. The region’s local governments have expressed satis-
faction with both the technical and equity basis for the project
selection and prioritization process used by ODOT and Metro has
traditionally been satisfied to approve the Draft STIP recom-
mendation without further consideration. This continues to be
the case. It should also be noted though that the current
program of such projects is quite likely to change as final scope
and cost estimates for the entire statewide program are refined.
Therefore, the current program of projects should be considered
tentative and will be modified administratively throughout the
period of the new STIP.
BEFORE THE METRO COUNCIL

RESOLUTION NO. 97-2487

FOR THE PURPOSE OF RECOMMENDING
A DEVELOPMENT PROGRAM FOR ADOPTION BY THE OREGON TRANSPORTATION COMMISSION IN THE FY 98-2001 STIP

Introduced by
Presiding Officer Kvistad, Chair, JPACT

WHEREAS, ODOT and Metro are jointly preparing a recommendation to the Oregon Transportation Commission (OTC) of the Portland urban area transportation projects that should be included in the FY 98-01 Metropolitan and State Transportation Improvement Programs (MTIP/STIP); and

WHEREAS, Metro Resolution No. 97-2467 approved allocation of expected FY 98-01 state gas tax and federal Modernization funds to current and newly programmed projects and recommended this program for adoption by the Oregon Transportation Commission (OTC) in the STIP; and

WHEREAS, ODOT also maintains a Development Program which identifies projects that will be the subject of environmental analyses and preliminary engineering during the four-year MTIP/STIP period; and

WHEREAS, These Development projects are prioritized for receipt of construction funds in the following MTIP/STIP cycle (i.e., FY 02-03); and

WHEREAS, ODOT has, in the current update, been directed by the OTC to reduce the Development Program to reflect Modernization funding amounts that are anticipated to be available in the next update cycle; and

WHEREAS, The Draft FY 98-01 STIP includes ODOT's proposed funding for such projects in the current funding cycle; now, therefore,
BE IT RESOLVED:

1. Metro approves inclusion in the MTIP of the Development Program reflected in Exhibit A and recommends adoption of this Program by the OTC for inclusion in the State Transportation Improvement Program.

2. Metro approves inclusion in the MTIP of the Bridge and Highway Preservation Program reflected in Exhibit B and recommends adoption of this program by the OTC for inclusion in the State Transportation Improvement Program.

3. Staff are authorized to administratively update the Bridge and Highway Preservation Program in response to changing ODOT priorities that may result as updated scope and cost estimates are prepared for individual projects statewide.

ADOPTED by the Metro Council this ____ day of ____, 1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel
## ODOT Region 1

State Transportation Improvement Program
FY 1998-2001
Development Program

### I. Final Plans

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<td>Sunset/Sylvan Phase 3</td>
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*Not part of Region 1 Development Program limit

### III. Total Region 1 - Urban Program

- $151.7 m.

### Total Region 1 - Rural Program

- 10.0

### GRAND TOTAL

- $161.7 m.
EXHIBIT B

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**Notes:**
- **FILE #** refers to the file number.
- **KEY #** refers to the key number.
- **FACILITY NAME** describes the facility or project.
- **HWY NO.** indicates the highway number.
- **COUNTY** specifies the county.
- **RURA** denotes the rural area.
- **MPO AGENCY** represents the Metropolitan Planning Organization agency.
- **RESPONS.** indicates the responsible party.
- **PROJECT NAME** is the name of the project.
- **DESCRIPTION OF WORK** describes the work performed.
- **WORK TYPE** indicates the type of work.
- **COST (1,000)** represents the cost in thousands.
### EXHIBIT B

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<th>Agency</th>
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**Note:** The table includes various road and bridge projects with their corresponding sponsors, funding agencies, and descriptions along with their costs. The actions range from replacing structures to adding lanes, signal improvements, and other construction activities.
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Portland Regional Transportation Funding
'97 Legislative Session

Areas of Consensus

- Adopt a balanced funding program that addresses all passenger and freight modes rather than one at the expense of another.

- Increase State Gas Tax 6 cents per gallon plus weight-mile tax @ 38 percent cost-responsibility dedicated to Operations, Maintenance & Preservation; distribute 50/30/20 to ODOT/Counties/Cities.

- Increase Vehicle Registration Fee within Clackamas, Multnomah, Washington and Marion Counties by $10 per year ($20 per biennium) for Operations, Maintenance and Preservation; counties, cities and ODOT must agree on process for distribution; priority in Multnomah County for Willamette River bridges; sunset in 2005.

- Adopt a flexible funding source (such as the proposed statewide Access Fee on households and businesses) to fund special transit service to the elderly and disabled community plus provide flexible funding for multi-modal transportation improvements.

- Provide a $3 million per year Eastern Oregon Road Fund Safety Net; sunset in 2005.

- Increase the Small Cities Program from $1 million to $2 million per year and the Small Counties Program from $750,000 to $1.5 million per year.

- Increase State Gas Tax 4 cents per gallon plus weight-mile tax @ 15 percent cost-responsibility dedicated to Modernization.

- Increase Vehicle Registration Fee $20 per year ($40 per biennium) plus truck fees @ 15 percent cost responsibility dedicated to Modernization.

- ODOT/AOC/LOC will develop definition of Operations, Maintenance & Preservation to include upgrading roads to urban standards within urban growth boundaries and definition of Modernization to include major rehabilitation and/or reconstruction projects.

- Provide local option authority for the Access Fee to cities, counties, Metro and Tri-Met; in addition, allow the formation of special districts under expanded ORS 190 authority to implement local option transportation fees.

- Levy a $10.00 per tire studded tire for Operations, Maintenance and Preservation to reflect the cost responsibility for pavement damage.
Allocation of Modernization Funds

- Commit the first 1-cent gas tax plus weight-mile tax of Modernization funds to a bonding program administered by the Oregon Transportation Commission to fund key priority projects in the State and Metropolitan Transportation Improvement Programs.

- Allocate the remaining 3 cents, statewide vehicle registration fee and associated truck taxes 50/30/20 to ODOT/Counties/Cities with the requirement that prioritization of projects for funding be based upon "Livability and Economic Opportunity Criteria" consistent with adopted Transportation System Plans.

- Recommendations will be brought back to the '99 Legislature regarding pooling of Modernization funds in regions. In the interim, regions are encouraged to form to coordinate prioritization of Modernization projects. Regions that choose to form will allocate their portion of the Access Fee not used for Special Needs Transit. Outside of these regions, ODOT, AOC, and LOC will develop a process for allocation of the Access Fee.

- Authorize Design/Build approach to implementing state and local projects.
Defective I-5 Bridge repairs in 1960 result in big headaches for motorists in 1997

By THOMAS RYLL
Columbian staff writer

In 1960, four massive cylinders of solid steel — 20 inches in diameter and 67 inches long — were removed from the Interstate 5 Bridge for a tuneup. Each piece, originally cast in about 1916, was cut and welded. The work was meant to ensure a long future for each cylinder.

Instead, at least one of the pieces, called a trunnion shaft, was fatally flawed by the process, according to an engineering firm's report. The shaft began to crack.

Because the trunnion is part of the system that moves one of the bridge's 272-foot-long lift spans, the crack could be expanding every time the bridge opens and closes.

For months, engineers have been debating how to repair the trunnions.

While many elements of the plan are uncertain, this is for sure: For at least six weeks, possibly this September, or October, the Interstate 5 Bridge will be useless to commuters. It is the old, 1917-vintage side, the span now carrying the bridge's three northbound lanes.

For those three weeks, all traffic — north- and southbound — will be crammed onto the southbound span. Most likely, two of the southbound span's lanes will be used for southbound traffic.

That will leave one, and only one, for all northbound vehicles.

There will be no fancy reversible-lane feature to accommodate northbound rush-hour traffic's desperate need for more than one lane.

It has been nearly 40 years since only a single I-5 span existed to carry cross-river traffic.

Now, the combined vehicle count across the Columbia River on the I-5 and Interstate 205 bridges is more than 200,000 each day. And while many motorists will no doubt either stay home or shift to I-205 during the I-5 work, hundreds will be stuck in what could be monumental traffic jams.

"This is an important decision," said Katy Tobie, an Oregon Department of Transportation community affairs coordinator, referring to the timing of the bridge repair. "The impacts will be significant on both sides of the river."

But not nearly as significant as the impact that would occur if the flawed shaft...
Bridge
Failure of bridge part could be disastrous, engineers say

From Page A1

The trunnion that allows the bridge's southbound span to lift and lower has begun to crack, engineers said.

They say the failure could occur within two years and could result in one of the bridge's four 700-ton concrete counterweights falling more than 100 feet to the bridge deck below.

"You could actually wipe out the southbound structure," said one engineer.

Each of the bridge's twin lift spans has two counterweights. When the spans are in place for use by highway traffic, the counterweights hang near the tops of the bridge's four towers.

Thirty-two steel cables, each about 185 feet long and 2 inches in diameter, are fastened to each end of the lift spans. The cables, which weigh 1,600 pounds each, travel vertically to loop over a 12-foot-tall pulley known as a sheave.

Each lift span has four sheaves carrying 16 cables. With the exception of one aircraft warning light, the sheaves are the highest points on the I-5 Bridge.

Like the other three trunnions on the northbound span, it was rebuilt during bridge renovation in 1960. The newer bridge span to the west opened in 1958, and the original 1917 span was closed for the work.

A 1995 report by a DGES Inc., an Olympia consulting engineering firm working for the Oregon Department of Transportation, traces the cracking of the trunnion shaft to machining and welding done in 1990.

At that time, the shafts were converted from simple journal-style bearings — about as sophisticated as those on a child's wagon — to roller bearings, which do a better job of reducing friction.

The machining and welding changed the characteristics of the steel, and it began to crack.

In the late 1970s, a similarly designed railroad bridge in Illinois suffered a trunnion shaft failure.

As a result, ultrasonic testing was employed during a 1987 inspection (one report says 1986) of the I-5 Bridge. Tests disclosed the possibility of a crack in the shaft.

However, because the shaft is fully enclosed and cannot be visually examined, it was not until testing using a newer technology known as acoustic emissions monitoring confirmed the crack's presence in 1994.

In early 1996, a re-examination showed the crack was continuing to grow.

At that point, says one report, "No determination could be made that the crack was growing faster or slower than predicted."

Now, engineers predict that the shaft could fail sometime between 1999 and 2019, "with the most probable year being 2009."

The report goes on to say, "Crack growth occurs during raising and lowering of the lift span. Failure will most likely occur during one of these operations."

Not, however, if engineers can help it. The plan calls for assembling a 200-foot crane on a barge or platform just upriver of the north-span counterweight/trunnion assembly. The crane would be used to lift new sheaves, shafts, bearings and cables into place.

The objective is to replace the shaft before 1999, the first year the probability of failure becomes significant," says the Oregon report.

Engineers want to do the work this September or October. Officials have drawn up three, of which calls for a straight 21-day closure. Two other options call for on-again-off-again closures, which thus far have little support.

"I say, let's take all the misery at one time," said Gerry Smith, regional administrator for the Washington Department of Transportation, which splits the bridge operation and maintenance cost with Oregon. That was seconded by Don Owings, a WDOT engineer who attended a planning meeting earlier this week. "My own opinion is that we close it and do it," he said.
April 1, 1997

The Honorable Mike Burton  
Executive Officer  
Metro  
600 NE Grand Avenue  
Portland, OR 97232

It is my pleasure with this letter to extend to Metro and JPACT the opportunity to appoint one of its representatives as an ex-officio member of the Mid-Willamette Valley Area Commission on Transportation.

On January 16, 1997, the Oregon Transportation Commission granted a provisional charter to form the Mid-Willamette Valley Area Commission on Transportation (MWACT). The OTC has initiated this new advisory body of local and tribal governments to directly advise the state commission on transportation issues and priorities within the Marion, Polk and Yamhill county area. Enclosed is our charter and MWACT proposal. The composition of the area commission is designed to include ex-officio members who represent regional transportation planning organizations with jurisdiction over areas adjacent to the Mid-Willamette Valley area. Through this kind of representation on MWACT we hope to foster good communication and coordination on transportation matters with our neighbors.

Also enclosed is the announcement and agenda packet for the first meeting of MWACT. The first meeting is primarily an organizational meeting. We discuss a work program for the commission which will give us a better idea of the time commitment for commission members. At this point, members should anticipate monthly meetings held within the Mid-Willamette Area of two to three hours in length.

I hope you will designate a representative to MWACT soon so that we can send future meeting information to that person. In the meantime, I will direct agenda packets to you. We look forward to working with Metro and JPACT in this new coordination endeavor. If you have any questions about the area commission, please call me at 503-986-2884.


Dave Bishop, Manager  
Mid-Willamette Valley Area

cc: Andy Cotugno
Memorandum
April 1, 1997

TO: Senator Gene Derfier
   Senator Gary George
   Senator Marylin Shannon
   Senator Shirley Stull
   Senator Clifford Trow
   Representative Roger Beyer
   Representative Peter Courtney
   Representative Bryan Johnston
   Representative Leslie Lewis
   Representative Patti Milne
   Representative Lane Shetterly
   Representative Terry Thompson
   Representative Larry Wells
   Representative Tom Whelan
   Mike Burton, Metro Executive Officer
   Bill Wagner, Cascades West Council of Governments

FM: Dave Bishop, Manager
Mid-Willamette Valley Area

RE: First meeting of the Mid-Willamette Valley Area Commission on Transportation (MWACT), Thursday, April 10, 1997, 3:30 p.m.

In January, 1997, the Oregon Transportation Commission granted a provisional charter to form the Mid-Willamette Valley Area Commission on Transportation (MWACT). The purpose of the area commission is to advise the OTC on transportation matters affecting the Marion, Polk and Yamhill county area. By nature of this charter, you have been designated an ex-officio (non-voting) member of MWACT because we feel it is very important to maintain good communications with key decision-makers within and adjacent to the Mid-Willamette Valley area.

Enclosed is the announcement and agenda packet for the first meeting of MWACT. I hope you will take time to review the information and invite you to attend this "kick-off" meeting. If you have questions about MWACT or your participation, please give me a call at (503) 986-2884.
January 27, 1997

Grace Crunican, Director
Oregon Department of Transportation
135 Transportation Building
Salem, OR 97310

Authorization of Provisional Charter for the Mid-Willamette Valley Area Commission on Transportation

On January 16, 1997, the Oregon Transportation Commission (OTC) considered the proposal for the formation of the Mid-Willamette Valley Area Commission on Transportation, prepared by the Mid-Willamette Area Blue Ribbon Committee. The OTC approved the proposal and granted a provisional charter authorizing the formation and operation of the area commission.

The charter recognizes the Mid-Willamette Valley Area Commission on Transportation (MWACT) as an official advisory body to the OTC on transportation issues within and affecting the Marion, Polk, and Yamhill county area of Oregon. The charter is subject to the following provisions:

- The charter is effective for 1997 (calendar year) and is subject to renewal for subsequent periods of time upon approval of the OTC;
- In November 1997, the OTC will review the status of the area commission to consider any new law or policy affecting it which may require a change in the charter;
- The area commission will make periodic progress reports to the OTC on its formation and work;
- The area commission is authorized to perform all the functions recommended by the State Advisory Committee of the Oregon Transportation Initiative.
- The area commission is not expected to prepare recommendations to the OTC on the 1998-2001 Statewide Transportation Improvement Program (STIP) update.

The Oregon Transportation Commission commends the leaders of the Mid-Willamette Valley for their willingness to partner with us in planning and developing a safe and efficient transportation system for our citizens. We look forward to our work together as we strive to enhance Oregon's livability and economic opportunities through thoughtful transportation investments.

Henry H. Hewitt
Chairman

cc: Oregon Transportation Commission Members
Robin McArthur-Phillips
Ken Husby

John Elliott
Gary Johnson
Dave Bishop

355 Capitol St. NE
Salem, OR 97310
Proposal for the Formation of the Mid-Willamette Valley Area Commission on Transportation (MWACT)

Prepared by
The Mid-Willamette Valley Blue Ribbon Committee on the Formation of an Area Stakeholder Group

FINAL DRAFT
November 4, 1996
Mid-Willamette Valley Blue Ribbon Committee
on the
Formation of an Area Stakeholder Group

Committee Members

Dave Bishop, Chair
Manager
Mid-Willamette Valley Area
ODOT Region 2

Ralph Blanchard
Polk County Commissioner

Robert Johnstone
Yamhill County Commissioner

Mary Pearmine
Marion County Commissioner

Glen Welliver
Welliver Metal Products
Regional Strategies Board

Marcia Kelley
Lancaster Mall Travel
Salem Area Transit District Board

Peter Fernandez
Transportation Services Manager
City of Salem

Duane Cole
Manager
City of Newberg

Richard Van Orman
Administrator
City of Mt. Angel

Advisory Staff

Richard Schmid, Acting Executive Director
James Gieseking, SKATS Project Manager
Mid-Willamette Valley Council of Governments

John deTar, Corridor Planner
Oregon Department of Transportation
Region 2

R.G. Anderson-Wyckoff, General Manager
Salem Transit District

"KC" Humphrey
Oregon Department of Transportation
Re-engineering Implementation Team
Proposal for the Formation of a Mid-Willamette Valley Area Commission on Transportation (MWACT)

The Mid-Willamette Valley Blue Ribbon Committee on the Formation of an Area Stakeholder Group recommends that the Oregon Transportation Commission establish such a group for the Marion, Polk and Yamhill county area to be known as the Mid-Willamette Area Commission on Transportation (MWACT).

