

DRAFT



METRO

TEL 503-797-1756 FAX 503-797-1930

MEETING: Land Use Final Order (LUFO) Steering Committee
DATE: Thursday, June 26, 2008
TIME: 1:40pm – 2:00pm
PLACE: Metro Regional Center, Room 370A/B

	Agenda Item	Lead/Presenter
I.	<u>Presentation of LUFO Steering Committee Findings</u>	Mark Turpel, Metro
II.	<u>Adoption of LUFO</u>	Robert Liberty, Metro

Paper copies of all materials will be available at the meeting.



June 19, 2008

To: LUFO Steering Committee Members

Distribution list: Commissioner Sam Adams, City of Portland
Mayor Shane Bemis, City of Gresham
Mayor Jim Bernard, City of Milwaukie
Fred Hansen, TriMet
Councilor Robert Liberty, Metro
Mayor Alice Norris, City of Oregon City, Ex-Officio
Commissioner Lynn Peterson, Clackamas County
Commissioner, Maria Rojo de Steffey, Multnomah County
Jason Tell, Oregon Department of Transportation
Rick Williams, Chair of Citizen Advisory Committee, Ex-Officio

The Metro Council will be considering an amendment to the Land Use Final Order (LUFO) for the Portland-Milwaukie Light Rail Project on July 24, 2008. The Portland-Milwaukie Light Rail Project would modify the light rail route, stations, park and ride lots and highway improvements, including their locations, for that portion of the South Corridor Light Rail Project extending from Portland State University in downtown Portland through downtown Milwaukie to Park Avenue in Clackamas County. The Project also would expand the Ruby Junction light rail maintenance facility in Gresham.

Under Oregon Laws 1996, Chapter 12, TriMet may apply to the Metro Council for a Land Use Final Order amendment following its receipt of recommendations from the LUFO Steering Committee and ODOT. The LUFO Steering Committee will meet on June 26 at 1:30 p.m. to act on a LUFO amendment recommendation. The meeting will take place at Metro Regional Center, 600 NE Grand Ave., Portland.

I have enclosed legal notice of the public hearing for the Portland-Milwaukie Light Rail Project Land Use Final Order Amendment for your information. Please contact me at (503) 797-1775 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bridget Wieghart'.

Bridget Wieghart
Transit Project Manager

LUFO Steering Committee

1. Some of you have participated in a LUFO Steering Committee proceedings, but a few have not, so want to take this opportunity to give you a brief summary.
2. LUFO created by legislature as a means of consolidating process for multi-jurisdictional land use decisions on light rail for the South/North corridor. It also provides for an expedited land use review as the initial appeal period is specified as to time limits and items of appeal (only those raised at LUFO hearing) and LUBA appeals go directly to the Supreme Court.
3. A LUFO establishes the location of light rail route, the stations, lots, highway improvements and maintenance facilities.
4. Criteria approved by LCDC in 1996 used. These include:
 - a. a) Process criteria (coordinate with local governments, hold public hearing)
 - b. b) Substantive criteria (identify adverse impacts and measures to reduce impacts) and
 - c. c) alignment specific (consider connecting Portland Central city with Milwaukie downtown)
5. A LUFO Steering Committee must recommend to TriMet concerning a Land Use Final Order.

Process:

1. LUFO Steering Committee make recommendations
2. ODOT letter making recommendations
3. TriMet app to Metro
4. Public Notice
5. Staff report and draft findings (using criteria)
6. Metro public hearing, adoption
7. Notice of Decision
8. Appeals to LUBA, then directly to Oregon Supreme Court

Schedule – Propose to be concurrent with the LPA – so when Project Steering Committee decides LPA, will adjourn and reconvene as LUFO Steering Committee.

The Portland-Milwaukie LRT Project LUFO will amend the earlier 2004 LUFO and the 1998 LUFO. It relocates the alignment, including the bridge over the Willamette River, and relocates a number of stations. It also determines the alignment, stations and lots for several study areas (near PSU, near SE Tacoma and in Milwaukie) and extends the route to SE Park Avenue.

Committee – comprised of Metro elected council member as well as “...elected officials of affected local governments” and TriMet and ODOT.

Portland-Milwaukie Light Rail Project

LUFO Steering Committee Recommendations
Concerning the
2008 South/North Land Use Final Order