Rationale for Establishment of MWACT
In recent years ODOT has increasingly encountered local opposition to proposed transportation projects and priorities resulting in costly redesigns or project cancellations. Local jurisdictions and other stakeholders have asked for increased participation in the early stages of project selection and development. ODOT's reengineering process and the Governor’s Transportation Initiative concluded that more effective and timely local citizen participation in the ODOT project selection and development process could help achieve the following goals:
- increase stakeholder commitment to projects
- improve projects by better meeting real needs
- reduce project costs
- reduce time to project completion
- better fulfill expectations for quality

What would be the mission of MWACT?
MWACT's mission is proposed as follows:

Mission Statement

- To provide a forum for the discussion and coordination of long range transportation issues affecting the Area's livability.

- To prioritize state transportation infrastructure and capital investments through the development of an implementation strategy based on transportation plans related to the Mid-Willamette Valley Area

- To advocate Mid-Willamette Area transportation issues to neighboring regions and other outside organizations

- To advise the Oregon Transportation Commission on state and regional policies affecting the Area's transportation system.
What authority and responsibilities would MWACT have?
MWACT would be “chartered” by the Oregon Transportation Commission. It would serve the OTC in an advisory capacity much as a city or county planning commission serves its jurisdiction. As stated in the mission statement, MWACT would address all forms of transportation with primary focus on the state system. Local, Salem-Keizer Metropolitan Planning Organization (MPO) and regional transportation issues also would be considered if they affected the state system.

MWACT would play a key role in the development of the Statewide Transportation Improvement Program. It would establish a public process for regional project selection priorities for the STIP. Through that process, it would prioritize transportation problems and solutions and recommend the projects in the Mid-Willamette area to be included in the STIP.

The authority of the MPO granted by federal ISTEA rules would remain unchanged. However, MWACT would consult with the Salem-Keizer MPO for the purpose of coordinating transportation priorities for the Area, and would incorporate the MPO’s project priorities into its STIP recommendations.

How would MWACT be established?
The Oregon Transportation Commission would adopt a resolution chartering the Mid-Willamette Area Commission on Transportation. The OTC would send a letter inviting appointments to MWACT from the following:

VOTING MEMBERSHIP

• MPO (SKATS) Members including: 6 members
  Polk County (elected official)
  Marion County (elected official)
  City of Salem (elected official)
  City of Keizer (elected official)
  Salem Transit District (elected official)
  ODOT Region 2 (appointed official)

• Other Cities by transportation corridor (elected officials) 5 members
  Hwy 99W/18/47 corridor
  Hwy I-5 corridor
  Hwy 22W/99W/51 corridor
  Hwy 22E corridor
  Hwy 99E/213 corridor
How would voting members be selected to ensure coordination with existing regional public agencies?

In order to maintain good communications and coordination with existing transportation planning organizations, the Salem-Keizer MPO (SKATS) members except Salem School District 24J would be members of MWACT. Other public sector representatives would be designated by their organizations with consideration to cross membership with the Mid-Willamette Valley COG Board. One city representative per transportation corridor would be selected by the cities within that corridor with consideration to cross membership with ODOT’s transportation planning corridor committees. Private sector representatives would be selected by county commissioners from the regional strategies key industry sectors.

How would MWACT coordinate with adjacent regions and involve state legislators?

Adjacent regions would be asked to designate a member to MWACT who would become an ex-officio, non-voting member. All state legislators for the Mid-Willamette Area would be considered ex-officio, non-voting members and sent meeting notices and newsletters. At least annually, legislators would be invited to a MWACT transportation workshop.

MWACT Steering Committee
From the membership of MWACT, MWACT would select a “steering committee” to help guide the work program and agendas of the full group.
MW Technical Committee(s)
MWACT would form at least one technical advisory committee. The purpose of the MWTAC would be to consider the technical aspect of policy matters and prepare alternatives and recommendations for the policy group. The technical group would include staff people of agencies and organizations as follows:
- local government engineers and planners (public works directors, transportation planners)
- representatives of state agencies (DLCD, DEQ, OEDD)
- representatives of various modes of transportation modal (bicycle, ped., transit, air, truck, rail, pipeline, auto, marine)
- representative of transportation safety interests (police, ODOT)
- “lay citizen” members

What would be the work of the MWACT?
MWACT would develop an initial annual work program that would include the following:
- Define expectations of members for MWACT?
- Organize a technical advisory committee and develop a process for its use by MWACT
- Prepare and adopt rules of conduct
- Survey existing plans and projects and determine how MWACT will coordinate its activities with them
- Outline a process to involve the public in MWACT’s planning and decision-making processes
- Participate in the update process of the 1998-2001 STIP
- Develop guidelines to determine when a transportation condition becomes a problem to be solved (problem thresholds)
- Develop regional criteria for selecting transportation projects to solve prioritized problems (criteria to be based on statewide community livability and economic development guidelines)
- Conduct a transportation workshop for state legislators and other elected officials

Additional activities over time would include the following:
- develop a transportation implementation strategy for the Area (based on existing local and corridor plans)
- identify and prioritize transportation problems of area-wide significance
- recommend projects for inclusion in the Statewide Transportation Improvement Program (STIP)
- review and comment on transportation plans being developed within the Area
- create forums for discussion and resolution of area-wide transportation issues
• prepare recommendations on transportation proposals of a "super regional" nature (I-5, high speed rail, inter-regional transit, freight and airport development)
• recommend and communicate Area interests to Metro and other regions
• serve as a working group for Willamette Valley Livability Forum projects

Who would staff MWACT?
Basic staff services for MWACT would be provided by the ODOT Mid-Willamette Area Manager. Participating agencies would contribute time in service on technical committees. Some services may be provided through contracts with the Mid-Willamette Valley COG or jurisdictions within the Area on a local/state cost share basis.
Mid-Willamette Valley
Area Commission on Transportation
(MWACT)

Proposed City Representation by Transportation Corridor
(34 cities--One city selected per corridor)

**Hwy 99W/18/47 Corridor**
*(Yamhill County)*
Newberg
Dundee
Lafayette
Dayton
McMinnville
Amity
Sheridan
Yamhill
Carlton
Willamina

**Hwy 22E Corridor**
*(Marion County)*
Woodburn
Donald
St. Paul
Salem*
Keizer*
Jefferson
Turner

**Hwy 22W/99W/51 Corridor**
*(Polk County)*
Monmouth
Independence
Dallas
Falls City

**Interstate 5 Corridor**
*(Marion County)*
Woodburn
Donald
St. Paul
Salem*
Keizer*
Jefferson
Turner

**Hwy 99E/213 Corridor**
*(Marion County)*
Aurora
Gervais
Mt. Angel
Silverton
Scotts Mills
Hubbard
Woodburn
Salem*
Keizer*

*Cities of Salem and Keizer are MPO (SKATS) board members and therefore members of MWACT*
April 1, 1997

Henry Hewitt, Chair
Oregon Transportation Commission
135 Transportation Building
Salem, OR 97310

Re: Level of Service Standards in Regional, Town Centers

Dear Mr. Hewitt,

As you and the Commission are aware, Metro has been working very hard to meet the essential land use coordination policies of the Oregon Transportation Plan (OTP) and the Transportation Planning Rule (TPR) and develop a Regional Transportation System Plan consistent with the OTP and the TPR.

Particularly important in the Portland metropolitan region are the policies in the OTP and the Transportation Planning Rule (TPR) which "...support the development of mixed use, pedestrian friendly neighborhoods and commercial districts to transit..." OTP, p. 101.

Metro adopted the Urban Growth Management Functional Plan in November, 1996 that became effective February 19, 1997. Attached is a copy of that Functional Plan. Transportation policies are in Title 6, at p. 20. This plan requires cities and counties to increase planned densities, especially in regional and town centers, to allow the regional urban growth boundary to be maintained. Those increased planned densities must be balanced with transportation improvements for the city and county plans to comply with OAR 660-12-060 (TPR). To assure that the increased planned densities will be accomplished in the central city, regional and town centers, main streets and light rail station areas, Metro's Functional Plan allows cities and counties to change the Level of Service below one hour of "E," if necessary. (See Title 6, Section 4, p. 23.)

In some places in the Portland metropolitan region, state highways could be affected by this optional standard. Please, note the efforts at congestion management that are required, too. However, there is the possibility that some locations could be faced with a conflict between Appendix F of the OTP and Title 6 of Metro's Functional Plan. Appendix F recognizes "Special Transportation Areas" (STAs) as "...compact area in which growth management considerations..."
Mr. Henry Hewitt  
April 1, 1997  
Page 2

outweigh this policy" that correspond to the areas which Metro's policy allows a lower Level of Service. In the OTP these STAs may be Level of Service "E." Metro's Functional Plan allows a lower standard based on a two-hour peak.

Cities and counties have two years from February, 1997 to amend their plans to increase density and to address resulting transportation needs. Some of this planning is being completed now. Cities and counties need to be able to comply with a consistent standard. As the OTP states at p. 110: "...the Transportation Commission expects to modify the OTP in cooperation with all levels of government as more detailed state, regional and local transportation plans are prepared..." Therefore, Metro requests that the Commission consider an amendment to Appendix F of the OTP to reflect the possibility of an extraordinary Level of Service Standard for Special Transportation Areas to maintain consistency between the OTP and Metro's Functional Plan.

Thank you for your consideration in this matter.

Sincerely,

Mike Burton,  
Metro Executive Officer

Enclosure

cc: Metro Policy Advisory Committee  
Joint Policy Advisory Committee on Transportation
BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A ) Ordinance No. 96-647C
FUNCTIONAL PLAN FOR EARLY ) Introduced by
IMPLEMENTATION OF THE 2040 ) Executive Officer Mike Burton
GROWTH CONCEPT

WHEREAS, the Metro Council adopted regional goals and objectives entitled "Regional Urban Growth Goals and Objectives" by Ordinance No. 95-625A in December 1995; and

WHEREAS, the Regional Urban Growth Goals and Objectives (RUGGO) contain integrated goals and objectives describing a desired urban form entitled the "2040 Growth Concept"; and

WHEREAS, RUGGOs are the regional policy basis for regional implementation measures to be adopted in a regional framework plan by December 1997; and

WHEREAS, the Metro Council initiated a new functional plan for early implementation of the 2040 Growth Concept prior to adoption of any regional framework plan component in Resolution No. 96-2288 consistent with RUGGO Objectives; and

WHEREAS, a recommendation from the Metro Policy Advisory Committee for an early implementation functional plan entitled "Urban Growth Management Functional Plan" has been received by the Metro Council consistent with RUGGO Objectives; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That the text, tables and maps included in Exhibit "A" attached and incorporated herein entitled the "Urban Growth Management Functional Plan" is hereby adopted as a functional plan pursuant to ORS 268.390.

2. That the Urban Growth Management Functional Plan complies with the Regional Urban Growth Goals and Objectives and applicable statewide land use planning goals, rules and statutes based on the record of this legislation before this Council as summarized in Exhibit "B".

3. That the provisions of the Urban Growth Management Functional Plan are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of the Urban Growth Management Functional Plan or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remainder
of the Urban Growth Management Functional Plan or its application to other cities, counties, persons or circumstances.

ADOPTED by the Metro Council this 21st day of November, 1996.

Jon Kvistad, Presiding Officer

ATTEST:

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel
Exhibit A

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN
A functional plan for early implementation of the Metro 2040 Growth Concept

Introduction

Metro was created after a vote of the citizens of the region as an elected regional government responsible for addressing issues of metropolitan concern and is enabled by state law, adopted by the Oregon Legislature in 1977. In addition, the voters of the region adopted a Metro Charter in 1992, which describes additional responsibilities for the agency. Metro has an elected seven member Council which determines region-wide policies. In addition, Metro has an elected Executive Officer to enforce Metro ordinances and execute the policies of the council.

The Metro Policy Advisory Committee (MPAC) is comprised of local government elected officials and appointed citizens from throughout the region and was created to advise the regionally elected Metro Council on matters of metropolitan concern. MPAC has recommended specific policies to be included in a new functional plan to be adopted by the Metro Council as soon as practicable. Early implementation of the 2040 Growth Concept is intended to take advantage of opportunities now and avoid use of land inconsistent with the long-term growth policy.

MPAC, as well as the Joint Policy Advisory Committee on Transportation (JPACT), and the Water Resource Policy Advisory Committee (WRPAC) have made recommendations that are the basis for this functional plan. All of the elements considered by MPAC, JPACT and WRPAC were deemed by the Metro Council to be matters of metropolitan concern that have significant impact upon the orderly and responsible development of the metropolitan area. The functional plan establishes regional policies, which will apply to all 24 cities and 3 counties within the Metro region. The legal form of these regional policies is a functional plan, not adoption as a “component” of the Regional Framework Plan. The policies in this functional plan will be updated and coordinated with other policies to be adopted as components of the Metro Charter mandated Regional Framework Plan, on or before December 30, 1997.

Functional plans are a primary regional policy tool that may contain both “recommendations” and “requirements” for changes in local plans. This functional plan relies on further actions, primarily changes to local government comprehensive plans and implementing ordinances, to effectuate the actions described below.

The Meaning of Regional Functional Plan Adoption

The regional policies which are adopted by this Urban Growth Management Functional Plan recommend and require changes to city and county comprehensive plans and implementing ordinances. The purpose of this functional plan is to implement regional goals and objectives adopted by the Metro Council as the Regional Urban Growth Goals and Objectives (RUGGO), including the Metro 2040 Growth Concept. The comprehensive plan changes and related...
actions, including implementing regulations, required by this functional plan, shall be adopted by all cities and counties in the Metro region within twenty-four (24) months from the effective date of this ordinance.

Any city or county determination not to incorporate all required functional plan policies into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I provisions, prior to the final adoption of inconsistent policies or actions. Upon the effective date of this ordinance, any city or county amendment to a comprehensive plan or implementing ordinance that is inconsistent with requirements of this functional plan, is subject to appeal for violation of the functional plan.

Regional Policy Basis

The regional policies adopted in this functional plan are formulated from, and are consistent with, the RUGGOs, including the Metro 2040 Growth Concept. The overall principles of the Greenspaces Master Plan are also incorporated within this functional plan. In addition, the updated Regional Transportation Plan (RTP)\(^1\), when adopted, will serve as the primary transportation policy implementation of the 2040 Growth Concept. However, early implementation land use policies in this functional plan are integrated with early implementation transportation policies derived from preparation of the 1996 Regional Transportation Plan, and consistent with the Metro 2040 Growth Concept.

Structure of Requirements

The Urban Growth Management Functional Plan is a regional functional plan which contains "requirements" that are binding on cities and counties of the region as well as recommendations that are not binding. "Shall" or other directive words are used with requirements. The words "should" or "may" are used with recommendations. In general, the Plan is structured so that local jurisdictions may choose either performance standard requirements or prescriptive requirements. The intent of the requirements is to assure that cities and counties have a significant amount of flexibility as to how they meet requirements. Performance standards are included in most titles. If local jurisdictions demonstrate to Metro that they meet the performance standard, they have met that requirement of the title. Standard methods of compliance are also included in the plan to establish one very specific way that jurisdictions may meet a title requirement, but these standard methods are not the only way a city or county may show compliance. In addition, certain mandatory requirements that apply to all cities and counties are established by this functional plan.

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\(^1\) Metro has an adopted Regional Transportation Plan. However, because of changing local and regional conditions, as well as state and federal requirements, the RTP is scheduled to be amended in 1997.
71 TITLE 1: REQUIREMENTS FOR HOUSING AND EMPLOYMENT ACCOMMODATION

Section 1. Intent

State law and Metro Code require that the Metro urban growth boundary (UGB) have sufficient capacity to accommodate the expected growth for 20 years. It is Metro policy to minimize the amount of urban growth boundary expansion required for the expected population and employment growth by the year 2017 consistent with all Statewide Goals. To further that policy, it is beneficial and desirable for Metro to require actions intended to increase the capacity for development of land within the UGB. Increasing the capacity of land within the UGB will include requiring changes for appropriate locations in both the rate of development permitted per acre (zoned density) and the rate at which housing and employment are actually built within the UGB. Development consistent with the design types of the Metro 2040 Growth Concept will focus these efforts. As a matter of regional policy, each city and county must contribute its fair share to increasing the development capacity of land within the UGB.

Metro will work with local jurisdictions to develop a set of region-wide community development code provisions, standards and other regulations which local jurisdictions may adopt that will help implement the 2040 Growth Concept and this Functional Plan. Included in this project will be a review of development standards in support of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-application process to ensure timely and thorough review and to provide for early involvement by the public to address neighborhood concerns and assure community acceptance of these changes.

Section 2. Methods to Increase Calculated Capacity Required for All Cities and Counties

All cities and counties within Metro are required to include within their comprehensive plans and implementing ordinances the following provisions:

A. Cities and counties shall apply a minimum density standard to all zones allowing residential use as follows:

1. a. Provide that no development application, including a subdivision, may be approved unless the development will result in the building of 80 percent or more of the maximum number of dwelling units permitted by the zoning designation for the site; or

b. Adopt minimum density standards that apply to each development application that vary from the requirements of subsection 1.a., above.
However, for the purpose of compliance with Table 1, only those dwelling units that are allowed at these minimum density standards shall be counted for compliance with the calculated capacities of Table 1.

2. The minimum density standard may be achieved by use of a small lot district where an average lot size of 5000 to 6200 square feet allows flexibility within that range on development applications, so long as the district remains in compliance with the minimum density standard used to calculate capacities for compliance with Table 1 capacities.

3. No comprehensive plan provision, implementing ordinance or local process (such as site or design review) may be applied and no condition of approval may be imposed that would have the effect of reducing the minimum density standard.

4. For high density zones with maximum zoned density higher than 37 dwelling units per net acre, the minimum residential density may be 30 dwelling units per net acre.

5. This minimum density requirement does not apply (1) outside the urban growth boundary, (2) inside areas designated as open space on the attached Open Spaces Map, and (3) inside areas designated as unbuildable on the attached Open Spaces Map. The maximum zoned density does not include the density bonus for zones that allow them.

B. Cities and counties shall not prohibit partitioning or subdividing inside the Metro urban growth boundary where existing lot sizes are two or more times that of the minimum lot size in the development code.

C. Cities and counties shall not prohibit the construction of at least one accessory unit within any detached single family dwelling that is permitted to be built in any zone inside the urban growth boundary. Reasonable regulations of accessory units may include, but are not limited to, size, lighting, entrances and owner occupancy of the primary unit, but shall not prohibit rental occupancy, separate access, and full kitchens in the accessory units.

Section 3. Design Type Boundaries Requirement

For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map:

Central City--Downtown Portland is the Central City which serves as the major regional center, an employment and cultural center for the metropolitan area.
Regional Centers—Nine regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.

Station Communities--Nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment.

Town Centers--Local retail and services will be provided in town centers with compact development and transit service.

Main Streets--Neighborhoods will be served by main streets with retail and service developments served by transit.

Corridors--Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.

Employment Areas--Various types of employment and some residential development are encouraged in employment areas with limited commercial uses.

Industrial Areas--Industrial area are set aside primarily for industrial activities with limited supporting uses.

Inner Neighborhoods--Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods.

Outer Neighborhoods--Residential neighborhoods farther away from large employment centers with larger lot sizes and lower densities are outer neighborhoods.

Section 4. Requirements to Increase Capacity If Recent Development At Low Density

A. All cities and counties shall determine whether actual built densities for housing during 1990-1995 were less than 80 percent of maximum zoned densities. The 1990-1995 actual built densities within cities and counties inside the urban growth boundary shall be compared with zoned densities for housing units during that period.

Residential developments to be analyzed shall be those which were permitted by a land use action and constructed during the period from 1990 to 1995, and residential density shall be measured in households per net developed acre.1

B. If the comparison of actual built densities to maximum zoned densities for the period 1990-1995 indicates that actual built densities were less than 80 percent of maximum zoned densities, the city or county shall also demonstrate that it has considered and adopted at least two of the following methods to increase capacity:

a. Financial incentives for higher density housing;

1 See Title 10, Definitions.
Section 5. Determination of Calculated Capacity of Housing Units and Jobs

The purpose of this section is to require each city and county within the Metro region to determine the housing and employment capacity of its existing comprehensive plan and implementing ordinances, determine calculated capacity for dwelling units and jobs by the method in this section, and increase calculated capacity, if necessary, to achieve the functional plan capacities in Table 1. Each city and county within the Metro region is hereby required to complete the following steps:

A. Determine the calculated capacity of dwelling units and jobs by the year 2017 using the zoned capacity\(^2\) of its current comprehensive plan and implementing ordinances.

1. Cities and counties shall use Metro estimates of vacant land, and land likely to redevelop, unless they have data that they believe is more accurate. In this case, the city or county may provide Metro the following:

a. The source of the data;

b. The reasons that the locally developed data is a more accurate estimate than the Metro estimate of vacant and redevelopable land;

c. The database from which the above were derived;

d. The database of committed development lands.

Cities and counties may use their data, subject to acceptance by the Metro Council or its designee, after the Executive Officer determines that the city or county data may be more accurate than the Metro data. The Executive Officer shall notify the Metro Council of each instance in which the data submitted by a city or county is determined by the Executive Officer to be less accurate than Metro data.

2. In determining the calculated capacity of existing comprehensive plans and implementing ordinances, cities and counties shall not use a calculated capacity for dwelling units of more than 80 percent of maximum zoned residential density, unless:

\(^2\) See Title 10, Definitions, "zoned density" and "calculated capacity."
a. Actual experience in the jurisdiction since 1990 has shown that
development has occurred at density greater than 80 percent of zoned residential density; or
b. Minimum density standards are adopted or proposed for adoption in the zoning code that require residential development at greater than 80 percent of maximum zoned residential density.

3. Cities and counties calculating capacity through the use of density bonus provisions may consider transfers, including off-site transfers, only upon demonstration that previous approvals of all density transfers within the past 5 years have resulted in an average of at least 80 percent of maximum zoned densities actually being built.

4. The capacity calculation shall use only those development types that are allowed in the development code. Any discretionary decision must not diminish the zoned density if it is to be counted as a part of calculated capacity; and

5. Cities and counties, in coordination with special districts, shall demonstrate that they have reviewed their public facility capacities and plans to assure that planned public facilities can be provided, to accommodate the calculated capacity within the plan period.

B. Calculate the increases in dwelling unit and job capacities by the year 2017 from any proposed changes to the current comprehensive plans and implementing ordinances that must be adopted to comply with Section 2 of this Title and add the increases to the calculation of expected capacities.

C. Determine the effect of each of the following on calculated capacities, and include any resulting increase or decrease in calculated capacities:

1. Required dedications for public streets, consistent with the Regional Accessibility Title;

2. Off-street parking requirements, consistent with this functional plan;

3. Landscaping, setback, and maximum lot coverage requirements;

4. The effects of tree preservation ordinances, environmental protection ordinances, view preservation ordinances, solar access ordinances, or any other regulations that may have the effect of reducing the capacity of the land to develop at the zoned density;

5. The effects of areas dedicated to bio-swales, storm water retention, open space dedications, and other requirements of local codes that may reduce the capacity of the land to develop at the zoned density.
D. If any of the calculated capacities are determined to be less than any of the city or county target dwelling unit and job capacities in Table 1, either jurisdiction-wide or in mixed-use areas, or both, then the city or county shall comply with the performance standards in Section 6 of this Title by amending its comprehensive plans and implementing ordinances to increase calculated capacities, as needed, to comply with the calculated capacities required in Table 1.

E. Exceptions to the Section 6.B requirement that target capacities be demonstrated may be requested according to Title 8 if a city or county determines that any calculated capacity requirement in Table 1 cannot be achieved after implementation of Sections 2, 3 and 4 of this Title to increase expected capacities.

Section 6. Local Plan Accommodation of Expected Growth Capacity for Housing and Employment—Performance Standard

All cities and counties within Metro shall demonstrate that:

A. The provisions required in Section 2 of this Title have been included in comprehensive plans and implementing ordinances; and that

B. Using the computation method in Section 5, including the minimum residential density provisions required in Section 2, that calculated capacities will achieve the target capacities for dwelling units and full-time and part-time jobs contained in Table 1 in the Appendix to this plan, including both jurisdiction-wide expected capacities and capacities for mixed-use areas; and that

C. Effective measures have been taken to reasonably assure that the calculated capacities will be built for dwelling units and jobs; and that

D. Expected development has been permitted at locations and densities likely to be achieved during the 20-year planning period by the private market or assisted housing programs, once all new regulations are in effect.

Section 7. Design Type Density Recommendations

A. For the area of each of the 2040 Growth Concept design types, the following average densities for housing and employment are recommended to cities and counties:

- Central City - 250 persons per acre
- Regional Centers - 60 persons per acre
- Station Communities - 45 persons per acre
- Town Centers - 40 persons per acre
- Main Streets - 39 persons per acre
- Corridor - 25 persons per acre
Employment Areas - 20 persons per acre
Industrial Areas - 9 employees per acre
Inner Neighborhoods - 14 persons per acre
Outer Neighborhoods - 13 persons per acre
TITLE 2: REGIONAL PARKING POLICY

Section 1. Intent

The State's Transportation Planning Rule calls for reductions in vehicle miles traveled per capita and restrictions on construction of new parking spaces as a means of responding to transportation and land use impacts of growth. The Metro 2040 Growth Concept calls for more compact development as a means to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan adopted by the state relies on the 2040 Growth Concept fully achieving its transportation objectives. Notably, the air quality plan relies upon reducing vehicle trips per capita and related parking spaces through minimum and maximum parking ratios. This title addresses these state and federal requirements and preserves the quality of life of the region.

A compact urban form requires that each use of land is carefully considered and that more efficient forms are favored over less efficient ones. Parking, especially that provided in new developments, can result in a less efficient land usage and lower floor to area ratios. Parking also has implications for transportation. In areas where transit is provided or other non-auto modes (walking, biking) are convenient, less parking can be provided and still allow accessibility and mobility for all modes, including autos. Reductions in auto trips when substituted by non-auto modes can reduce congestion and increase air quality.

Section 2. Performance Standard

A. Cities and counties are hereby required to amend their comprehensive plans and implementing regulations, if necessary, to meet or exceed the following minimum standards:

1. Cities and counties shall require no more parking than the minimum as shown on Regional Parking Ratios Table, attached hereto; and

2. Cities and counties shall establish parking maximums at ratios no greater than those listed in the Regional Parking Ratios Table and as illustrated in the Parking Maximum Map. The designation of A and B zones on the Parking Maximum Map should be reviewed after the completion of the Regional Transportation Plan and every three years thereafter. If 20-minute peak hour transit service has become available to an area within a one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit, that area shall be added to Zone A. If 20-minute peak hour transit service is no longer available to an area within a one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit, that area shall be removed from Zone A. Cities and counties should designate Zone A parking ratios in areas with good pedestrian access to commercial or employment areas (within 1/3 mile walk) from adjacent residential areas.
3. Cities and counties shall establish an administrative or public hearing process for considering ratios for individual or joint developments to allow a variance for parking when a development application is received which may result in approval of construction of parking spaces either in excess of the maximum parking ratios; or less than the minimum parking ratios.

Cities and counties may grant a variance from any maximum parking ratios through a variance process.

B. Free surface parking spaces shall be subject to the regional parking maximums provided for Zone A and Zone B. Parking spaces in parking structures, fleet parking, parking for vehicles that are for sale, lease, or rent, employee car pool parking spaces, dedicated valet parking spaces, spaces that are user paid, market rate parking or other high-efficiency parking management alternatives may be exempted from maximum parking standards by cities and counties. Sites that are proposed for redevelopment may be allowed to phase in reductions as a local option. Where mixed land uses are proposed, cities and counties shall provide for blended parking rates. It is recommended that cities and counties count adjacent on-street parking spaces, nearby public parking and shared parking toward required parking minimum standards.

C. Cities and counties may use categories or measurement standards other than those in the Regional Parking Ratios Table, but must provide findings that the effect of the local regulations will be substantially the same as the application of the Regional Parking Ratios.

D. Cities and counties shall monitor and provide the following data to Metro on an annual basis:

1. the number and location of newly developed parking spaces, and

2. demonstration of compliance with the minimum and maximum parking standards, including the application of any variances to the regional standards in this Title. Coordination with Metro collection of other building data should be encouraged.
Section 1. Intent

To protect the beneficial uses and functional values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities.

Section 2. Requirement

Cities and counties shall ensure that their comprehensive plans and implementing regulations protect Water Quality and Flood Management Areas pursuant to Section 4. Exceptions to this requirement will be considered under the provisions of Section 7.

Section 3. Implementation Process for Cities and Counties

Cities and counties are hereby required to amend their plans and implementing ordinances, if necessary, to ensure that they comply with this Title in one of the following ways:

A. Either adopt the relevant provisions of the Metro Water Quality and Flood Management model ordinance and map entitled Metro Water Quality and Flood Management Conservation Area Map; or

B. Demonstrate that the plans and implementing ordinances substantially comply with the performance standards, including the map, contained in Section 4. In this case, the purpose of this map is to provide a performance standard for evaluation of substantial compliance for those jurisdictions who choose to develop their own map of water quality and flood management areas; or

C. Any combination of A and B above that substantially complies with all performance standards in Section 4.

Section 4. Performance Standards

A. Flood Mitigation. The purpose of these standards is to protect against flooding, and prevent or reduce risk to human life and properties, by allowing for the storage and conveyance of stream flows through these natural systems.

The plans and implementing ordinances of cities and counties shall be in substantial compliance with the following performance standards:

1. Prohibit development within the water quality and flood management area; or

2. Limit development in a manner that requires balanced cut and fill; unless the project is demonstrated, by an engineering study, that there is no rise in flood elevation or that it will have a net beneficial effect on flood mitigation.
3. Require minimum finished floor elevations at least one foot above the design flood height or other applicable flood hazard standard for new habitable structures in the Water Quality and Flood Management Area.

4. Require that temporary fills permitted during construction shall be removed.

B. **Water Quality.** The purpose of these standards is to protect and allow for enhancement of water quality associated with beneficial uses as defined by the Oregon Water Resources Department and the Oregon Department of Environmental Quality.

The plans and implementing ordinances of cities and counties shall be in substantial compliance with the following performance standards:

1. Require erosion and sediment control for all new development within the Metro boundary as contained in the Metro Water Quality and Flood Management model ordinance.

2. Require to the maximum extent practicable that native vegetation cover is maintained or re-established during development, and that trees and shrubs in the Water Quality and Flood Management Area are maintained. The vegetative cover required pursuant to these provisions shall not allow the use of “Prohibited Plants for Stream Corridors and Wetlands” contained in the Water Quality and Flood Management Model Code adopted by the Metro Council.

3. Prohibit new uses of uncontained areas of hazardous materials as defined by DEQ in the Water Quality and Flood Management Areas; and

C. **Protect the long term regional continuity and integrity of Water Quality and Flood Management Areas**

Standards: Local jurisdictions shall establish or adopt transfer of density within ownership to mitigate the effects of development in Water Quality and Flood Management Areas, or through Transferable Development Rights (TDRs), which have substantially equivalent effect as the Metro Water Quality and Flood Management Model Ordinance.

Metro encourages local government to require that approvals of applications for partitions, subdivisions and design review actions must be conditioned with protecting Water Quality and Flood Management Areas with a conservation easement, platted as a common open space, or through purchase or donation of fee simple ownership to public agencies or private non-profits for preservation where feasible. Metro and cities and counties shall recognize that applications involving pre-existing development within the Water Quality and Flood Management Areas shall be exempted from the provisions concerning conservation easements and purchase or donation of fee simple ownership to public agencies or private non-profits for preservation.
Section 5. Fish and Wildlife Habitat Conservation Area

A. The purpose of these standards is to conserve, protect, and enhance fish and wildlife habitat within the fish and wildlife habitat conservation areas identified on the water quality and flood management area map by establishing performance standards and promoting coordination by Metro of regional urban water sheds.

B. Fish and Wildlife Habitat Conservation Area Recommendations

These areas shall be shown on the Water Quality and Flood Management Area Map. Fish and Wildlife Habitat Conservation Habitat Areas generally include and/or go beyond the Water Quality and Flood Management Areas. These areas shown on the map are Metro's initial inventory of significant fish and wildlife habitat conservation areas. Metro hereby recommends that local jurisdictions adopt the following temporary standards:

1. Prohibit development in the Fish and Wildlife Conservation Areas that adversely impacts fish and wildlife habitat.

Exceptions: It is recognized that urban development will, at times, necessitate development activities within or adjacent to Fish and Wildlife Habitat Conservation Areas. The following Fish and Wildlife Habitat Conservation Mitigation Policy, except for emergency situations, applies to all the following exceptions:

A project alternatives analysis, where public need for the project has been established, will be required for any of the exceptions listed below. The alternatives analysis must seek to avoid adverse environmental impacts by demonstrating there are no practicable, less environmentally damaging alternatives available. In those cases where there are no practicable, less environmentally damaging alternatives, the project proponent will seek alternatives which reduce or minimize adverse environmental impacts. Where impacts are unavoidable, compensation, by complete replacement of the impacted site's ecological attributes or, where appropriate, substitute resources of equal or greater value will be provided in accordance with the Metro Water Quality and Flood Management model ordinance.

a. Utility construction within a maximum construction zone width established by cities and counties.

b. Overhead or underground electric power, telecommunications and cable television lines within a sewer or stormwater right-of-way or within a maximum construction zone width established by cities and counties.

c. Trails, boardwalks and viewing areas construction.

d. Transportation crossings and widenings. Transportation crossings and widenings shall be designed to minimize disturbance, allow for fish and...
wildlife passage and crossings should be preferably at right angles to the stream channel.

2. Limit the clearing or removal of native vegetation from the Fish and Wildlife Habitat Conservation Area to ensure its long term survival and health. Allow and encourage enhancement and restoration projects for the benefit of fish and wildlife.

3. Require the revegetation of disturbed areas with native plants to 90 percent cover within three years. Disturbed areas should be replanted with native plants on the Metro Plant List or an approved locally adopted plant list. Planting or propagation of plants listed on the Metro Prohibited Plant List within the Conservation Area shall be prohibited.

4. Require compliance with Oregon Department of Fish and Wildlife (ODFW) seasonal restrictions for in-stream work. Limit development activities that would impair fish and wildlife during key life-cycle events according to the guidelines contained in ODFW's "Oregon Guidelines for Timing of In-water Work to Protect Fish and Wildlife Resources."

C. Fish and Wildlife Habitat Protection

Within eighteen (18) months from the effective date of this functional plan, Metro shall complete the following regional coordination program by adoption of functional plan provisions.

1. Metro shall establish criteria to define and identify regionally significant fish and wildlife habitat areas.

2. Metro shall adopt a map of regionally significant fish and wildlife areas after (1) examining existing Goal 5 data, reports and regulation from cities and counties, and (2) holding public hearings.

3. Metro shall identify inadequate or inconsistent data and protection in existing Goal 5 data, reports and regulations on fish and wildlife habitat. City and county comprehensive plan provisions where inventories of significant resources were completed and accepted by a LCDC Periodic Review Order after January 1, 1993, shall not be required to comply until their next periodic review.

4. Metro shall complete Goal 5 economic, social, environmental and energy (ESEE) analyses for mapped regionally significant fish and wildlife habitat areas only for those areas where inadequate or inconsistent data or protection has been identified.
5. Metro shall establish performance standards for protection of regionally significant fish and wildlife habitat which must be met by the plans implementing ordinances of cities and counties.