DRAFT

June 26, 2008

South/North Land Use Final Order Steering Committee Members

Metro

Robert Liberty, Metro Councilor

TriMet

Fred Hansen, Executive Director

City of Portland

Sam Adams, Commissioner

City of Milwaukie

James Bernard, Mayor

City of Gresham

Shane Bemis, Mayor

Oregon Department of Transportation

Jason Tell, Region 1 Manager

Multnomah County

Maria Rojo de Steffey, County Commissioner

Clackamas County

Lynn Petersen, Chair, County Commissioner

City of Oregon City

Alice Norris, Mayor, Ex-Officio

Portland-Milwaukie Light Rail Project Citizen Advisory Committee

Rick Williams, Chair, Ex-Officio

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1. Introduction

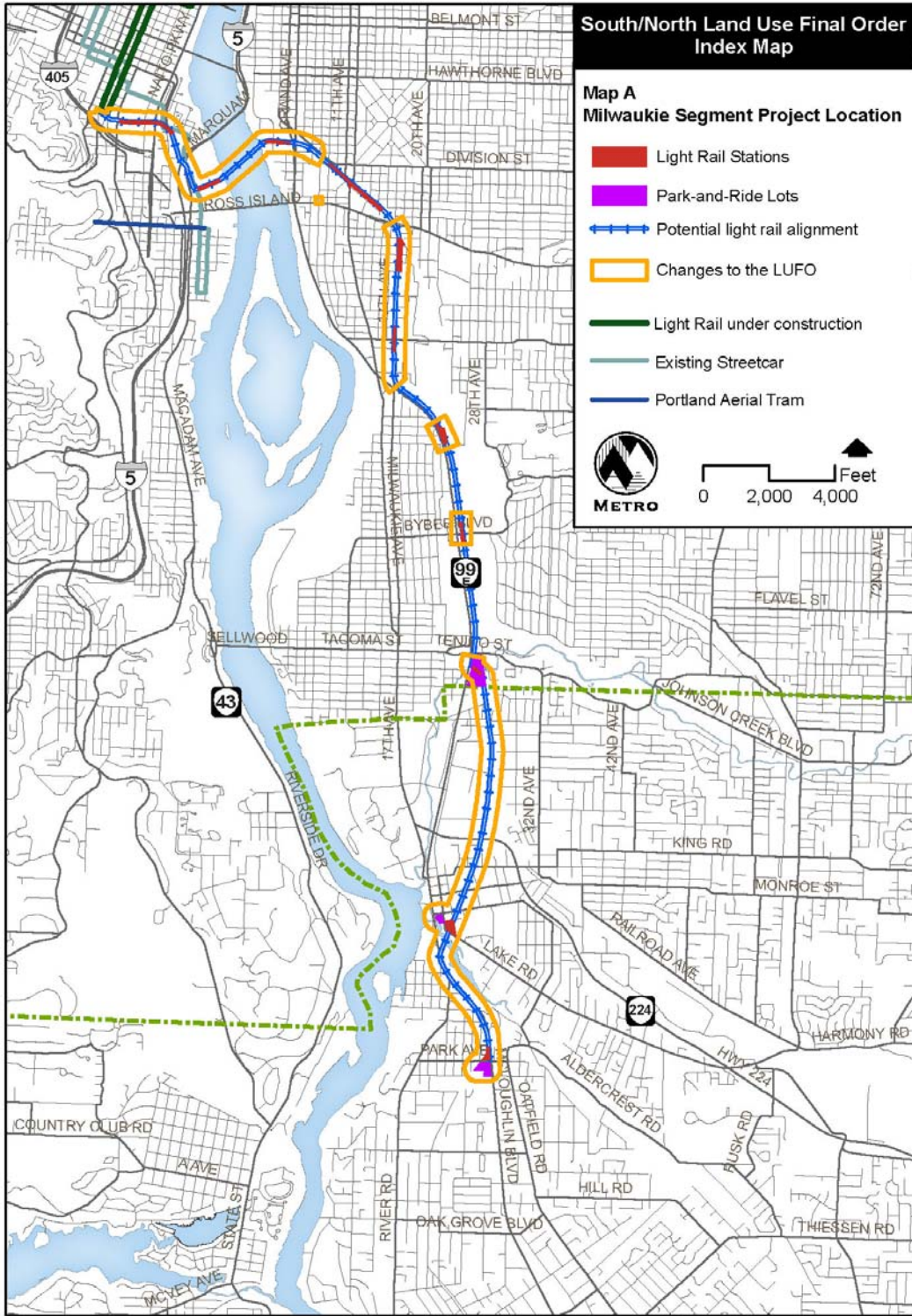
This document constitutes the South/North Land Use Final Order (LUFO) Steering Committee's recommendation to TriMet regarding TriMet's application to the Metro Council for approval of amendments to the original South/North Corridor Project LUFO, which the Metro Council adopted on July 23, 1998 (the 1998 LUFO), and to the South/North LUFO amendment that the Metro Council adopted on January 15, 2004 (the 2004 LUFO).

This recommendation is provided pursuant to Section 6(1) of Oregon Laws 1996, Chapter 12 (House Bill 3478), which directs TriMet to apply to the Metro Council for a Land Use Final Order approving the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations, "following receipt of recommendations from the Department of Transportation and the Steering Committee", and Section 6(2), which provides:

“(2) Any siting of the light rail route, a station, lot or maintenance facility, or a highway improvement outside the locations established in a land use final order, and any new station, lot, maintenance facility or highway improvement, shall require a land use final order amendment or a new land use final order which shall be adopted in accordance with the process provided for in subsection (1) of this section.”

In May 1998, in accordance with Section 1(21) of House Bill 3478, the South/North LUFO Steering Committee was established through intergovernmental agreement between Metro, TriMet, ODOT, Clackamas County, Multnomah County, the City of Portland, and the City of Milwaukie. In 2008, the Intergovernmental Agreement was amended to add the City of Gresham as a LUFO Steering Committee member. The City of Oregon City is an ex officio member of the Committee.

This recommendation from the LUFO Steering Committee addresses the light rail route, stations, lots and highway improvements within only that portion of the South/North Project extending southward from Portland State University in downtown Portland through SE Portland and downtown Milwaukie to SE Park Avenue in unincorporated Clackamas County. Additionally, it addresses modifications to the existing Ruby Junction Maintenance Facility in the City of Gresham.



2. Requirements of House Bill 3478.

House Bill 3478, Section 6(1) authorizes the Metro Council, upon application by TriMet and following recommendations from the Steering Committee and Department of Transportation, to adopt a Land Use Final Order for the South/North Project. A LUFO is a written order or orders of the Metro Council deciding the light rail route, the stations, lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations. The LUFO identifies the light rail route, stations, lots, maintenance facilities and highway improvements that comprise the South/North project, and it further specifies the locations within which these facilities and improvements may be located. As explained in Section 6(1)(a) of House Bill 3478,

"The applied for locations shall be in the form of boundaries within which the light rail route, stations, lots and maintenance facilities, and the highway improvements shall be located. These boundaries shall be sufficient to accommodate adjustments to the specific placements of the light rail route, stations, lots and maintenance facilities, and the highway improvements for which need commonly arises upon the development of more detailed environmental or engineering data following approval of a Full Funding Grant Agreement."

3. Recommended South/North Project LUFO Amendments

The LUFO Steering Committee recommends that TriMet apply for, and that the Metro Council adopt, a LUFO amending the 1998 and 2004 South/North LUFOs to approve the light rail route, stations, lots and maintenance facilities, and the highway improvements as identified textually below and in the attached maps, which illustrate the location "boundaries" as required by Section 6(1)(a) of the Act. With one exception (Ruby Junction Maintenance Facility expansion), the recommended route, station, lot, maintenance facility and highway improvement amendments occur entirely within the Portland-Milwaukie segment of the South/North Project.

Consistent with the 1998 South/North LUFO, the LUFO Steering Committee recommends dividing the Portland-Milwaukie Project into four sections: (1) South Willamette River Crossing; (2) McLoughlin Boulevard; (3) Milwaukie Town Center; and (4) the expansion of the Ruby Junction Maintenance Facility located in Gresham which will serve the LRT vehicles for the Portland-Milwaukie Project as well as other TriMet LRT lines in the region.

For each of these sections, the project description begins with a brief summary of the section, followed by identification of the light rail route, stations, lots, highway improvements and maintenance facilities.