Section 6. Metro Model Ordinance Required

Metro shall adopt a Water Quality and Flood Management Model Ordinance and map for use by local jurisdictions to comply with this section. Sections 1-4 of this title shall not become effective until 24 months after Metro Council has adopted a Model Code and map that addresses all of the provisions of this title. Metro may adopt a Model Code and map for protection of regionally significant fish and wildlife habitat. Section 5 of this title shall be implemented by adoption of new functional plan provisions.

Section 7. Variances

City and county comprehensive plans and implementing regulations are hereby required to include procedures to consider claims of map error and hardship variances to reduce or remove stream corridor protection for any property demonstrated to be converted to an unbuildable lot by application of stream corridor protections.
TITLE 4: RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS

Section 1. Intent

It is the intent of the Metro 2040 Growth Concept that Employment and Industrial Areas contain supportive retail development. Employment and Industrial areas would be expected to include some limited retail commercial uses primarily to serve the needs of people working or living in the immediate Employment or Industrial Areas; not larger market areas outside the Employment or Industrial Areas.

Section 2. Comprehensive Plan and Implementing Ordinance Changes Required

A. Cities and counties are hereby required to amend their comprehensive plans and implementing regulations, if necessary, to prohibit retail uses larger than 60,000 square feet of gross leasable area per building or business in the Industrial Areas designated on the attached Employment and Industrial Areas Map.

B. This subsection applies to city and county comprehensive plan designations and zoning ordinances acknowledged by the effective date of this Functional Plan, which allow retail uses larger than 60,000 square feet of gross leasable area per building or business in Employment Areas designated on the attached Employment and Industrial Areas Map. These cities and counties may continue to allow the extent and location of retail uses allowed in Employment Areas on the effective date of this Functional Plan for the specific zones in acknowledged land use regulations listed in Exhibit A of this Title. For all other zones in Employment Areas, these cities and counties are hereby required to amend their comprehensive plans and implementing regulations, if necessary, to require a process resulting in a land use decision for any retail uses larger than 60,000 square feet of gross leasable area per building or business on those lands where such uses are currently allowed by any process. The standards for the land use decision to allow any such retail uses shall require (1) a demonstration in the record that transportation facilities adequate to serve the retail use, consistent with Metro's functional plans for transportation, will be in place at the time the retail use begins operation; and (2) a demonstration that transportation facilities adequate to meet the transportation need for the other planned uses in the Employment Areas are included in the applicable comprehensive plan provisions. If the city and county comprehensive plan designations and zoning ordinances which allow retail uses larger than 60,000 square feet of gross leasable area per building or business in Employment Areas have not been acknowledged by the effective date of this Functional Plan, subsection 2.C. of this Title shall apply.

C. City or county comprehensive plan designations and zoning ordinances acknowledged by the effective date of this Functional Plan which do not allow retail uses larger than 60,000 square feet of gross leasable area per building or business in Employment Areas designated on the attached Employment and Industrial Areas Map shall continue to prohibit them unless an exception is established under Section 3 of this Title pursuant to the compliance procedures of Title 8.
Section 3. Exceptions

Exceptions to this standard for Employment Areas may be included in local compliance plans for:

A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or region wide market, or

B. Specific Employment Areas which have substantially developed retail areas or which are proposed to be or have been locally designated, but not acknowledged by the effective date of this Functional Plan, as retail areas, may allow new or redeveloped retail uses where adequate transportation facilities capacity is demonstrated in local compliance plans as provided in Title 8.

Title 4, Exhibit A

Clackamas County unincorporated
   Commercial
   Commercial Industrial

Lake Oswego
   General Commercial
   Highway Commercial

Troutdale
   General Commercial

Hillsboro
   General Commercial

Sherwood
   General Commercial

Tigard
   General Commercial
   Commercial Professional

Tualatin
   Commercial General

Wilsonville
   Planned Development Commercial
TITLE 5: NEIGHBOR CITIES AND RURAL RESERVES

Section 1. Intent

The intent of this title is to clearly define Metro policy with regard to areas outside the Metro urban growth boundary. NO PORTION OF THIS TITLE CAN REQUIRE ANY ACTIONS BY NEIGHBORING CITIES. Metro, if neighboring cities jointly agree, will adopt or sign rural reserve agreements for those areas designated rural reserve in the Metro 2040 Growth Concept with Multnomah, Clackamas, and Washington County, and Neighbor City Agreements with Sandy, Canby, and North Plains. Metro would welcome discussion about agreements with other cities if they request such agreements.

In addition, counties and cities within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances within twenty-four months to reflect the rural reserves and green corridors policies described in the Metro 2040 Growth Concept.

Section 2. Rural Reserves and Green Corridors

Metro shall attempt to designate and protect common rural reserves between Metro’s urban growth boundary and designated urban reserve areas and each neighbor city’s urban growth boundary and designated urban reserves, and designate and protect common locations for green corridors along transportation corridors connecting the Metro region and each neighboring city. For areas within the Metro boundary, counties are hereby required to amend their comprehensive plans and implementing ordinances to identify and protect the rural reserves and green corridors described in the adopted 2040 Growth Concept and shown on the adopted 2040 Growth Concept Map. These rural lands shall maintain the rural character of the landscape and our agricultural economy. New rural commercial or industrial development shall be restricted to the extent allowed by law. Zoning shall be for resource protection on farm and forestry land, and very low-density residential (no greater average density than one unit for five acres) for exception land.

For areas outside the Metro boundary, Metro shall encourage intergovernmental agreements with the cities of Sandy, Canby and North Plains.

Section 3. Invitations for Intergovernmental Agreements

Metro shall invite the cities and counties outside the Metro boundary and named in Section 1 of this title to sign an Intergovernmental Agreement, similar to the draft agreements attached hereto.

Section 4. Metro Intent with Regard to Green Corridors

Metro shall attempt to negotiate a Green Corridor Intergovernmental Agreement with Oregon Department of Transportation (ODOT) and the three counties (Clackamas, Multnomah and Washington) to designate and protect areas along transportation corridors connecting Metro and neighboring cities.
Section 1. Intent

Implementation of the 2040 Growth Concept requires that the region identify key measures of transportation effectiveness which include all modes of transportation. Developing a full array of these measures will require additional analysis. Focusing development in the concentrated activity centers, including the central city, regional centers, and station communities, requires the use of alternative modes of transportation in order to avoid unacceptable levels of congestion. The continued economic vitality of industrial areas and intermodal facilities is largely dependent on preserving or improving access to these areas and maintaining reasonable levels of freight mobility in the region. Therefore, regional congestion standards and other regional system performance measures shall be tailored to reinforce the specific development needs of the individual 2040 Growth Concept design types.

These regional standards will be linked to a series of regional street design concepts that fully integrate transportation and land use needs for each of the 2040 land use components. The designs generally form a continuum; a network of throughways (freeway and highway designs) will emphasize auto and freight mobility and connect major activity centers. Slower-speed boulevard designs within concentrated activity centers will balance the multi-modal travel demands for each mode of transportation within these areas. Street and road designs will complete the continuum, with multi-modal designs that reflect the land uses they serve, but also serving as moderate-speed vehicle connections between activity centers that complement the throughway system. While these designs are under development, it is important that improvements in the most concentrated activity centers are designed to lessen the negative effects of motor vehicle traffic on other modes of travel. Therefore, implementation of amenity oriented boulevard treatment that better serves pedestrian, bicycle and transit travel in the central city, regional centers, main streets, town centers, and station communities is a key step in the overall implementation of the Metro 2040 Growth Concept.

It is intended that the entirety of these Title 6 standards will be supplemented by the Regional Transportation Plan (RTP) when the RTP is approved and adopted by the Metro Council.

Section 2. Boulevard Design

Regional routes in the central city, regional centers, station communities, main streets and town centers are designated on the Boulevard Design Map. In general, pedestrian and transit oriented design elements are the priority in the central city and regional centers, station communities, main streets and town centers. All cities and counties within the Metro region shall implement or allow others to implement boulevard design elements as improvements are made to these facilities including those facilities built by ODOT or Tri-Met. Each jurisdiction shall amend their comprehensive plans and implementing ordinances, if necessary, to require consideration or installation of the following boulevard design elements when proceeding with right-of-way improvements on regional routes designated on the boulevard design map:

A. Wide sidewalks with pedestrian amenities such as benches, awnings and special lighting;
B. Landscape strips, street trees and other design features that create a pedestrian buffer between curb and sidewalk;

C. Pedestrian crossings at all intersections, and mid-block crossings where intersection spacing is excessive;

D. The use of medians and curb extensions to enhance pedestrian crossings where wide streets make crossing difficult;

E. Accommodation of bicycle travel;

F. On-street parking;

G. Motor vehicle lane widths that consider the above improvements;

H. Use of landscaped medians where appropriate to enhance the visual quality of the streetscape.

Section 3. Design Standards for Street Connectivity

The design of local street systems, including "local" and "collector" functional classifications, is generally beyond the scope of the Regional Transportation Plan (RTP). However, the aggregate effect of local street design impacts the effectiveness of the regional system when local travel is restricted by a lack of connecting routes, and local trips are forced onto the regional network. Therefore, the following design and performance options are intended to improve local circulation in a manner that protects the integrity of the regional system.

Local jurisdictions within the Metro region are hereby required to amend their comprehensive plans and implementing ordinances, if necessary, to comply with or exceed one of the following options in the development review process:

A. Design Option. Cities and counties shall ensure that their comprehensive plans, implementing ordinances and administrative codes require demonstration of compliance with the following:

1. New residential and mixed-use developments shall include local street plans that:

   a. encourage pedestrian and bicycle travel by providing short, direct public right-of-way routes to connect residential uses with nearby existing and planned commercial services, schools, parks and other neighborhood facilities; and
   b. include no cul-de-sac streets longer than 200 feet, and no more than 25 dwelling units on a closed-end street system except where topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers, prevent street extension; and
provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 330 feet except where topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers, prevent street extension; and

c. consider opportunities to incrementally extend and connect local streets in primarily developed areas; and
d. serve a mix of land uses on contiguous local streets; and

e. support posted speed limits; and

f. consider narrow street design alternatives that feature total right-of-way of no more than 46 feet, including pavement widths of no more than 28 feet, curb-face to curb-face, sidewalk widths of at least 5 feet and landscaped pedestrian buffer strips that include street trees; and

g. limit the use of cul-de-sac designs and closed street systems to situations where topography, pre-existing development or environmental constraints prevent full street extensions.

h. For new residential and mixed-use development, all contiguous areas of vacant and primarily undeveloped land of five acres or more shall be identified by cities and counties and the following will be prepared:

A map that identifies possible local street connections to adjacent developing areas. The map shall include street connections at intervals of no more than 660 feet, with more frequent connections in areas planned for mixed use or dense development.

B. Performance Option. For residential and mixed use areas, cities and counties shall amend their comprehensive plans, implementing ordinances and administrative codes, if necessary, to require demonstration of compliance with performance criteria in the following manner. Cities and counties shall develop local street design standards in text or maps or both with street intersection spacing to occur at intervals of no less than eight street intersections per mile except where topography, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers, prevent street extension. The number of street intersections should be greatest in the highest density 2040 Growth Concept design types. Local street designs for new developments shall satisfy the following additional criteria:

1. Performance Criterion: minimize local traffic on the regional motor vehicle system, by demonstrating that local vehicle trips on a given regional facility do not exceed the 1995 arithmetic median of regional trips for facilities of the same motor vehicle system classification by more than 25 percent.

2. Performance Criterion: everyday local travel needs are served by direct, connected local street systems where: (1) the shortest motor vehicle trip over public streets from a local origin to a collector or greater facility is no more than
twice the straight-line distance; and (2) the shortest pedestrian trip on public right-of-way is no more than one and one-half the straight-line distance.

Section 4. Transportation Performance Standards

A. Alternative Mode Analysis

1. Mode split will be used as the key regional measure for transportation effectiveness in the Central City, Regional Centers and Station Communities. Each jurisdiction shall establish an alternative mode split target (defined as non-Single Occupancy Vehicle person-trips as a percentage of all person-trips for all modes of transportation) for each of the central city, regional centers and station communities within its boundaries. The alternative mode split target shall be no less than the regional targets for these Region 2040 Growth Concept land use components to be established in the Regional Transportation Plan.

2. Cities and counties which have Central City, regional centers and station communities shall identify actions which will implement the mode split targets. These actions should include consideration of the maximum parking ratios adopted as part of Title 2; Section 2: Boulevard Design of this Title; and transit’s role in serving the area.

B. Motor Vehicle Congestion Analysis for Mixed Use Areas

1. Level-Of-Service (LOS) is a measurement of the use of a road as a share of designed capacity. The following table using Level Of Service may be incorporated into local comprehensive plans and implementing ordinances to replace current methods of determining motor vehicle congestion on regional facilities, if a city or county determines that this change is needed to permit Title 1, Table 1 capacities in the Central City, Regional Centers, Town Centers, Main Streets and Station Communities:

<table>
<thead>
<tr>
<th>General Congestion Performance Standards (using LOS*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred</td>
</tr>
<tr>
<td>Mid-Day one-hour</td>
</tr>
<tr>
<td>Peak two-hour</td>
</tr>
</tbody>
</table>

*Level-of-Service is determined by using either the latest edition of the Highway Capacity Manual (Transportation Research Board) or through volume to capacity ratio equivalencies as follows: LOS C = .8 or better; LOS D = .8 to .9; LOS = .9 to 1.0; and LOS F = greater than 1.0. A copy of the Level of Service Tables from the Highway Capacity Manual is attached as Exhibit A.

2. Accessibility. If a congestion standard is exceeded as identified in 4.B.1, cities and counties shall evaluate the impact of the congestion on regional accessibility using the best available methods (quantitative or qualitative). If a determination is made...
by Metro that the congestion negatively impacts regional accessibility, local
jurisdictions shall follow the congestion management procedures identified in 4.C.
below.

3. The identified function or the identified capacity of a road may be significantly
affected by planning for Central City, Regional Centers, Town Centers, Main
Streets and Station Communities. Cities and counties shall amend their
transportation plans and implementing ordinances to either change or take actions as
described in Section 4.C., below, to preserve the identified function and identified
capacity of the road, if necessary, to retain consistency between allowed land uses
and planning for transportation facilities.

C. Congestion Management

For a city or county to amend their comprehensive plan to add a significant capacity
expansion to a regional facility, the following actions shall be applied, unless the capacity
expansion is included in the Regional Transportation Plan:

1. To address Level of Service, the following shall be implemented:

   a. Transportation system management techniques
   b. Corridor or site-level transportation demand management techniques
   c. Additional motor vehicle capacity to parallel facilities, including the
      consideration of a grid pattern consistent with connectivity standards
      contained in Title 6 of this plan
   d. Transit service improvements to increase ridership

2. To address preservation of motor vehicle function:

   a. Implement traffic calming
   b. Change the motor vehicle function classification

3. To address or preserve existing street capacity, implement transportation
   management strategies (e.g. access management, signal interties, lane
   channelization)

   If the above considerations do not adequately and cost-effectively address the problem,
capacity improvements may be included in the comprehensive plan.

D. Motor Vehicle Congestion Analysis Outside of Mixed Use Areas

Outside of Central City, Regional Centers, Town Centers, Main Streets and Station
Communities, and where cities and counties have not elected to use the General Congestion
Performance Standards in subsection 4.B of this Title:
1. The identified function or the identified capacity of a road may be significantly affected by implementation of this functional plan. Cities and counties shall amend their transportation plans and implementing ordinances to change or take actions as described in Section 4.C., below, to preserve the identified function and identified capacity of the facility, if necessary, to retain consistency between allowed land uses and planning for transportation facilities.

2. The congestion performance standard for designated state highways as identified in the 1990 Oregon Highway Plan shall be the peak and off-peak performance criteria in Appendix F of the 1992 Oregon Transportation Plan.

3. The congestion performance standard for arterials of regional significance identified at Figure 4-2 of Chapter 4 of the 1992 Regional Transportation Plan should be the peak and off-peak performance criteria in Chapter 1, Section D of the 1992 Regional Transportation Plan.

4. Congestion level of service standards are not required for all other roads.

5. If the congestion performance for a road is exceeded or the identified function or identified capacity is inconsistent with land uses, cities and counties shall apply the congestion management actions identified in 4.C.1-3, above. If these actions do not adequately and cost-effectively address the problem, capacity improvements may be included in the comprehensive plan."
## Level of Service (LOS) Definitions for Freeways, Arterials and Signalized Intersections

<table>
<thead>
<tr>
<th>LOS</th>
<th>FREeways (average travel speed assuming 70 mph design speed)</th>
<th>ARTERIALS (average travel speed assuming a typical free flow speed of 40 mph)</th>
<th>SIGNALIZED INTERSECTIONS (stopped delay per vehicle)</th>
<th>TRAFFIC FLOW CHARACTERISTICS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Greater than 60 mph</td>
<td>Greater than 35 mph</td>
<td>Less than 5 seconds; most vehicles do not stop at all</td>
<td>Virtually free flow; completely unimpeded</td>
</tr>
<tr>
<td></td>
<td>Average spacing: 22 car-lengths</td>
<td></td>
<td>Volume/capacity ratio less than or equal to .60</td>
<td>Volume/capacity ratio less than or equal to .60</td>
</tr>
<tr>
<td>B</td>
<td>57 to 60 mph</td>
<td>28 to 35 mph</td>
<td>5.1 to 15 seconds; more vehicles stop than for LOS A</td>
<td>Stable flow with slight delays; reasonably unimpeded</td>
</tr>
<tr>
<td></td>
<td>Average spacing: 13 car-lengths</td>
<td></td>
<td>Volume/capacity ratio .61 to .70</td>
<td>Volume/capacity ratio .61 to .70</td>
</tr>
<tr>
<td>C</td>
<td>54 to 57 mph</td>
<td>22 to 28 mph</td>
<td>15.1 to 25 seconds; individual cycle failures may begin to appear</td>
<td>Stable flow with delays; less freedom to maneuver</td>
</tr>
<tr>
<td></td>
<td>Average spacing: 9 car-lengths</td>
<td></td>
<td>Volume/capacity ratio of .71 to .80</td>
<td>Volume/capacity ratio of .71 to .80</td>
</tr>
<tr>
<td>D</td>
<td>46 to 54 mph</td>
<td>17 to 22 mph</td>
<td>25.1 to 40 seconds; individual cycle failures are noticeable</td>
<td>High density but stable flow</td>
</tr>
<tr>
<td></td>
<td>Average spacing: 6 car-lengths</td>
<td></td>
<td>Volume/capacity ratio of .81 to .90</td>
<td>Volume/capacity ratio of .81 to .90</td>
</tr>
<tr>
<td>E</td>
<td>30 to 46 mph</td>
<td>13 to 17 mph</td>
<td>40.1 to 60 seconds; individual cycle failures are frequent; poor progression</td>
<td>Operating conditions at or near capacity; unstable flow</td>
</tr>
<tr>
<td></td>
<td>Average spacing: 4 car-lengths</td>
<td></td>
<td>Volume/capacity ratio of .91 to 1.00</td>
<td>Volume/capacity ratio of .91 to 1.00</td>
</tr>
<tr>
<td>F</td>
<td>Less than 30 mph</td>
<td>Less than 13 mph</td>
<td>Greater than 60 seconds; not acceptable for most drivers</td>
<td>Forced flow, breakdown conditions</td>
</tr>
<tr>
<td></td>
<td>bumper-to-bumper</td>
<td></td>
<td>Volume/capacity ratio of greater than 1.00</td>
<td>Volume/capacity ratio of greater than 1.00</td>
</tr>
<tr>
<td>&gt;F</td>
<td>Demand exceeds roadway capacity, limiting volume that can be carried and forcing excess demand onto parallel routes and extending the peak period</td>
<td></td>
<td>Demand/capacity ratios of greater than 1.10</td>
<td>Demand/capacity ratios of greater than 1.10</td>
</tr>
</tbody>
</table>

Source: 1985 Highway Capacity Manual (A through F Descriptions)  
Metro (>F Description)
TITLE 7: AFFORDABLE HOUSING

Section 1. Intent

RUGGO Objective 17 requires that Metro adopt a "fair share" strategy for meeting the housing needs of the urban population in cities and counties based on a subregional analysis. A "fair share" strategy will include (1) a diverse range of housing types available within cities and counties inside the UGB; (2) specific goals for low and moderate rate housing to ensure that sufficient and affordable housing is available to households of all income levels that live or have a member working in each jurisdiction; (3) housing densities and costs supportive of adopted public policy for the development of the regional transportation system and designated centers and corridors; and (4) a balance of jobs and housing within the region and subregions.

Title 1 of this functional plan requires cities and counties to change their zoning to accommodate development at higher densities in locations supportive of the transportation system. Two other parts of the "fair share" strategy are addressed here: (1) encouraging use of tools identified to improve availability of sufficient housing affordable to households of all income levels; and (2) encouraging manufactured housing to assure a diverse range of available housing types.

Section 2. Recommendations to Improve Availability of Affordable Housing

According to HUD standards, housing is affordable if the resident is paying no more than one-third of their income for housing. Data from the federally required County Consolidated Plans clearly demonstrate that there exists a shortage of housing affordable to low and moderate income people in most, if not all, cities and counties. Metro recommends that cities and counties increase their efforts to provide for the housing needs of households of all income levels that live or have a member working in each jurisdiction and that they consider implementation of some or all of the following tools and approaches to facilitate the development of affordable housing:

A. Donate buildable tax-foreclosed properties to nonprofit organizations or governments for development as mixed market affordable housing.

B. Develop permitting process incentives for housing being developed to serve people at or below 80% of area median income.

C. Provide fee waivers and property tax exemptions for projects developed by nonprofit organizations or governments serving people at or below 60% of area median income.

D. Create a land banking program to enhance the availability of appropriate sites for permanently affordable housing.

E. Consider replacement ordinances that would require developers of high-income housing, commercial, industrial, recreational or government projects to replace any affordable housing destroyed by these projects.
F. Consider linkage programs that require developers of job-producing development, particularly that which receives tax incentives, to contribute to an affordable housing fund.

G. Commit locally controlled funds, such as Community Development Block Grants, Strategic Investment Program tax abatement funds or general fund dollars, to the development of permanently affordable housing for people at or below 60% of area median income.

H. Consider inclusionary zoning requirements, particularly in tax incentive programs, for new development in transit zones and other areas where public investment has contributed to the value and developability of land.

Section 3. Recommendations to Encourage Manufactured Housing

State housing policy requires the provision of manufactured housing inside all Urban Growth Boundaries as part of the housing mix with appropriate placement standards. The following are recommended to reduce regulatory barriers to appropriately placed manufactured housing:

A. Requirements for a minimum of five acres to develop a manufactured housing park should be reviewed to consider a lesser requirement, or elimination of a minimum parcel and/or lot size entirely.

B. Manufactured homes configured as duplexes, triplexes, fourplexes, etc. should be encouraged outside manufactured dwelling parks where zoning densities are consistent with single story development.
Title 8: Compliance Procedures

Section 1. Compliance Required

All cities and counties within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances to comply with the provisions of this functional plan within twenty-four months of the effective date of this ordinance. Metro recommends the adoption of the policies that affect land consumption as soon as possible.

Section 2. Compliance Procedures

A. On or before six months prior to the deadline established in Section 1, cities and counties shall transmit to Metro the following:

1. An evaluation of their local plans, including public facility capacities and the amendments necessary to comply with this functional plan;

2. Copies of all applicable comprehensive plans and implementing ordinances and public facility plans, as proposed to be amended;

3. Findings that explain how the amended city and county comprehensive plans will achieve the standards required in titles 1 through 6 of this functional plan.

In developing the evaluation, plan and ordinance amendments and findings, cities and counties shall address the Metro 2040 Growth Concept, and explain how the proposed amendments implement the Growth Concept.

B. Exceptions to any of the requirements in the above titles may be granted by the Metro Council, as provided for in the Regional Urban Growth Goals and Objectives, Section 5.3, after MPAC review. Requests for an exception should include a city or county submittal as specified in this section. The Metro Council will make all final decisions for the grant of any requested exception.

1. Population and Capacity. An exception to the requirement contained in Table 1 of Title 1 that the target capacities shall be met or exceeded may be granted based on a submittal which includes, but is not limited to, the following:

a. A demonstration of substantial evidence of the economic infeasibility to provide sanitary sewer, water, stormwater or transportation facilities to an area or areas; or

b. A demonstration that the city or county is unable to meet the target capacities listed in Table 1 because substantial areas have prior commitments to development at densities inconsistent with Metro target; or
c. A demonstration that the dwelling unit and job capacities cannot be accommodated at densities or locations the market or assisted programs will likely build during the planning period.

As part of any request for exception under this subsection, a city or county shall also submit an estimate of the amount of dwelling units or jobs included in the capacity listed in Table 1 that cannot be accommodated; and a recommendation which identifies land that would provide for the unaccommodated capacity located outside the urban growth boundary and near or adjacent to the city or county.

In reviewing any request for exception based on the financial feasibility of providing public services, Metro, along with cities and counties, shall estimate the cost of providing necessary public services and compare those with the estimated costs submitted by the city or county requesting the exemption.

2. Parking Measures. Subject to the provisions of Title 2, cities or counties may request an exception to parking requirements. Metro may consider a city or county government request to allow areas designated as Zone A to be subject to Zone B requirements upon the city or county establishing that, for the area in question:

   a. There are no existing plans to provide transit service with 20-minute or lower peak frequencies; and
   b. There are no adjacent neighborhoods close enough to generate sufficient pedestrian activity; and
   c. There are no significant pedestrian activity within the present business district; and
   d. That it will be feasible for the excess parking to be converted to the development of housing, commerce or industry in the future.

The burden of proof for a variance shall increase based on the quality and timing of transit service. The existence of transit service or plans for the provision of transit service near a 20-minute or lower peak frequency shall establish a higher burden to establish the need for the exception.

3. Water Quality and Flood Management Areas. Cities and counties may request areas to be added or deleted from the Metro Water Quality and Flood Management Area based on a finding that the area identified on the map is not a Water Quality and Flood Management Area or a Fish and Wildlife Habitat Conservation Area, as defined in this functional plan. Areas may also be deleted from the map if the city or county can prove that its deletion and the cumulative impact of all deletions in its jurisdiction will have minimal impact on the water quality of the stream and on flood effects. Findings shall be supported by evidence, including the results of field investigations.
4. Retail in Employment and Industrial Areas. Subject to the provisions of Title 4, cities and counties may request a change in the Employment and Industrial Areas Map. Metro may consider a city or county request to modify an Employment Area to exempt existing or locally designated retail areas, unacknowledged by the date of this Functional Plan, where they can demonstrate that

a. The Employment and Industrial Areas Map included lands within Employment Areas having a substantially developed existing retail area or a locally designated retail area pursuant to a comprehensive plan acknowledged by the date of this Functional Plan which allowed retail uses larger than 60,000 square feet of gross leasable area per building or business; or

b. The requested retail area in an Employment Area has been found to be appropriate for an exception based upon current or projected needs within the jurisdiction and the city or county can demonstrate that adequate transportation facilities capacity exists for that retail area.

5. Regional Accessibility. Cities or counties may request an exception to the requirements of Title 6, Regional Accessibility, where they can show that a street system or connection is not feasible for reasons of topographic constraints or natural or built environment considerations.

C. The Metro Council may grant an extension to time lines under this functional plan if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time. Requests for extensions of the compliance requirement in Section 1 of this Title should accompany the compliance transmittal required in Section 2.A. of this Title.

D. In addition to the above demonstrations, any city or county request or determination that functional plan policies should not or cannot be incorporated into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I, provisions prior to the final adoption of inconsistent policies or actions. Final land use decisions of cities and counties inconsistent with functional plan requirements are subject to immediate appeal for violation of the functional plan.

E. Compliance with requirements of this plan shall not require cities or counties to violate federal or state law, including statewide land use goals. Conflicting interpretations of legal requirements may be the subject of a compliance interpretation and conflict resolution under RUGGO Objective 5.3.

Section 3. Any Comprehensive Plan Change must Comply

After the effective date of this ordinance, any amendment of a comprehensive plan or implementing ordinance shall be consistent with the requirements of this functional plan. Metro
shall assist cities and counties in achieving compliance with all applicable functional plan
requirements. Upon request, Metro will review proposed comprehensive plan and implementing
ordinances for functional plan compliance prior to city or county adoption.

Section 4. Compliance Plan Assistance

A. Any city or county may request of Metro a compliance plan which contains the following:

1. An analysis of the city or county comprehensive plan and implementing
   ordinances, and what sections require change to comply with the performance
   standards.

2. Specific amendments that would bring the city or county into compliance with the
   requirements of Sections 1 to 8, if necessary.

B. Cities and counties must make the request within four months of the effective date of this
   ordinance. The request shall be signed by the highest elected official of the jurisdiction.

C. Metro shall deliver a compliance plan within four months of the request date. The
   compliance plan shall be a recommendation from the Executive Officer. The compliance
   plan shall be filed with the Metro Council two weeks before it is transmitted, for possible
   review and comment.

Section 5. Functional Plan Interpretation Process

The Metro Council may initiate a functional plan interpretation through whatever procedures it
deems appropriate on its own motion with or without an application. After the effective date of
this ordinance, Metro shall provide a process for cities and counties required by this functional
plan to change their plans to seek interpretations of the requirements of this functional plan. The
process shall provide, in addition to other requirements that the Metro Council may establish,
(1) the applications must state the specific interpretation requested; (2) the Executive Officer
shall seek comment from interested parties, review the application and make an interpretation to
the Metro Council; (3) the Executive Officer's interpretation shall be final unless appealed to the
Metro Council by the applicant or any citizen or party who presented written comments to the
Executive Officer; (4) the Metro Council may also on its own motion review an Executive
Officer interpretation before it becomes final.

Section 6. Citizen Review Process

A citizen who has presented written or oral testimony to a city or county on an issue of
application of this functional plan may petition the Metro Council to initiate a functional plan
interpretation or conflict resolution action. After hearing the citizen petition and any response
from any affected cities and counties, the Metro Council may, as it considers necessary, decide
to:
1. Interpret the functional plan; or
2. Initiate a functional plan interpretation using the process in Section 5 of this Title; or
3. Initiate the conflict resolution process of RUGGO Objective 5.3 for any apparent or potential inconsistencies between comprehensive plans and this functional plan; or
4. Postpone consideration of the issue to an appropriate time when compliance with a functional plan requirement is scheduled.

Section 7. Enforcement

A. Prior to a final decision to amend a comprehensive plan or implementing ordinance, a city or county determination that a requirement of this functional plan should not or cannot be implemented may be subject to a compliance interpretation and the conflict resolution process provided for in RUGGO, Goal I at the request of the city or county.

B. City or county actions to amend a comprehensive plan or implementing ordinance in violation of this functional plan at any time after the effective date of this ordinance shall be subject to appeal or other legal action for violation of a regional functional plan requirement, including but not limited to reduction of regional transportation funding and funding priorities.

C. Failure to amend comprehensive plans and implementing ordinances as required by Section 1 of this Title shall be subject to any and all enforcement actions authorized by law.
TITLE 9: PERFORMANCE MEASURES

Section 1. Intent

In order to monitor progress in implementation of this functional plan, and in order to implement Objective 10 of RUGGO, Metro shall establish performance measures related to the achievement and expected outcome resulting from the implementation of this functional plan.

Section 2. Performance Measures Adoption

A. Within three months of the adoption of this functional plan, the Metro Executive Officer shall submit to the Council the Executive Officer’s recommendations for:

1. Performance measures to be used in evaluating the progress of the region in implementation of this functional plan; and

2. Policies for corrective action should the performance measures indicate that the goals contained in the functional plan are not being achieved.

In developing these performance measures and policies, the Executive Officer shall use the best technology available to Metro, and shall, in addition, submit the current and recent historic levels for the proposed performance measures.

B. The Council, after receiving advice and comment from the Metropolitan Policy Advisory Committee, shall adopt a list of performance measures that will be used to monitor and evaluate this functional plan. The performance measures will be evaluated at least by regional level, by Growth Concept design types, by regional and town center market areas, and by jurisdiction. The performance measures shall include a biennial goal for the next six years, and shall be accompanied by policies for adjusting the regional plans based on actual performance.

C. The performance measures shall include, but shall not be limited to the following:

1. Amount of land converted from vacant to other uses, according to jurisdiction, Growth Concept design type, and zoning;

2. Number and types of housing constructed, their location, density, and costs, according to jurisdiction, Growth Concept design type, and zoning;

3. The number of new jobs created in the region, according to jurisdiction, Growth Concept design type, and zoning;

4. The amount of development of both jobs and housing that occurred as redevelopment or infill, according to jurisdiction, Growth Concept design type, and zoning;
5. The amount of land that is environmentally sensitive that is permanently protected, and the amount that is developed;

6. Other measures that can be reliably measured and will measure progress in implementation in key areas.

7. Cost of land based on lot prices according to jurisdiction, Growth Concept design type, and zoning; and according to redeveloped and vacant classifications.

8. The average vacancy rate for all residential units.

D. Use of the performance measures

1. The performance measures will contain both the current level of achievement, and the proposed level necessary to implement this functional plan and achieve the Metro 2040 Growth Concept adopted in the Regional Urban Growth Goals and Objectives (RUGGO). The performance measures will be used to evaluate and adjust, as necessary, Metro's functional plans, Urban Growth Boundary, and other regional plans.

2. By March 1 of every other year beginning March 1, 1999, the Executive Officer shall report to the Council an assessment of the regional performance measures, and recommend corrective actions, as necessary, consistent with the Metro Council's policies.

3. The Council shall refer the recommendations to the Hearing Officer, who shall hold a hearing to review the data in the Executive Officer's report on the performance measures, and gather additional data from any interested party. The Hearing officer shall review all of the information presented on the performance measures. The complete record of information, findings of fact, and a recommendation shall be forwarded to the Council by the Hearing Officer.

4. The Council shall hold a hearing on the record, adopt findings of fact, and take any necessary corrective action by September 1 of the year.
**TITLE 10: DEFINITIONS**

**Accessibility** means the amount of time required to reach a given location or service by any mode of travel.

**Alternative Modes** means alternative methods of travel to the automobile, including public transportation (light rail, bus and other forms of public transportation), bicycles and walking.

**Balanced cut and fill** means no net increase in fill within the floodplain.

**Bikeway** means separated bike paths, striped bike lanes, or wide outside lanes that accommodate bicycles and motor vehicles.

**Boulevard Design** means a design concept that emphasizes pedestrian travel, bicycling and the use of public transportation, and accommodates motor vehicle travel.

**Calculated Capacity** means the number of dwelling units and jobs that can be contained in an area based on the calculation required by this functional plan.

**Capacity Expansion** means constructed or operational improvements to the regional motor vehicle system that increase the capacity of the system.

**Comprehensive plan** means the all inclusive, generalized, coordinated land use map and policy statement of cities and counties defined in ORS 197.015(5).