It should be noted that several portions of the recommended project in the Portland-Milwaukie segment remain unchanged from the descriptions and boundary maps that the Metro Council approved in the 1998 LUFO or the 2004 LUFO amendments. For instance, the light rail alignments in SE Portland from SE 7th Avenue to SE 17th Avenue and along SE McLoughlin Boulevard from SE 17th Avenue to SE Tacoma Street are unchanged. Also, a number of the stations and station boundaries within this segment remain as shown and described in the previous LUFOs. While it is not necessary to include these unchanged project elements in this recommendation, they are illustrated on the attached maps to give the reader a complete picture of the Portland-Milwaukie segment.

The light rail route, stations, lots and maintenance facilities, and the highway improvements that the LUFO Steering Committee recommends to TriMet for inclusion in its LUFO application are as indicated in the text and maps that follow.

South Willamette River Crossing Section

The South Willamette River Crossing Section extends from the Jackson Street light rail transit (LRT) stations on SW 5th and 6th Avenues along SW Lincoln Street to the intersection of SE 17th Avenue and SE McLoughlin Boulevard.

The LRT alignment leaves downtown Portland towards Milwaukie from the Jackson Street LRT stations on SW 5th and 6th Avenues along SW Lincoln Street, across 1st Avenue and SW Naito Parkway, over SW Harbor Drive and under the I-5/I-405/Marquam Bridge ramps to a location west of SW Moody Avenue at approximately SW Porter Street. Short of reaching the Ross Island Bridge, the alignment curves eastward to cross the Willamette River on a new bridge. The alignment crosses the east bank of the Willamette River at SE Sherman Street and then continues eastward primarily along SE Sherman Street to the intersection of SE 7th Avenue and SE Caruthers Street, where it rejoins the 1998 LUFO alignment and continues southeast to SE Powell Boulevard along that alignment.

South of SE Powell Boulevard, the LRT alignment follows SE 17th Avenue to SE McLoughlin Boulevard, as approved in the 2004 LUFO amendments. While the route remains along SE 17th Avenue, the boundary within which the tracks may be located is widened so that the SE 17th Avenue right-of-way remains wide enough to accommodate bicycle lanes and freight movements.

West of the Willamette River, light rail stations along this section are located in the vicinity of SW Lincoln Street between approximately SW 4th Avenue and SW Naito Parkway, and a Harbor Station extending from approximately SW Harrison Street to SW Caruthers Street. There are still outstanding issues to be resolved regarding the Harbor station, but by including it in the LUFO now, the option remains available to build this station. A station will also be located east of SW Porter Street between SW Moody Avenue and the Willamette River. East of the Willamette River, the OMSI station identified in the 1998 LUFO is relocated to SE Sherman Street east of SE Water Avenue. No changes are recommended to the locations of the previously approved SE Clinton Street station identified in the 1998 LUFO, and the SE Rhine and SE Holgate Street stations along SE 17th Avenue identified in the 2004 LUFO amendments.

No park-and-ride lots or maintenance facilities are proposed for this section. However, there are three highway improvements: A transitway extending from approximately SW 1st Avenue across the new bridge to approximately SE 8th Avenue and Division Place, which would accommodate buses, streetcars, and bicycles and pedestrians; and transit-related improvements on SE 8th between SE Powell Boulevard and SE Woodward Street, including roadway widening for a turn lane and transit-only signalization. The LUFO Steering Committee also recommends a third potential highway improvement that would modify SW Moody Avenue between approximately the Marquam Bridge and the Ross Island Bridge.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated on the boundary maps for the South Willamette River Crossing Section attached to this recommendation (Figures 1.1 to 1.4). As noted, boundary maps showing the light rail route and stations previously approved and not modified by these proposed amendments are provided solely for the convenience of the reader.

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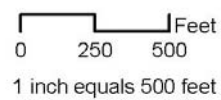
South/North Land Use Final Order Amendment Boundary Map

Figure 1.1

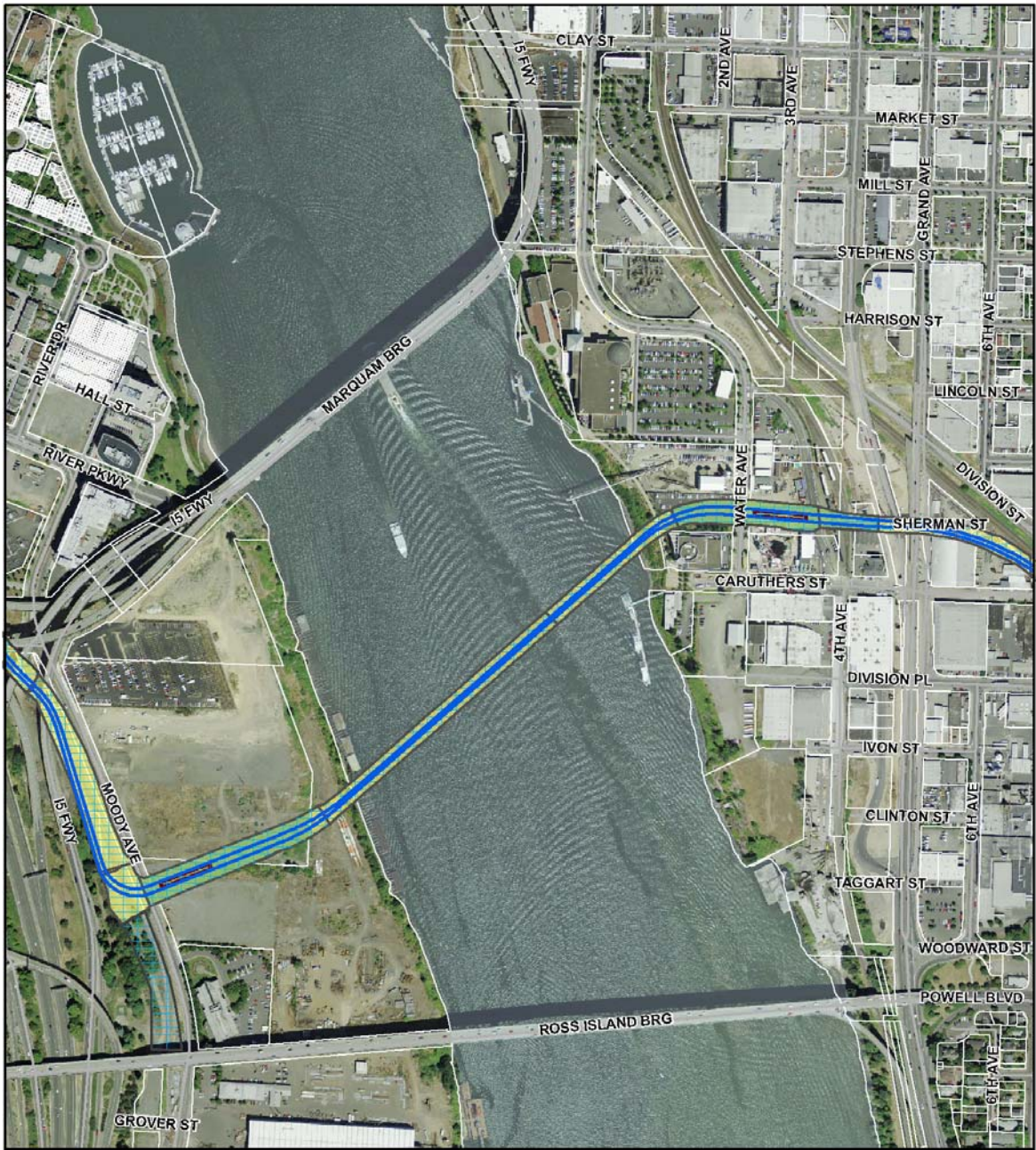
Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform
- Highway Improvement