**Connectivity** means the degree to which the local and regional street systems in a given area are interconnected.

**Designated Beneficial Water Uses** means the same as the term as defined by the Oregon Department of Water Resources, which is: an instream public use of water for the benefit of an appropriator for a purpose consistent with the laws and the economic and general welfare of the people of the state and includes, but is not limited to, domestic, fish life, industrial, irrigation, mining, municipal, pollution abatement, power development, recreation, stockwater and wildlife uses.

**Design Type** means the conceptual areas described in the Metro 2040 Growth Concept text and map in Metro's regional goals and objectives, including central city, regional centers, town centers, station communities, corridors, main streets, inner and outer neighborhoods, industrial areas, and employment areas.

**Development** means any manmade change defined as buildings or other structures, mining, dredging, paving, filling, or grading in amounts greater than ten (10) cubic yards on any lot or excavation. In addition, any other activity that results in the removal of more than 10% of the existing vegetated area on the lot is defined as development, for the purposes of Title 3.
Exceptions:

a. Stream enhancement or restoration projects approved by cities and counties.

b. Agricultural activity.

c. Replacement, additions, alterations and accessory uses for existing structures and development that do not encroach into the Water Quality and Flood Management Area more than the existing structure or development.

**Development Application** means an application for a land use decision, limited land decision including expedited land divisions, but excluding partitions as defined in ORS 92.010(7) and ministerial decisions such as a building permit.

**DBH** means the diameter of a tree measured at breast height.

**DLCD Goal 5 ESEE** means a decision process local governments carry out under OAR 660-23-040.

**Fish and Wildlife Habitat Conservation Area** means the area defined on the Metro Water Quality and Flood Management Area Map to be completed and attached hereto. These include all Water Quality and Flood Management Areas that require regulation in order to protect fish and wildlife habitat. This area has been mapped to generally include the area 200 feet from top of bank of streams in undeveloped areas with less than 25% slope, and 100 feet from edge of mapped wetland on undeveloped land.

**Floodplain** means land subject to periodic flooding, including the 100-year floodplain as mapped by FEMA Flood Insurance Studies or other substantial evidence of actual flood events.

**Functions and Values of Stream Corridors** means stream corridors have the following functions and values: water quality retention and enhancement, flood attenuation, fish and wildlife habitat, recreation, erosion control, education, aesthetic, open space and wildlife corridor.

**Growth Concept Map** means the conceptual map demonstrating the 2040 Growth Concept design types attached to this plan in the Appendix.

**Hazardous materials** means materials described as hazardous by Oregon Department of Environmental Quality.

**Implementing Regulations** means any city or county land use regulation as defined by ORS 197.015(11) which includes zoning, land division or other ordinances which establish standards for implementing a comprehensive plan.

**Landscape Strip** means the portion of public right-of-way located between the sidewalk and curb.
Level-of-Service (LOS) means the ratio of the volume of motor vehicle demand to the capacity of the motor vehicle system during a specific increment of time.

Local Trip means a trip 2½ miles or less in length.

Median means the center portion of public right-of-way, located between opposing directions of motor vehicle travel lanes. A median is usually raised and may be landscaped, and usually incorporates left turn lanes for motor vehicles at intersections and major access points.

Metro means the regional government of the metropolitan area, the elected Metro Council as the policy setting body of the government.

Metro Boundary means the jurisdictional boundary of Metro, the elected regional government of the metropolitan area.

Metro Urban Growth Boundary means the urban growth boundary as adopted and amended by the Metro Council, consistent with state law.

Mixed Use means comprehensive plan or implementing regulations that permit a mixture of commercial and residential development.

Mobility means the speed at which a given mode of travel operates in a specific location.

Mode-Split Target means the individual percentage of public transportation, pedestrian, bicycle and shared-ride trips expressed as a share of total person-trips.

Motor Vehicle means automobiles, vans, public and private buses, trucks and semi-trucks, motorcycles and mopeds.

Multi-Modal means transportation facilities or programs designed to serve many or all methods of travel, including all forms of motor vehicles, public transportation, bicycles and walking.

Narrow Street Design means streets with less than 46 feet of total right-of-way and no more than 28 feet of pavement width between curbs.

Net Acre means an area measuring 43,560 square feet which excludes:

1. any developed road rights-of-way through or on the edge of the land; and
2. environmentally constrained areas, including any open water areas, floodplains, natural resource areas protected under statewide planning Goal 5 in the comprehensive plans of cities and counties in the region, slopes in excess of 25 percent and wetlands requiring a Federal fill and removal permit under Section 404 of the Clean Water Act. These excluded areas do not include lands for which...
the local zoning code provides a density bonus or other mechanism which allows
the transfer of the allowable density or use to another area or to development
elsewhere on the same site; and

(3) all publicly-owned land designated for park and open spaces uses.

Net Developed Acre consists of 43,560 square feet of land, after excluding present and future
rights-of-way, school lands and other public uses.

Perennial Streams means all primary and secondary perennial water ways as mapped by the

Performance Measure means a measurement derived from technical analysis aimed at
determining whether a planning policy is achieving the expected outcome or intent associated
with the policy.

Persons Per Acre means the intensity of building development by combining residents per net
acre and employees per net acre.

Person-Trips means the total number of discrete trips by individuals using any mode of travel.

Practicable means available and capable of being done after taking into consideration cost,
existing technology, and logistics in light of overall project purpose.

Primarily Developed means areas where less than 10% of parcels are either vacant or
underdeveloped.

Redevelopable Land means land on which development has already occurred which, due to
present or expected market forces, there exists the strong likelihood that existing development
will be converted to more intensive uses during the planning period.

Regional Goals and Objectives are the land use goals and objectives that Metro is required to
adopt under ORS 268.380(1).

Retail means activities which include the sale, lease or rent of new or used products to the
general public or the provision of product repair or services for consumer and business goods.
Hotels or motels, restaurants or firms involved in the provision of personal services or office
space are not considered retail uses.

Riparian area means the water influenced area adjacent to a river, lake or stream consisting of
the area of transition from an hydric ecosystem to a terrestrial ecosystem where the presence of
water directly influences the soil-vegetation complex and the soil-vegetation complex directly
influences the water body. It can be identified primarily by a combination of geomorphologic
and ecologic characteristics.

Single Occupancy Vehicle (SOV) means private passenger vehicles carrying one occupant.
Shared-Ride means private passenger vehicles carrying more than one occupant.

Straight-Line Distance means the shortest distance measured between two points.

Target capacities means the capacities in Table 1 required to be demonstrated by cities and counties for compliance with Title 1, Section 2.

Target densities means the average combined household and employment densities established for each design type in the RUGGO 2040 Growth Concept.

Top of Bank means the same as "bankfull stage" defined in OAR 141-85-010(2).

Traffic Calming means street design or operational features intended to maintain a given motor vehicle travel speed.

Underdeveloped Parcels means those parcels of land with less than 10% of the net acreage developed with permanent structures.

Vacant Land: Land identified in the Metro or local government inventory as undeveloped land.

Variance means a discretionary decision to permit modification of the terms of an implementing ordinance based on a demonstration of unusual hardship or exceptional circumstance unique to a specific property.

Water Quality and Flood Management Area means an area defined on the Metro Water Quality and Flood Management Area Map, to be attached hereto. These are areas that require regulation in order to mitigate flood hazards and to preserve and enhance water quality. This area has been mapped to generally include the following: stream or river channels, known and mapped wetlands, areas with floodprone soils adjacent to the stream, floodplains, and sensitive water areas. The sensitive areas are generally defined as 50 feet from top of bank of streams for areas of less than 25% slope, and 200 feet from top of bank on either side of the stream for areas greater than 25% slope, and 50 feet from the edge of a mapped wetland.

Zoned Capacity means the highest number of dwelling units or jobs that are allowed to be contained in an area by zoning and other city or county jurisdiction regulations.
<table>
<thead>
<tr>
<th>City or County</th>
<th>Dwelling Unit Capacity</th>
<th>Job Capacity</th>
<th>Mixed Use Areas*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dwelling Unit Capacity</td>
</tr>
<tr>
<td>Beaverton</td>
<td>15,021</td>
<td>25,122</td>
<td>9,019</td>
</tr>
<tr>
<td>Cornelius</td>
<td>1,019</td>
<td>2,812</td>
<td>48</td>
</tr>
<tr>
<td>Durham</td>
<td>262</td>
<td>498</td>
<td>0</td>
</tr>
<tr>
<td>Fairview</td>
<td>2,921</td>
<td>5,689</td>
<td>635</td>
</tr>
<tr>
<td>Forest Grove</td>
<td>2,873</td>
<td>5,488</td>
<td>67</td>
</tr>
<tr>
<td>Gladstone</td>
<td>600</td>
<td>1,530</td>
<td>20</td>
</tr>
<tr>
<td>Gresham</td>
<td>16,817</td>
<td>23,753</td>
<td>3,146</td>
</tr>
<tr>
<td>Happy Valley</td>
<td>2,030</td>
<td>1,767</td>
<td>52</td>
</tr>
<tr>
<td>Hillsboro</td>
<td>14,812</td>
<td>58,247</td>
<td>9,758</td>
</tr>
<tr>
<td>Johnson City</td>
<td>168</td>
<td>180</td>
<td>0</td>
</tr>
<tr>
<td>King City</td>
<td>182</td>
<td>241</td>
<td>55</td>
</tr>
<tr>
<td>Lake Oswego</td>
<td>3,353</td>
<td>8,179</td>
<td>446</td>
</tr>
<tr>
<td>Maywood Park</td>
<td>27</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Milwaukie</td>
<td>3,514</td>
<td>7,478</td>
<td>2,571</td>
</tr>
<tr>
<td>Oregon City</td>
<td>6,157</td>
<td>8,185</td>
<td>341</td>
</tr>
<tr>
<td>Portland</td>
<td>70,704</td>
<td>158,503</td>
<td>26,960</td>
</tr>
<tr>
<td>River Grove</td>
<td>(15)</td>
<td>41</td>
<td>0</td>
</tr>
<tr>
<td>Sherwood</td>
<td>5,010</td>
<td>8,156</td>
<td>1,108</td>
</tr>
<tr>
<td>Tigard</td>
<td>6,073</td>
<td>14,901</td>
<td>981</td>
</tr>
<tr>
<td>Troutdale</td>
<td>3,789</td>
<td>5,570</td>
<td>107</td>
</tr>
<tr>
<td>Tualatin</td>
<td>3,635</td>
<td>9,794</td>
<td>1,248</td>
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<tr>
<td>West Linn</td>
<td>2,577</td>
<td>2,114</td>
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<tr>
<td>Wilsonville</td>
<td>4,425</td>
<td>15,030</td>
<td>743</td>
</tr>
<tr>
<td>Wood Village</td>
<td>423</td>
<td>736</td>
<td>68</td>
</tr>
<tr>
<td>Clackamas County</td>
<td>19,530</td>
<td>42,685</td>
<td>1,661</td>
</tr>
<tr>
<td>Multnomah County</td>
<td>3,089</td>
<td>2,381</td>
<td>0</td>
</tr>
<tr>
<td>Washington County</td>
<td>54,999</td>
<td>52,578</td>
<td>13,273</td>
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<tr>
<td></td>
<td>243,993</td>
<td>461,633</td>
<td></td>
</tr>
</tbody>
</table>

1. Based on Housing Needs Analysis. Applies to existing city limits as of June, 1996. Annexations to cities would include the city assuming responsibility for Target Capacity previously accommodated in unincorporated county.
2. Mixed use areas are: Central City - about 250 persons per acre; regional centers - about 60 ppa; town centers 40 ppa.; station communities - about 45 ppa.; main streets - about 39 ppa.
3. Standards apply to the urban unincorporated portion of the county only. At the request of cities, Metro may also supply targets for planning areas for cities in addition to the existing boundary targets cited above.
Open Space and Other Lands Excluded from Metro Buildable Lands Inventory

Legend:
- Public Parks
- Other Public and Private Open Space
- Slopes in Excess of 25%
- National Wetlands Inventory on Vacant Land
- 100 Year Flood Plain on Vacant Land
- Flood Plain Zone on Vacant Land
- Removed at Local Government Request
Table 2 - Regional Parking Ratios
(parking ratios are based on spaces per 1,000 sq ft of gross leasable area unless otherwise stated)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Parking Requirements (See Central City Transportation Management Plan for downtown Portland stds)</th>
<th>Maximum Permitted Parking Ratios - Zone A: Requirements may Not Exceed</th>
<th>Maximum Permitted Parking Ratios - Zone B: Transit and Pedestrian Accessible Areas¹</th>
<th>Rest of Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Office (includes Office Park, &quot;Flex-Space&quot;, Government Office &amp; misc. Services) (gsf)</td>
<td>2.7</td>
<td>3.4</td>
<td>4.1</td>
<td></td>
</tr>
<tr>
<td>Light Industrial Industrial Park Manufacturing (gsf)</td>
<td>1.6</td>
<td>None</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)</td>
<td>0.3</td>
<td>0.4</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>Schools: College/ University &amp; High School (spaces/# of students and staff)</td>
<td>0.2</td>
<td>0.3</td>
<td>0.3</td>
<td></td>
</tr>
<tr>
<td>Tennis Racquetball Court</td>
<td>1.0</td>
<td>1.3</td>
<td>1.5</td>
<td></td>
</tr>
<tr>
<td>Sports Club/Recreation Facilities</td>
<td>4.3</td>
<td>5.4</td>
<td>6.5</td>
<td></td>
</tr>
<tr>
<td>Retail/Commercial, including shopping centers</td>
<td>4.1</td>
<td>5.1</td>
<td>6.2</td>
<td></td>
</tr>
<tr>
<td>Bank with Drive-In</td>
<td>4.3</td>
<td>5.4</td>
<td>6.5</td>
<td></td>
</tr>
<tr>
<td>Movie Theater (spaces/number of seats)</td>
<td>0.3</td>
<td>0.4</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>Fast Food with Drive Thru</td>
<td>9.9</td>
<td>12.4</td>
<td>14.9</td>
<td></td>
</tr>
<tr>
<td>Other Restaurants</td>
<td>15.3</td>
<td>19.1</td>
<td>23</td>
<td></td>
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<tr>
<td>Place of Worship (spaces/seats)</td>
<td>0.5</td>
<td>0.6</td>
<td>0.8</td>
<td></td>
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<tr>
<td>Medical/Dental Clinic</td>
<td>3.9</td>
<td>4.9</td>
<td>5.9</td>
<td></td>
</tr>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>1</td>
<td>none</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>1</td>
<td>none</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>Residential unit, less than 500 square feet per unit, one bedroom</td>
<td>1</td>
<td>none</td>
<td>none</td>
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<tr>
<td>Multi-family, townhouse, one bedroom</td>
<td>1.25</td>
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<td>none</td>
<td></td>
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<tr>
<td>Multi-family, townhouse, two bedroom</td>
<td>1.5</td>
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<td>none</td>
<td></td>
</tr>
<tr>
<td>Multi-family, townhouse, three bedroom</td>
<td>1.75</td>
<td>none</td>
<td>none</td>
<td></td>
</tr>
</tbody>
</table>

¹ Ratios for uses not included in this table would be determined by cities and counties. In the event that a local government proposes a different measure, for example, spaces per seating area for a restaurant instead of gross leasable area, Metro may grant approval upon a demonstration by the local government that the parking space requirement is substantially similar to the regional standard.
Parking Maximums
Twenty Minute Bus Service and 2040 Design Types

LEGEND

- **Light Rail Stops**
- **ZONE A** Accessible areas with lower parking requirements
- **ZONE B** All other areas
- **2040 Design Types**

[Map with various areas marked and labels]
Functional Plan Title 4
Retail Restrictions
Industrial and Employment Areas

LEGEND
- Employment Areas
- Industrial Areas
Regional Boulevards
Boulevard Treatment
2040 Design Types

LEGEND
BOULEVARDS
Regional Routes Within Centers, Station Areas and Main Streets

NON-BOULEVARDS
Arterials Outside Centers, Station Areas and Main Streets. All Thoroughfares

2040 DESIGN TYPES
Mixed Use Centers (Includes Central City, Regional, Town Centers, Station Communities and Main Streets)
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN
Findings of Consistency With Regional and Statewide Goals and Objectives

Introduction

Metro has been required by state law since 1977 to adopt regional goals and objectives which are consistent with statewide goals. ORS 268.380(1). The predecessor regional council of governments, CRAG, had adopted such policies, which were left in place by the 1977 Metro legislation. In 1991, Metro completed new regional goals and objectives, entitled Regional Urban Growth Goals and Objectives (RUGGO). In 1995, RUGGOs were amended to include a new set of integrated goals and objectives in the form of text and a map, called the 2040 Growth Concept.

The RUGGO 2040 Growth Concept text and map are conceptual objectives for a desired urban form in the year 2040 that are part of the regional goals and objectives. The 2040 Growth Concept, then, is not a "plan." The Urban Growth Management (UGM) Functional Plan is the regional plan that implements the RUGGO 2040 Growth Concept. Functional plans are limited purpose regional plans authorized by ORS 268.390(2), not "comprehensive plans" as defined in ORS 197.015(5).

Consistent with legislation in 1993, codified at ORS 197.274(1), RUGGO has been acknowledged by the Land Conservation and Development Commission (LCDC) "for compliance with statewide goals in the same manner as a comprehensive plan . . ." Importantly, RUGGO is not a comprehensive plan. See ORS 197.015(15). Therefore, RUGGO acknowledgment is unique. RUGGOs are regional goals and objectives, supplementary to the statewide goals and objectives. By their own terms, RUGGOs do not apply directly to the comprehensive plans or land use actions of cities and counties. See RUGGO Objective 3. For general RUGGO policies to become applicable to comprehensive plans, a more detailed functional plan must "recommend or require" changes in comprehensive plans. ORS 268.390(4). This UGM Functional Plan contains both requirements and recommendations.

Since this functional plan implements RUGGO objectives, RUGGO Objective 5 requires that functional plans be consistent with RUGGOs. To the extent that this functional plan "requires" amendments to city and county comprehensive plans, Metro intends to meet the same standard of judicial review that is applied to amendments to comprehensive plans. Therefore, the UGM Functional Plan is adopted as regional policy based on the record before the Metro Council, and the following explains how the Functional Plan is consistent with applicable RUGGO provisions and applicable statewide land use planning goals.

Regional Goals and Objectives (RUGGO) Consistency

RUGGO is organized into two Goals and twenty-six Objectives, and an integrated set of policies called the 2040 Growth Concept and the Concept Map. "Planning Activities" are ideas for future study, not goals and objectives. Goal I contains the Regional Planning process in Objectives 1-11. Goal II, Urban Form, includes four subgoals: Natural Environment, Built Environment, Growth Management, and the 2040 Growth Concept. The first three subgoals are separated into Objectives 12-26. Goal and objective statements written in mandatory language are binding
policy statements on Metro. These policies must be followed by Metro in functional plans and the urban growth boundary. Some policies are written in aspirational language, including the desired end state of the 2040 Growth Concept. The UGM Functional Plan has been adopted to begin implementation of RUGGOs, particularly the 2040 Growth Concept. Functional plans, unlike comprehensive plans, are selective for issues that "significantly impact metropolitan development." ORS 268.390(1),(2). The UGM Functional Plan is intended to begin implementation of the 2040 Growth Concept prior to completion of the regional framework plan. Therefore, not all regional goals and objectives will be either applicable or fully accomplished in this Functional Plan.

Goal 1: Regional Planning Process
The UGM Functional Plan has been prepared using the regional planning process including extensive citizen notification and participation using Metro’s mailing list of 60,000 individuals and organizations. The acknowledged urban growth boundary has been the foundation of target capacities in Title 1 and Table 1. State, city, county and special district implementation roles have been followed in the MPAC recommendation, plan recommendations and requirements, and Title 8 compliance and exceptions relationships. The plan fully complies with the procedures in Objective 5 for functional plans.

Consistent with Objective 5, the UGM Functional Plan is a limited purpose plan for initial implementation of the 2040 Growth Concept. Since this functional plan contains requirements for changes in adopted and acknowledged comprehensive plans, it is being adopted as a final land use action with findings of consistency with RUGGO and statewide planning goals.

As a new functional plan, the UGM Functional Plan was proposed by MPAC under Objective 5.2.1 and initiated by the Metro Council by Resolution No. 96-2288. MPAC participated in the preparation of the plan, used citizen involvement processes, newsletters, open houses, newspaper ads, a public comment report, and made its recommendation to the Metro Council after public hearings.

Consistent with Objective 5.2.a-d, the Metro Council held public hearings, work sessions, amended the proposed functional plan, and adopted the UGM Functional Plan with these findings of RUGGO consistency. The conflict resolution process in Objective 5.3 is specifically incorporated into Title 8 of the UGM Functional Plan.

As explained in the introduction to the UGM Functional Plan, it is a functional plan pursuant to ORS 268.390 that is preliminary to adoption of the Metro Charter-mandated regional framework plan, which is due by December 30, 1997. Therefore, the UGM Functional Plan does not describe its relationship to the Future Vision per Objective 9 because it is not a component of the regional framework plan.

Consistent with RUGGO Objectives 10 and 11, Title 9 of the Functional Plan provides for performance measures for the Functional Plan that assure biennial review of the results of the Functional Plan.

Title 8, Section 2 requires cities and counties to transmit to Metro their preliminary compliance materials for Metro review within 18 months of the effective date of this Functional Plan. At
that time requests for exceptions from any Functional Plan requirement may be made. Title 8, Section 5 allows for interpretation of functional plan requirements questioned by cities and counties at any time. RUGGO Objective 5.3 guarantees cities and counties a conflict resolution policy for functional plan provisions that is affirmed in Title 8, Section 2. That process may end with an interpretation that the city or county approach to avoid a statewide goal violation is not inconsistent with the Functional Plan or an amendment to the Functional Plan to avoid any prospective statewide goal violation before the city or county amends its comprehensive plan or land use regulations.

Goal II: Urban Form
The principles of maintaining a compact urban form (II.i) and preserving existing neighborhoods by focusing growth in mixed use areas (II.ii) are among the foundations of the UGM Functional Plan. Title 1 and Table 1 require increased housing and job capacities in mixed use areas. Increased infill and redevelopment from allowing accessory units, and greater densities through minimum densities will be necessary for cities and counties to meet the target capacities. These policies enhance a compact urban form. The basis for Table 1 is an allocation of projected 2017 population and employment inside the current UGB at Table 5 of Part 1 of the Urban Growth Report. Housing choices with good access to jobs (II.iii) are enhanced by Title 1 minimum density, accessory dwelling, and mixed use areas policies. Housing affordability (II.iii) is enhanced by Title 1, Section 2.C, Accessory Dwellings, Title 1 compact urban form policies, and Title 7, Affordable Housing. Requiring identification and enhancing of mixed use areas, like station communities, in Title 1 focuses increased housing and job capacities in areas of current and future public investment to reinforce a compact urban form (II.iv).

Objective 12 policies on watersheds and water quality, particularly Objectives 12.1 and 12.1.5, are addressed by stream-corridor protection in Title 3 of the Functional Plan which will be made effective by future adoption of a map and Model Ordinance.

Objective 13 is being addressed by the Regional Water Supply Plan, outside this Functional Plan.

Objective 14, Air Quality, is addressed by Title 2, Regional Parking Policy, and Title 6, Regional Accessibility. The state's air quality maintenance plan credits restrictions on new parking spaces in Title 2 with increased air quality. Compact urban form policies required by Title 1 enhance alternative modes of transportation which do not add to air pollution.

Objective 15, Natural Areas, is being addressed by Metro Open Space Bond land purchases outside this Functional Plan. However, Title 3 addresses regional policy to identify and coordinate planning for fish and wildlife conservation areas.

Objective 16.1 on Rural Reserve Lands is addressed by Title 5, Section 2 which requires cities and counties to protect rural reserves and green corridors inside Metro's jurisdiction. Further protection for rural reserves and green corridors outside Metro, between Metro and neighbor cities' UGBs is a policy goal for intergovernmental agreements with neighbor cities, counties and state agencies.

Goal II.2.i. and Objective 17 on "fair share" housing policy are addressed by the recommendations in Title 7, Affordable Housing, and enhanced by Title 1 compact urban form
policies including the Title 1, Section 2.C requirement for at least one accessory unit to be allowed for each detached single family dwelling.

Goal II.2.ii on infrastructure planning is addressed for transportation facilities in the Title 6, Section 4 requirements for alternative mode analysis and motor vehicle congestion analysis in mixed use areas, and congestion management in all congested areas.

Goal II.v on a balanced transportation system is addressed in Title 6, Regional Accessibility requirements to consider boulevard design accommodation of pedestrians and bicycles, and design standards for street connectivity to increase accessibility for all modes of transportation.

Objective 18 policies, particularly 18.i, 18.iv, 18.v and 18.vi are enhanced at the regional scale by minimizing public and private costs with policies in Title 1 to retain a compact urban form and direct growth into mixed use areas. Objective 18.2 is addressed by general forecasts of facility need and cost which indicate that a compact urban form minimizes costs.

Objective 19 is addressed in Title 6 of the Functional Plan. Multimodal transportation in Objective 19.i and 19.3 is enhanced by requiring consideration of Boulevard Design in Section 2 and the Boulevard Design Map, Design Standards to increase street connectivity for greater bicycle and pedestrian accessibility, and the required Alternative Mode Analysis for mixed use areas in Section 4.A and congestion management requirements in Section 4.C. Freight movement on roads per Objective 19.ii is facilitated by compact urban form policies and directing growth into mixed use areas in Title 1, and the Transportation Performance Standards in Title 6, Section 4.

Title 6, Section 4 requires changes in city and county comprehensive plans, if necessary, to reduce the standards for mobility, include accessibility analysis and only add transportation facility capacity as a last resort. These policies represent a regional policy choice by Metro to redefine adequate motor vehicle mobility to accomplish RUGGO Goal II Objectives for a compact urban form using alternate modes of transportation to maintain mobility. These policies enhance Objectives 19.iii, 19.v, 19.vi, 19.viii and address 19.1, 19.2.1 and 19.2.

Goals II.3.i, ii, iii and Objectives 22 and 26 are addressed by Title 1 enhancing a compact urban form and Title 5, Neighbor Cities, enhancing the distinction between urban and rural lands and neighbor cities by policies to protect rural land near the UGB.

Goal II.3.iv and Objectives 23 and 24 are enhanced by the requirements to use redeveloped land in Title 1, Section 2.B, allow accessory dwelling units in Title 1, Section 2.C.

Objective 25, Urban Design, is enhanced by implementation of the 2040 Design Types in Title 1, Sections 3 and 7.

Goal II.4 Metro 2040 Growth Concept
The Growth Concept states the design form of urban development in the region for the 50 years ending in 2040. It is designed to accommodate approximately 720,000 additional residents and 350,000 additional jobs based on a feasibility analysis of one possible configuration of the Growth Concept called the 2040 Analysis, completed in 1994 as part of the Region 2040 project.
Three alternative concepts were analyzed leading to preparation of the “preferred concept.” The integrated goals and objectives in RUGGO II.4 are that “preferred concept.” Therefore, Goal II.4 is both conceptual and aspirational. See RUGGO pp. 25-35.

Mixed use urban centers inside a compact UGB are an important part of the Growth Concept. The interrelated set of centers from the Growth Concept are required to be used by cities and counties in Title 1 of the Functional Plan. Boundaries for centers and other Growth Concept "design types" are required to be added to city and county plans in Title 1, Section 3. Target capacities for housing and jobs are required for mixed use areas in Title 1, Section 6, and Table 1. Design type average densities from the Growth Concept are recommended in Title 1, Section 7.

The fundamental Title 1 requirement in Section 6 is for cities and counties to accommodate houses and jobs projected to be needed by 2017 using the required calculation method (Section 5). To comply, each city and county must demonstrate that its plan and zoning will yield the target number of dwelling unit and job capacities for their jurisdiction and for their mixed use areas (Table 1) using the required calculation method (Section 5). Part of the required calculation method includes use of mandatory minimum density standards (Section 2.A), redevelopment of some lands (Section 2.B), allowing of accessory dwelling units (Section 2.C), and use of other methods to increase capacity (Section 4.B.)

The requirement that large percentages of the increased capacity for houses and jobs be located in mixed use areas is a direct implementation of the centers and jobs/housing balance policies of the Growth Concept. See RUGGO, pp. 25, 29.

Recognition of open spaces inside the UGB is reflected in Title 1, Section 2.A., and Title 3. Rural reserves are protected and neighbor cities are recognized in Title 5.

Industrial and Employment Area policy in RUGGO is implemented in Title 4 of the Functional Plan. Cities and counties are required to restrict retail uses over 60,000 square feet in industrial areas to protect industrial areas primarily for industrial activities. Mapped "Employment Areas" must be given specific boundaries in Title 1, Section 3, and retail is restricted in these areas in Title 4. These policies are consistent with the 2040 Growth Concept at p. 32. (See statewide Goal 9, below.)

Implementation of transportation facility classifications in the Growth Concept to support mixed use areas, industrial and employment areas is begun in Title 6 of the Functional Plan. See RUGGO pp. 32-35.

Statewide Land Use Planning Goals

The extent to which Metro functional plans must comply with applicable statewide land use goals is not clear from Metro's enabling statutes. ORS 268.380(1) requires Metro to adopt regional goals and objectives which are consistent with statewide goals. ORS 268.390(3) requires Metro to adopt the regional urban growth boundary in compliance with statewide goals. ORS 268.390(1) requires Metro to adopt functional plans but provides no requirement for consistency or compliance with statewide goals. However, ORS 268.390(4) authorizes Metro,
"as it considers necessary," to "recommend or require" changes "in any plans" to assure that city and county land use actions conform to the functional plan and urban growth boundary.

Clearly, Metro is unique. Its policies are regional in scale. Implementation of regional policies by cities and counties in their comprehensive plans and land use regulations must comply with statewide goals. To accomplish that result, regional policies which are "recommendations" need not directly comply with statewide goals. Cities and counties may or may not adopt the recommendation, or a variation of the recommended policy may be adopted. Therefore, the long-standing rule that cities and counties must demonstrate compliance with statewide goals for all amendments of comprehensive plans and land use regulations assures statewide goal compliance. City and county plan amendments to implement "regional" recommendations will comply with statewide goals at the time they are adopted. If a statewide goal violation would result, the recommendation would not be adopted.

The UGM Functional Plan is the first functional plan to contain significant regional policy "requirements" for changes in city and county plans. There are provisions in this functional plan, in Title 8, as well as RUGGO Objective 5.3, which assure that cities and counties are not required to implement a regional policy "requirement" to the extent that it would cause a statewide goal violation as applied to circumstances in a particular jurisdiction. That may be a sufficient safeguard to assure that regional "requirements" will be implemented in compliance with statewide goals, rules and statutes. However, the statutory structure which gives Metro broad authority to direct how cities and counties comply with statewide goals, implies that functional plan "requirements" must demonstrate consistency with statewide goals. Like regional goals and objectives, regional functional plans are supplementary, not comprehensive, policies. Comprehensive plans must balance all the statewide goals. Functional plans select those policy areas which have significant impact on metropolitan development to direct how each comprehensive plan accomplishes that balance consistent with its neighbors.

Therefore, the following summary of the legislative record of the UGM Functional Plan demonstrates that the "requirements" in this functional plan are consistent with applicable statewide goals, rules and statutes. Since this is only the initial implementation of the 2040 Growth Concept, not all parts of all statewide goals and rules are applicable. Some goals are being addressed by other regional policies outside the UGM Functional Plan, such as Goal 12 in Metro's Regional Transportation Plan and Goals 5 and 8 by purchase of regional significant lands with the Metro Open Spaces Bond Measure proceeds. Consistency with statewide goals at a regional scale, then, is a feasibility analysis. The final, complete balance of statewide goals, including analysis of secondary impacts, occurs at city and county plan implementation. If any violation of statewide goals may be caused by application of functional plan policies, Title 8 provides a process for correction prior to adoption of a plan or regulation amendment.

**Goal 1: Citizen Involvement**

The citizen involvement program for the UGM Functional Plan was regional in scope and appropriate to the scale of this regional planning effort. The Metro Policy Advisory Committee (MPAC) established by Section 27 of the Metro Charter, open houses, newsletters, newspaper ads, and a public comment report were used. Mailings included city and county Community Planning Organizations, and a mailing list of about 60,000 individuals and organizations. A series of public hearings were held at MPAC, the Metro Council Growth Management
Committee and the Metro Council. Consistent with RUGGO Goal 1, the Functional Plan was developed using a direct participatory process involving citizens, cities, counties, special districts, school districts, and state and regional agencies such as TriMet, the Port of Portland, and the Department of Land Conservation and Development.

The transportation issues including Titles 2 and 6 were reviewed by JPACT, the regional transportation advisory committee and the Metro Council Transportation Committee.

**Goal 2: Land Use Planning**

Review for compliance with Goal 2 includes (A) the structure of policies created for regional planning, and (B) supporting documentation for the policies contained in the UGM Functional Plan.

A. Structure and Policies for Regional Planning

The UGM Functional Plan follows RUGGO Objective 5 to begin implementation of the 2040 Growth Concept in Metro's regional goals and objectives. To carry out this early implementation of the 2040 Growth Concept, the applicable Functional Plan sections establish the Functional Plan's place in the regional and state framework for planning as follows:

- RUGGO Goal 1 relationship (p. 2; Title 4, Section 3; Title 8)
- Regional Policy basis (p. 2)
- Relationship to 2040 Growth Concept Design Types (Title 1, Sections 3, 7)
- Relationship to 2017 Growth Projection (Title 1, Section 5, Table 1)
- Relationship to Air Quality planning (Title 2, Section 1)
- Relationship to Open Space planning (Title 3)
- Relationship to industrial land planning (Title 4)
- Relationship to neighboring cities (Title 5)
- Relationship to transportation corridor to neighbor cities (Title 5, Section 4)
- Relationship to Transportation Planning Rule (Title 6, Section 4)
- Relationship to housing policies (Title 7)
- Relationship to comprehensive plans (Title 8)
- Procedure for functional plan interpretation (Title 8, Sections 5, 6)
- Process to monitor progress (Title 9)

Title 8, Section 2 requires cities and counties to transmit to Metro their preliminary compliance materials for Metro review within 18 months of the effective date of this Functional Plan. At that time requests for exceptions from any Functional Plan requirement may be made. Title 8, Section 5 allows for interpretation of functional plan requirements questioned by cities and counties at any time. RUGGO Objective 5.3 guarantees cities and counties a conflict resolution policy for functional plan provisions that is affirmed in Title 8, Section 2. That process may end with an interpretation that the city or county approach to avoid a statewide goal violation is not inconsistent with the Functional Plan or an amendment to the Functional Plan to avoid any prospective statewide goal violation before the city or county amends its comprehensive plan or land use regulations.
B. Supporting Documentation
An inventory of documents in the record for Ordinance No. 96-547C is contained in Attachment A. The record includes research and data on the following issues of substance in the UGM Functional Plan:

1. 1995 Regional Urban Growth Goals and Objectives (RUGGO)
2. the state air quality plan
3. year 2017 population and employment estimates
4. year 2040 alternative growth concepts analyses, with documents containing information and evaluation performed at multiple steps in the process
5. year 2040 regional design images, specially prepared under contract to test applicability to the Metro region of alternative urban design concepts
6. an evaluation of the relative impacts of the alternative urban development concepts on the housing market, the market for commercial and industrial space, the cost of serving new development with water and sewer services, and "quality of life" factors, especially crime
7. an evaluation of mixed use urban centers, their economic and transportation characteristics
8. an inventory of existing historical and natural feature conditions in the region
9. an evaluation of the potential for no-growth and slow-growth policies in the region
10. Future Vision evaluation reports on carrying capacity applied to the Portland region; historical settlement patterns in the Portland region; and work styles in the region
11. a study of Oregon values and beliefs regarding transit and growth management
12. a study of commodity flow and requirements
13. profiles of the Portland-Vancouver economy
14. a regional transportation plan; transportation analysis of alternative growth concepts; and guidelines for transportation planning rule implementation
15. a statement regarding ten essentials for a quality regional landscape, prepared by the University of Oregon Department of Landscape Architecture
16. a three volume vacant lands atlas, with data, maps and photos for each Metro county
17. report evaluating the potential impacts of the growth concepts on providing water, wastewater, and stormwater services to projected areas of new growth

Goals 3 and 4 (Title 5): Agricultural and Forest Lands
These goals are not generally applicable because the Functional Plan is focused primarily on changes to comprehensive plans and implementing ordinances inside the regional urban growth boundary (UGB). However, the Functional Plan enhances these goals. The changes inside the UGB increase the houses and jobs accommodated inside the UGB. They reduce pressure on resource lands adjacent to the UGB.