Note: The guideway between SW 1st Avenue and SE 8th Avenue/SE Division Place will provide bus access and is considered a highway improvement along the light rail route. June 2008



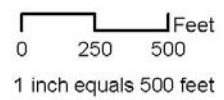
South/North Land Use Final Order Amendment Boundary Map

Figure 1.2

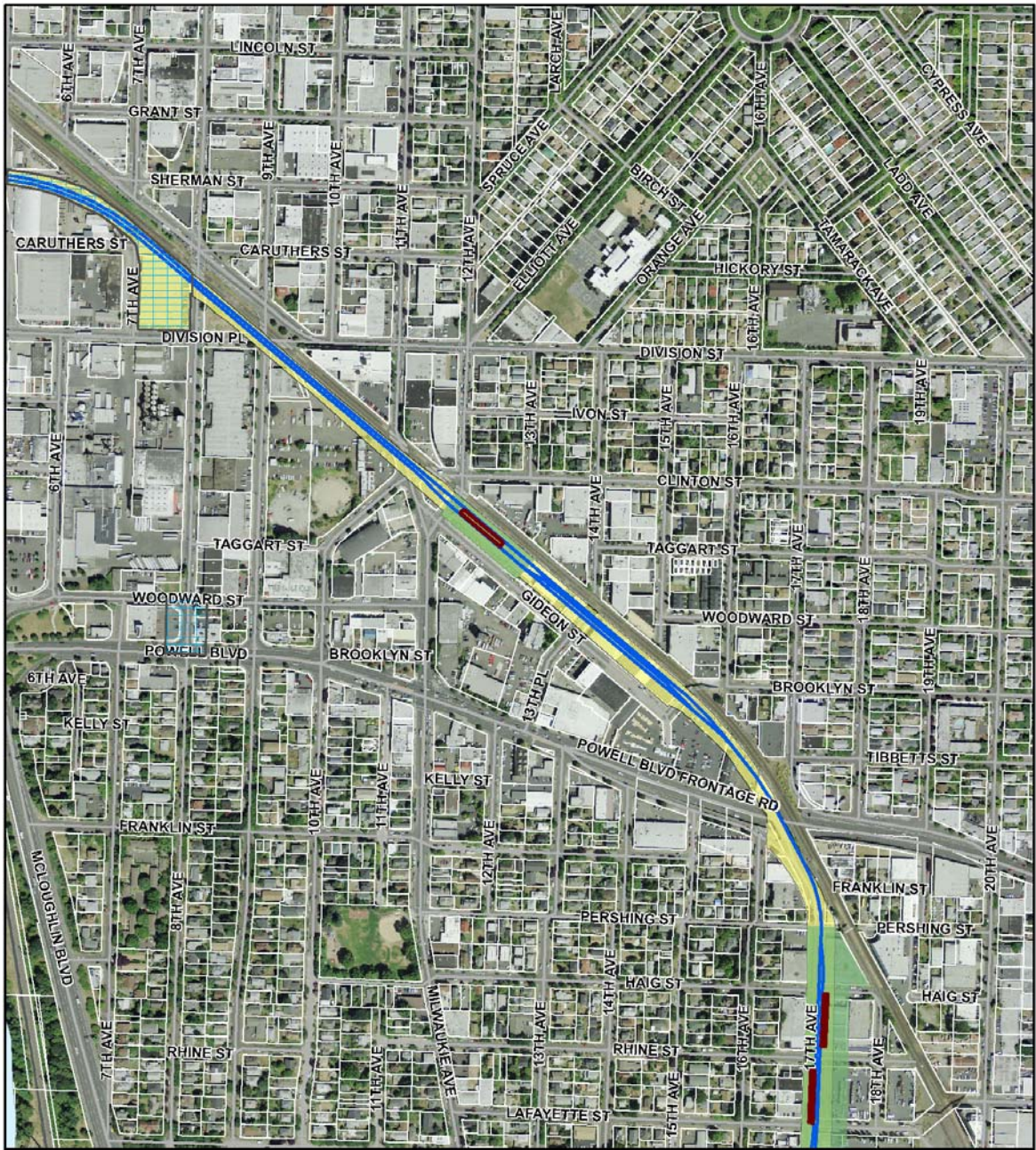
Portland-Milwaukie Light Rail Project

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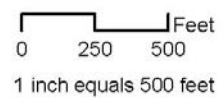
South/North Land Use Final Order Amendment Boundary Map