Title 5 enhances Goals 3 and 4 and it reiterates RUGGO Objectives 22 and 26. Title 5 begins to implement Metro's policy of entering into intergovernmental agreements to protect resource lands outside the UGB, particularly in "Rural Reserves" designated on the 2040 Growth Concept
Cities and counties are required to protect those Rural Reserves inside the UGB from urban development in Title 5, Section 2.

**Goals 5, 6, 7 (Titles 2, 3): Natural Resources, Air/Water Resources, Natural Hazards**

Open Spaces and Natural Resources, Air/Water Resources and Natural Hazards are addressed in the stream protection policies of Title 3. As indicated in Section 6, Title 3 is not effective until both a Model Code for local governments and the map of Water Quality and Flood Management Areas are adopted. Two additional ordinances amending the Functional Plan will each make parts of Title 3 effective. First, a Model Code and Map will be adopted, with statewide goal findings, to implement water quality (Goal 6) and Flood Management (Goal 7) requirements in Sections 1-4. Then, after the 18 months of work indicated in Section 5.C., Fish and Wildlife Habitat protection will be implemented by adoption of another ordinance with statewide goal findings. Therefore, Title 3 does not include any requirements for changes in comprehensive plans at this time.

Maintaining and improving air quality (Goal 6) is furthered by the minimum and maximum parking ratios required by Title 2. As indicated in Section 1, implementation of these parking ratios have been included as steps which improve regional air quality in the state's Air Quality Maintenance Plan.

**Goal 8: Recreational Needs**

Recreational needs are being addressed by purchases of trail, open space and parks lands with proceeds of Metro's Open Spaces Bond Measure outside the Functional Plan. Therefore, Goal 8 is not directly applicable to the Functional Plan. However, Title 1, Section 2.A.5 is consistent with Goal 8 by not requiring minimum residential densities for residential lands designated as significant open space lands.

**Goal 9**

On a regionwide, general scale, Title 1 implements RUGGO mixed use centers policies consistent with Goal 9 by increasing housing and job capacities consistent with public facilities investment in regional centers, town centers and station communities. This supports a jobs housing balance in regional center areas. These regional policies can be implemented in comprehensive plans based on the analysis of each community’s economic patterns and local economic development policies. Areas indicated in current acknowledged comprehensive plans by industrial and commercial zoning are enhanced by establishing known priorities for regional public investment. Stability of labor market should be enhanced by Title 1 implementation of jobs housing balance in regional centers. Increased multi-modal accessibility to centers allows cities and counties to locate economic activity relative to markets created by the jobs and housing encouraged in mixed use centers.

Title 4, Section 2.A. protects lands zoned for industrial uses in current acknowledged comprehensive plans from inefficient use of these lands for regional scale retail development. This allows cities and counties to assure an adequate supply of sites of suitable sizes, types, locations and service levels in their comprehensive plans for a variety of industrial uses. This Title 4 limitation of uses allowed on sites zoned for industrial areas assures compatibility of uses on those sites and of traffic patterns.
Title 1 and Title 6 implementation of mixed use centers provide more efficient alternative locations for regional scale retail development with structured parking and transit availability, such as the Lloyd Center Toys R Us, the Walmart in Eastport Plaza and the Fred Meyer stores outside employment areas. The “big box retail” store at Lloyd Center was part of the comparison of that remodeled center’s land efficiency with the redevelopment potential of the Clackamas Town Center shopping center. Title 1 encourages that redevelopment by the mixed use center target capacities required by Section 6 and Table 1 that include the Clackamas Town Center's regional center.

Title 4, Sections 2.B, C and 3, together with Titles 1 and 6 implementation of mixed use centers protect lands designated as “employment areas” for smaller scale, low traffic generating, land consumptive uses with low parking demand. Title 4 limits high traffic generating, high parking demand, regional scale retail uses in these areas. Titles 1 and 2 encourage location of high traffic, high parking demand commercial uses in centers with structured parking. Approximately 4543 acres of vacant land within centers and corridors inside the UGB would be available for regional or subregional scale retail development.

Specific square foot regulations, the 60,000 square foot maximums, are used as a measurable, clear and objective standard. Most existing grocery stores having a local market area of two to three miles are less than 60,000 square feet. Retail stores with a regional or subregional market greater than five miles are usually in excess of 100,000 square feet.

One of the concerns about allowing large scale retail uses in employment areas is the traffic generated from outside the employment area. Building material and discount stores, for example, have substantially higher trip generation rates than other uses. The much higher weekday and peak hour trip rates for these large scale retail uses would increase congestion along arterials in industrial and employment areas designed to accommodate non-retail uses. Location of these uses in centers and corridors, close to the households they serve, reduces vehicle miles traveled consistent with statewide Goals 12 and the Transportation Planning Rule. See staff memos dated October 15 and 16, 1996.

**Goal 12 and the Transportation Planning Rule**

The applicable provision of the Transportation Planning Rule prior to the adoption of the regional Transportation Systems Plan is OAR 660-12-060: "Amendments to functional plans . . . which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility . . .".

To greater and lesser degrees in different locations and jurisdictions, the performance standard in Title 1, Section 6 will require cities and counties to amend comprehensive plans and implementing ordinances to increase densities for housing and employment within the urban growth boundary. These land use plan changes over the two-year period for compliance with this functional plan must be balanced by changes in the transportation plans of cities and counties at the same time.

Title 6 requirements contain the regional transportation policies which balance Title 1 strategic increases in density inside the Urban Growth Boundary to assure that planned land uses are
consistent with planned transportation facilities. Boulevard Design is required to be considered to accommodate alternate modes of transportation. Design Standards for street connectivity must be adopted to enhance alternate modes of transportation by one of two options. Targets must be established and implemented for increasing use of alternate modes of transportation in mixed use areas. These requirements avoid principal reliance on any one mode of transportation. However, the primary method of assuring balance between land use and transportation in the functional plan is the use by cities and counties of alternate level of service standards for mixed use areas and use of congestion management actions in Title 6, Section 4. These policies would be used, as needed, wherever planned transportation facilities are insufficient to serve land uses planned to implement Title 1.

If city or county transportation facilities are significantly affected by traffic congestion from Title 1 increased land use capacities in mixed use areas, Title 6, Section 4.B and C require that a policy decision be made about whether to change the plan's "design requirement" to a level of service consistent with Section 4.B. If the alternate level of service standard is not used, an exception to Title 1 may be requested under Title 8 procedures to the extent needed to retain the land use/transportation balance by limiting land uses. If the functional classification and identified capacity of a transportation facility are affected by the new balance of land use and transportation using the optional level of service and other Title 6 requirements, they must be amended in the plans as part of exercising the alternate level of service option.

The greatest potential for transportation planning changes to retain consistency with new land uses is in the mixed use areas of Central City, Regional Centers, Town Centers, Main Streets and Station Communities. The greatest increases in capacity for houses and jobs are directed by Table 1 to occur in these areas. For these areas, Title 6, Section 4 establishes regional performance standards. First, Section 4.A. requires alternate mode analysis to establish and implement alternative mode targets to reduce motor vehicle congestion. If a road remains out of balance with land uses, congestion analysis and management are applied. For mixed use areas, the alternative Level of Service in 4.B.1 may be applied to the road in the city or county transportation plan. If that relaxed level of service standard is exceeded, the accessibility analysis in 4.B.2 is used. If regional accessibility is impacted, the congestion management actions must be taken. Only if the road remains inconsistent with land uses are road capacity improvements planned to retain the balance between transportation facilities and land uses.

For roads outside mixed use areas, the existing regional level of service standard is required by 4.D. Congestion management actions in 4.C are used before adding roads to maintain consistency with land uses. Outside mixed use areas land use capacity is increased primarily by use of minimum densities in Title 1, Section 2. Cities and counties have flexibility in use of minimum densities that may be used to avoid some transportation impacts. If congestion management actions are insufficient to maintain consistency between planned land uses and transportation facilities, an exception from land use requirements to the extent of the inconsistency may be requested under Title 8.

Title 1: Requirements for Housing and Employment Accommodation

Title 1, Section 1 states Metro policy to minimize the amount of UGB expansion needed by 2017 by increasing the capacity of land inside the UGB for development. This is to be accomplished
by implementation of 2040 Growth Concept "design types" (Section 3), particularly those identified as "mixed use areas."

In Section 1, the regional policy establishes that all cities and counties must accommodate a share of the 2017 projected growth in needed houses and jobs. That fair share policy is reflected in Table 1. Target numbers for each city and county in Table 1 are required to be met by Section 6. A step-by-step calculation required to demonstrate these target capacities is in Section 5. Mandatory steps to increase that calculated capacity are in Section 2.A (minimum densities), Section 2.B (prohibit limits on land divisions), Section 2.C (no prohibition of accessory units) and Section 4 (reduce "underbuild").

Table 1, then, has a series of target capacity requirements for each city and county. Jurisdiction-wide capacity for new dwelling units for each jurisdiction is based on a city or county share of the 243,993 dwelling units projected to be needed by 2017. Jurisdiction-wide capacity for new jobs for each jurisdiction is based on a city or county share of the 461,633 jobs to accommodate by 2017.

Mixed use areas in each jurisdiction will vary in size, density, and jobs/housing balance. The 2040 Growth Concept is the source of the "persons per acre" averages for housing and jobs accommodated in each "mixed use area" design type. These averages were used in the feasibility analysis of the 2040 Growth Concept. Since these are aggregated averages for widely varying forms of these design types, these averages are merely recommended as guidelines in Section 7. In mixed use areas, these averages may be exceeded.

Goal 10 and Metro Housing Rule

Titles 1 and 7 contain the direct regional policies related to housing. Many parts of the Goal 10 and LCDC Housing rules are addressed on a regional scale in Title 1. However, city and county comprehensive plans retain the responsibility to comply with the statewide goals and rules comprehensively. Title 1 regional policies supplement and are consistent with the statewide goals and rules. However, if application of Title 1 results in Goal 10 conflicts, a city or county may seek an exception or interpretation under Title 8. Title 8, Section 2.B and RUGGO Objective 5.3 provide the mechanism for a city or county to seek an exception from Table 1 required capacities after the required policies in Title 1, Section 2 have been adopted and their impact estimated. Title 8, Section 2.E assures that cities and counties will not be required to violate Goal 10 to comply with Title 1 or any other requirement of this Functional Plan.

The "minimum residential density allocations" in the Metro Housing Rule are met and exceeded by the required housing capacities in Title 1 and Table 1 with the minimum density requirements of Title 1, Section 2. The "new construction mix" of residential housing types consistent with the Rule encouraged by Title 1 includes redevelopable land and excludes unbuildable land from its analyses consistent with the Rule. Manufactured homes are encouraged in Title 7, Section 3.

Recommendations to improve the availability of affordable housing are included in Title 7, Section 2. The Housing Needs Analysis addresses affordability. Accessory unit policy at Title

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1 See Title 10 definition.
2 See Table 1 “mixed use areas,” footnote 2.
3 See Title 10 definition. This is an aggregate number for persons inside households and working in an area.
1. Section 2.C enhances affordable housing with a new market product that cities and counties must include in their Goal 10 housing projection. The Housing Needs Analysis is a compendium of data about the regional housing market using a housing model to predict housing needs for a 2040 Growth Concept scenario.

Metro has completed a preliminary Housing Needs Analysis using a 2015 population and employment forecast. A regional 2017 housing need has been calculated based on that projection, but a new forecast geographically allocating that estimated housing need has not been completed. This regional work will be completed before the end of the two year compliance period of this Functional Plan.

Cities and counties must complete their own “housing needs projection” to comply with Goal 10. The preliminary estimates of cities and counties required to meet the target capacities in Title 1, Table 1 indicated that the target capacities were feasible even before all the requirements of Title 1 were considered. The regional requirement to allow at least one accessory unit for each detached single family dwelling at Section 2.C, for example, was added to Title 1 after the city and county estimates were completed.

Title 1, Section 2.A requires cities and counties to utilize some form of minimum density in all residential zones. Consistent with RUGGO, the Metro Housing Rule, and Goals 5, 6, 7 and 8, Section 2.A.5 excludes this minimum density requirement from application in unbuildable lands and Open Space areas where only low density development, if any, should be allowed.

Use of redevelopable land for housing is encouraged by Title 1, Section 2.B and 4 consistent with the Metro Housing Rule.

Goals 11, 13, 14
The requirement in Table 1 for mixed use areas is to demonstrate the target capacities for new dwelling units and new jobs as part of the jurisdiction-wide totals. The calculated capacities for each mixed use area design type are aggregated for these required capacities. Again, cities and counties may plan and zone these areas somewhat differently for the unique characteristics of each design type area. The regional requirement is to get at least the required capacities in mixed use areas. The jurisdiction-wide capacity requirements are based on accommodating projected population and employment within the current UGB.

This entire approach enhances the policies of Goals 13 and 14. Long-range urban population growth requirements are being accommodated within the UGB. Changes in comprehensive plans and implementing ordinances are required to be changed to maximize efficiency of land uses within the existing urban area. Long-term energy use and costs are being reduced by retaining the compact urban form and designing land uses inside the UGB to create mixed use areas with significant increases in the use of bicycle and pedestrian travel. Agricultural land adjacent to the UGB is retained. Public facilities can be planned and provided in a more orderly and economic manner by avoiding high cost extensions of water, sewer, storm sewer, telecommunications, and urban roads to accommodate projected population growth outside the

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4 See Urban Growth Report, Table 5.
5 See 1994-95 Travel Survey Data Summary Table showing up to 29% of all trips by walking in high density mixed use areas.
current UGB\textsuperscript{6}. For any specific area where public facility redevelopment costs to serve increased capacities required by Title 1 would not be orderly and efficient, a process for exceptions of Title 1 requirements for that area is provided in Title 8.

As adopted, Title 1 and Table 1 include requirements to adopt minimum densities, reduce barriers to density, and demonstrate target capacities. Generally, these regional policies are consistent with the statewide goals and the transmittals in the record from cities and counties that indicate the feasibility of these requirements. However, each city and county must comply with statewide goals when it amends its comprehensive plan and land use regulations to implement Title 1 requirements. Prior to that time, if compliance with Functional Plan requirements would cause a city or county to violate a statewide goal, Title 8, Section 8, and RUGGO Objective 5.3 would apply to prevent a violation. (See Goal 2.A. above.)

\textsuperscript{6} See KCM Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas, June, 1996.
Jodie Hammendad
Tina Kraget
Suey Smith
Susan McCaim
Craig Connell
Dean Costingill
Tanya Collier
Roy Rogers
Dave Yaden
Michele Burton
Jon Kirshel
Don Wagner
Carrie Hales
Mike Holland
Kool Aid
Kathy Brown
Peter Foy
Richard Ross
Karl Ronde
Michael Brand
K. W. Satter
Larry Shaw
Use Naito

Affiliation
Clackamas Co.

7-Center E. Council

WSDOT

Metro

City of Clackamas Co

RTC

Multnomah County

Washington County

Tri-Met

Metro Exec Council

ODOT

City of Portland

Metro

Clackamas County

Multnomah County

Central Eastside Industrial Council

TRAC, Cities of Mult Co.

LC City Council: TRAC Alternate

Metro

Pat

Metro
<table>
<thead>
<tr>
<th>NAME</th>
<th>AFFILIATION</th>
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<tbody>
<tr>
<td>Gary Katzian</td>
<td>Kittelson &amp; Associates, Inc.</td>
</tr>
<tr>
<td>John Fate</td>
<td>Clackamas Co.</td>
</tr>
<tr>
<td>John Rosenberger</td>
<td></td>
</tr>
<tr>
<td>Dea Schoenberger</td>
<td>Washington Co.</td>
</tr>
<tr>
<td>Mamish Bable</td>
<td>David Evans &amp; Assoc/ TUEC</td>
</tr>
<tr>
<td>Gordon Oliver</td>
<td>OR-CONIAN</td>
</tr>
<tr>
<td>Scott L. Rice</td>
<td>Cornelius City Council</td>
</tr>
<tr>
<td>Marc Zoldyn</td>
<td>City of Portland</td>
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<tr>
<td>Meeky Blizzard</td>
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