Figure 1.3

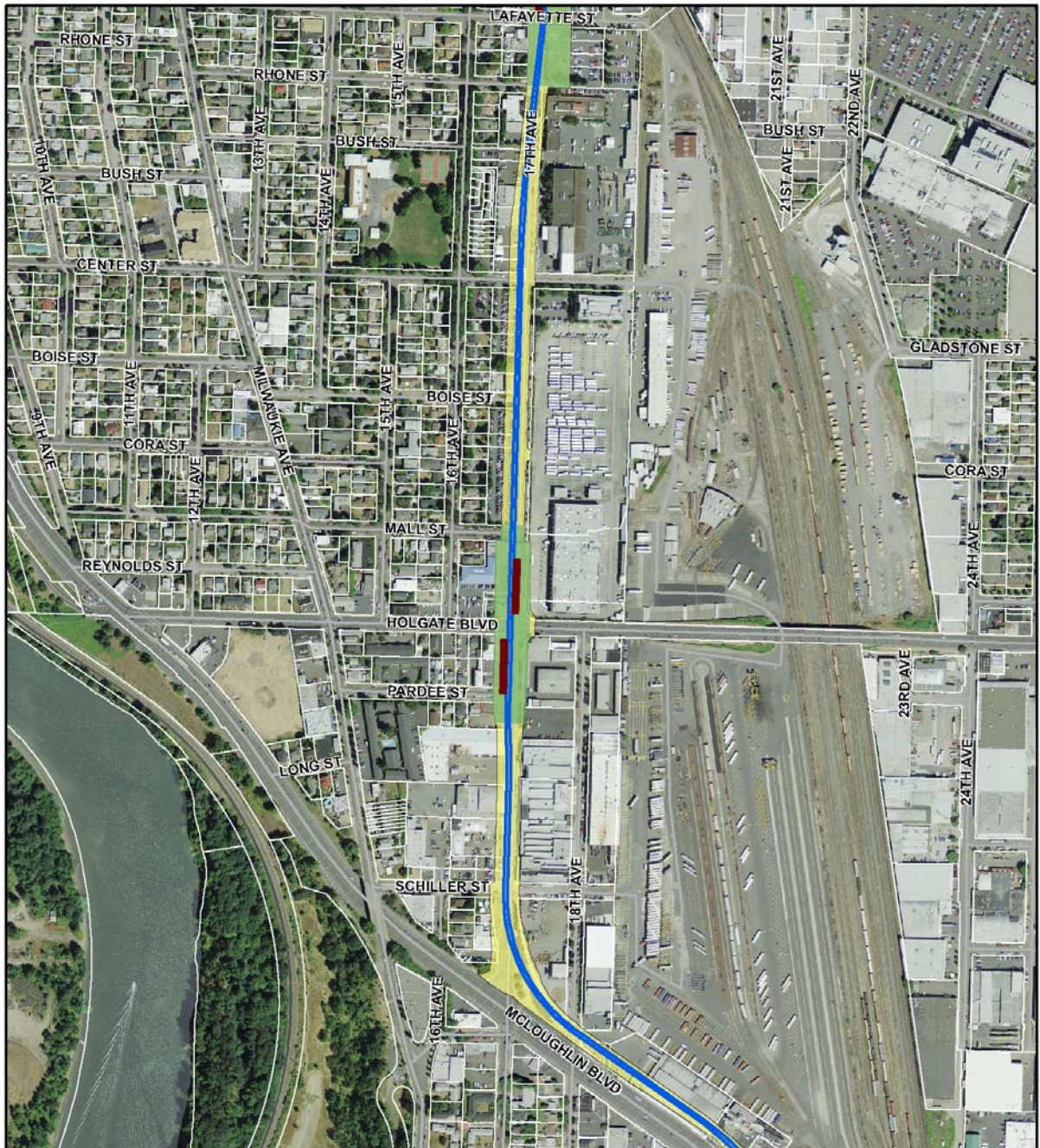
Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform
- Highway Improvement



Note: The guideway between SW 1st Avenue and SE 8th Avenue/SE Division Place will provide bus access and is considered a highway improvement along the light rail route. June 2008



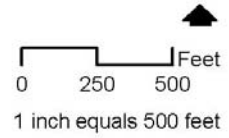
South/North Land Use Final Order Amendment Boundary Map

Figure 1.4

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

Portland-Milwaukie Light Rail Project

- Potential Alignment
- Potential Station Platform



June 2008

McLoughlin Boulevard Section

The McLoughlin Boulevard Section extends southward between SE McLoughlin Boulevard and the Union Pacific Railroad tracks from SE McLoughlin at SE 17th Avenue to SE McLoughlin at SE Tacoma Street.

The Steering Committee recommends no changes to the light rail route along SE McLoughlin Boulevard as established in the 1998 LUFO and amended in part in the 2004 LUFO. From SE McLoughlin Boulevard at SE 17th Avenue to SE Tacoma Street, the route continues southward along the east side of SE McLoughlin Boulevard.

The Steering Committee recommends that the Bybee Street Station location be expanded to provide space for a bus pullout. The Steering Committee also recommends a potential new station along SE McLoughlin Boulevard near SE Harold Street.

There are no park-and-ride lots, maintenance facilities or highway improvements proposed for this section.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated on the boundary maps for the McLoughlin Boulevard Section attached to this recommendation (Figures 1.4 to 1.6). As noted boundary maps showing the light rail route and stations previously approved and not modified by these amendments are provided solely for the convenience of the reader.



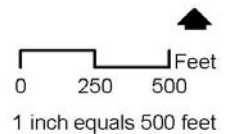
South/North Land Use Final Order Amendment Boundary Map

Figure 1.5

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform



June 2008



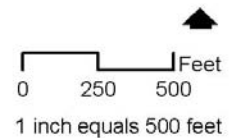
South/North Land Use Final Order Amendment Boundary Map

Figure 1.6

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform



June 2008

Milwaukie Town Center Section

The Milwaukie Town Center Section (formerly Milwaukie Regional Center) extends from SE Tacoma Street through downtown Milwaukie to SE Park Avenue in Clackamas County.

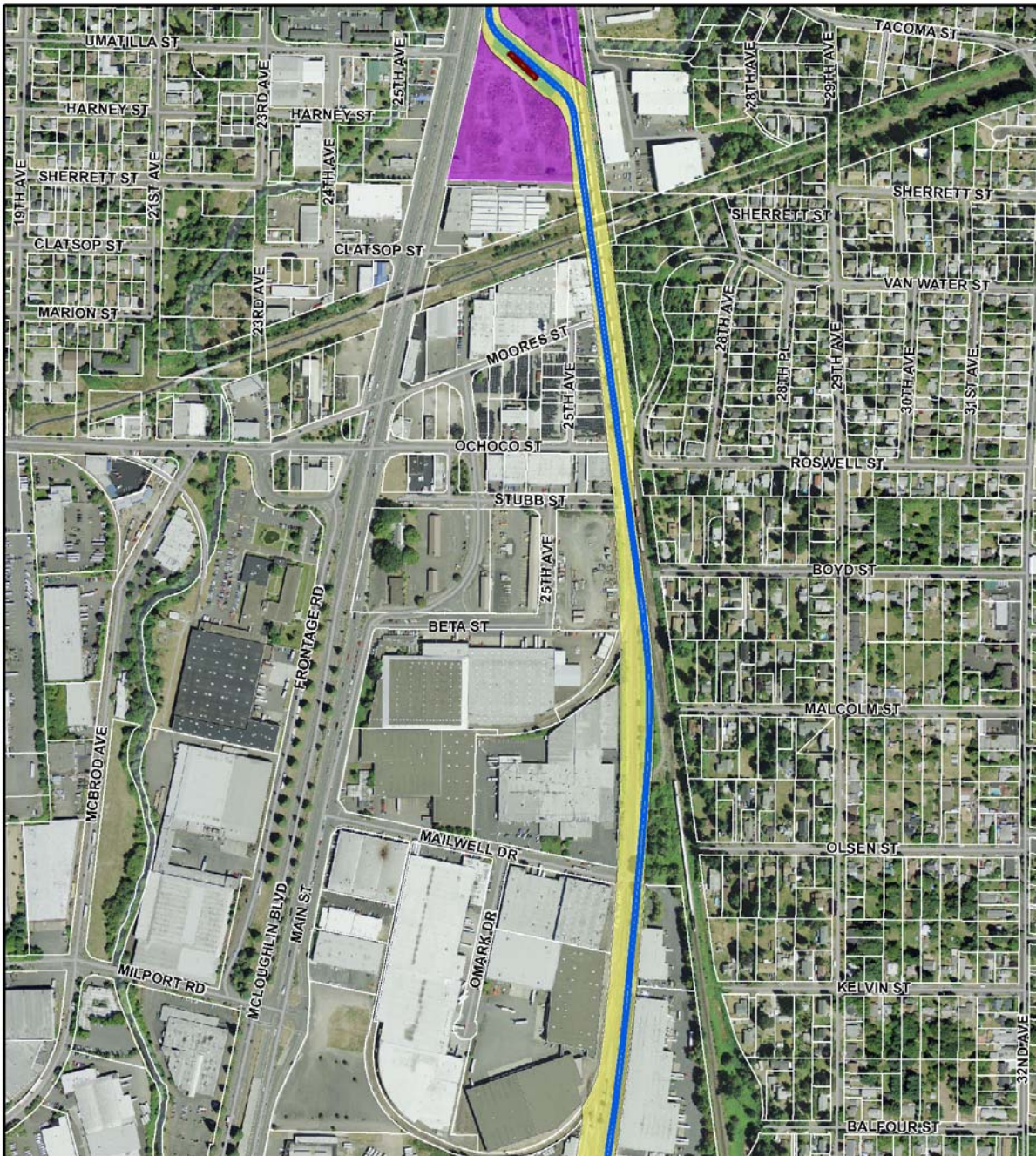
A short distance south of SE Tacoma Street, the route curves south and east from SE McLoughlin Boulevard to the west side of the UP Main Line, where it heads southward under the Springwater Trail bridge and then onto an elevated structure which extends over the Portland and Western railroad tracks and associated spur tracks before returning to grade level on the east side of the Portland and Western railroad tracks north of Highway 224. From here, the alignment continues southward under Highway 224 and into downtown Milwaukie along the east side of the railroad right of way to Kellogg Lake. The alignment crosses over Kellogg Lake, then crosses SE McLoughlin Boulevard on an elevated structure. West of SE McLoughlin Boulevard, the alignment curves towards the southeast and parallels SE McLoughlin Boulevard to its terminus at SE Park Avenue.

Stations along this section are located south of SE Tacoma Street, in the vicinity of SE Lake Avenue and south of SE Park Avenue.

Park-and-ride lots in this section are located south of SE Tacoma Street and near SE Park Avenue. The LUFO Steering Committee also recommends a potential park and ride lot near SE McLoughlin Boulevard and SE Washington Street.

No maintenance facilities are proposed for this section.

The proposed boundaries within which the above-described light rail and highway improvements would be located are as illustrated on the boundary maps for the Milwaukie Town Center Section attached to this recommendation (Figures 1.6 to 1.9).





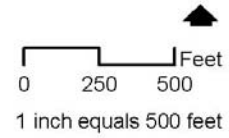
South/North Land Use Final Order Amendment Boundary Map

Figure 1.7

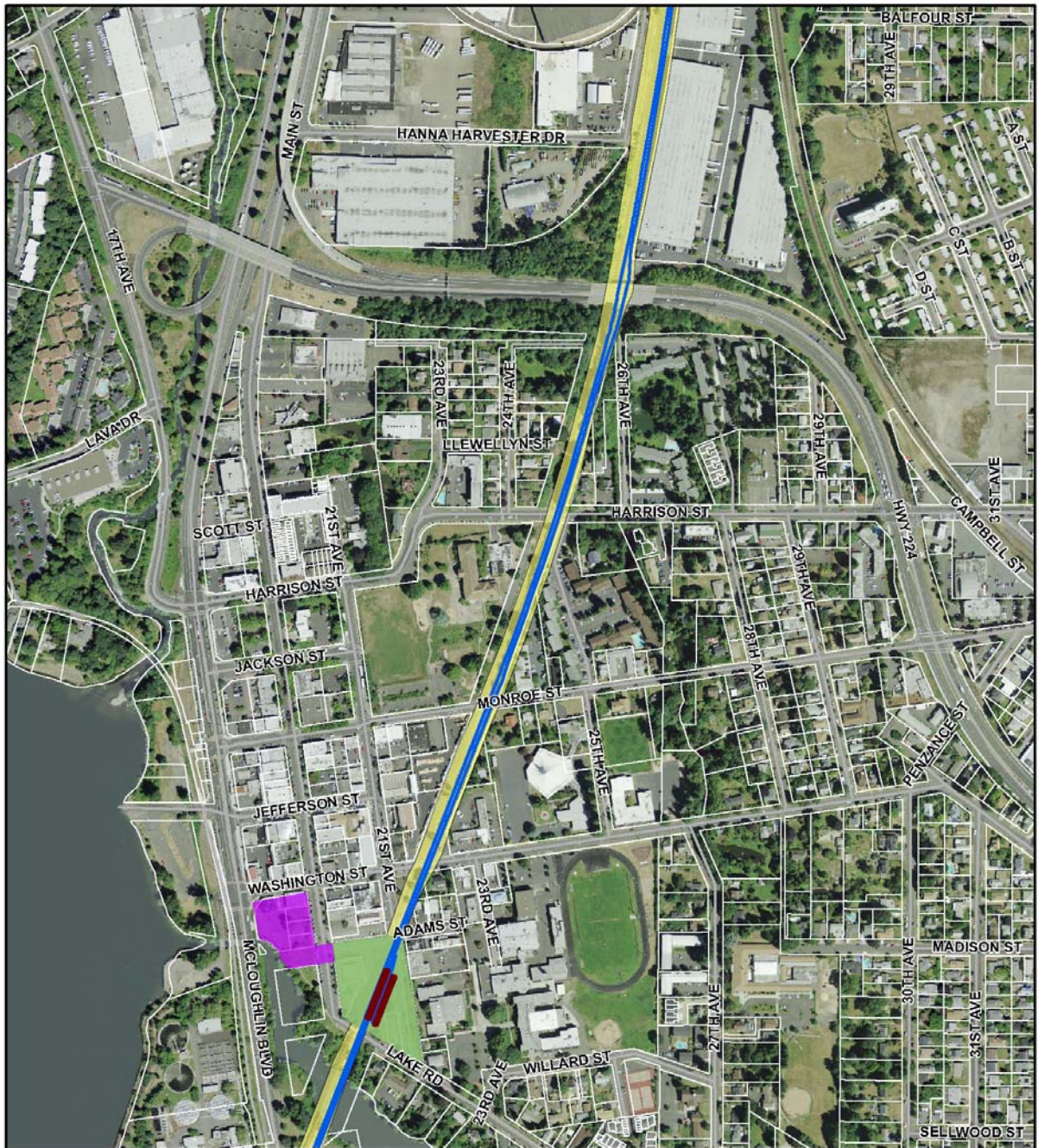
Portland-Milwaukie Light Rail Project

-  Light Rail Route
-  Light Rail Stations
-  Park-and-Ride Lots

-  Potential Alignment
-  Potential Station Platform



June 2008



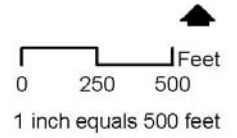
South/North Land Use Final Order Amendment Boundary Map

Figure 1.8

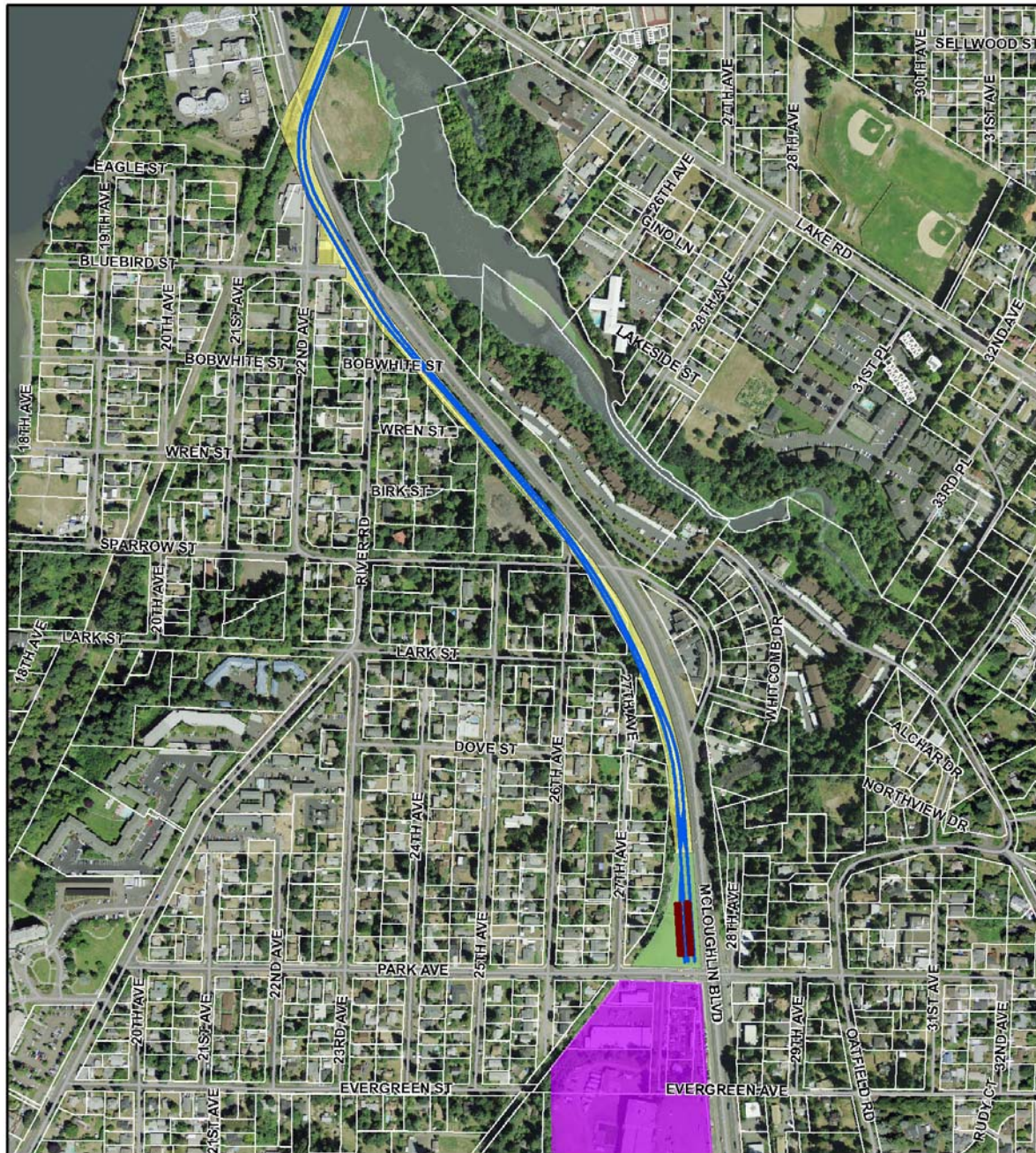
- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

Portland-Milwaukie Light Rail Project

- Potential Alignment
- Potential Station Platform



June 2008



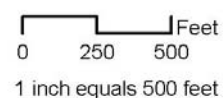
South/North Land Use Final Order Amendment Boundary Map

Figure 1.9

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform

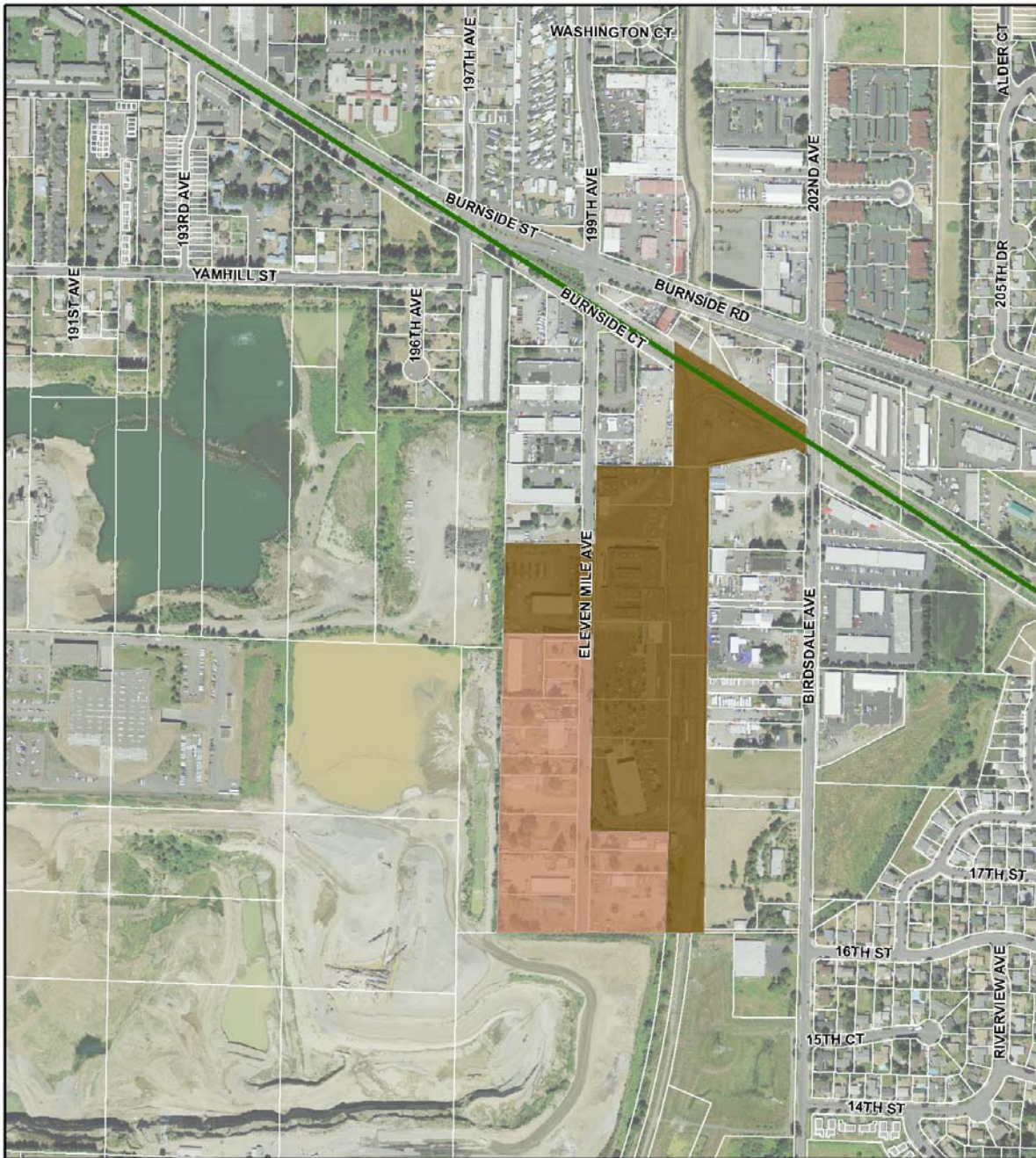


June 2008

Ruby Junction Maintenance Facility Amendment

In addition to the above-identified light rail facilities and highway improvements in the Portland-Milwaukie segment, the LUFO Steering Committee recommends expanding the existing Ruby Junction Maintenance Facility in Gresham along NW Eleven Mile Avenue. Expansion of Ruby Junction Maintenance Facility is needed in order to allow for maintenance of the additional light rail vehicles that will be associated with the Portland-Milwaukie project. The expansion would include additional track, light rail vehicle storage spaces and maintenance bays and a new operations center.

The proposed boundaries within which the above-described maintenance facility improvements would be located are as illustrated on the boundary maps for the Ruby Junction Maintenance Facility attached to this recommendation (Figure 2.1).

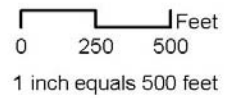


South/North Land Use Final Order Amendment Boundary Map

Figure 2.1

Ruby Junction Operations and Maintenance Facility

- Existing O&M
- Potential O&M expansion
- Potential Alignment
- Potential Station Platform
- Existing Light Rail



June 2008

4. Interpretation of Terms

For the purposes of this Land Use Final Order, the Metro Council has interpreted the terms "light rail route", "stations", "lots", "maintenance facilities" and "highway improvements" to have the following meanings:

- "**Light rail route**" means the alignment upon which the light rail tracks will be located. The light rail route will be located on land to be owned by or under the operating control of TriMet.
- "**Stations**" means those facilities to be located along the light rail route for purposes of accessing or serving the light rail system. Stations include light rail station platforms; kiss-and-ride areas; bus transfer platforms and transit centers; vendor facilities; and transit operations rooms.
- "**Lots**" means those parking structures or surface parking lots that are associated with a station, owned by or under the operating control of either TriMet or another entity with the concurrence of TriMet, and intended primarily for use by persons riding transit or carpooling. Parking structures may include some retail or office spaces in association with the primary use.
- "**Maintenance facilities**" means those facilities to be located on land to be owned or controlled by TriMet for purposes of operating, servicing, repairing or maintaining the light rail transit system, including but not limited to light rail vehicles, the light rail tracks, stations, lots, and ancillary facilities and improvements. Maintenance facilities include maintenance facility access trackways; storage tracks for light rail vehicles; service, repair and maintenance shops and equipment; office facilities; locker rooms; control and communications rooms; transit district employee and visitor parking lots; and storage areas for materials and equipment and non-revenue vehicles.
- "**Highway improvements**" include new roads, road extensions or road widenings outside existing rights-of-ways that have independent utility in themselves and are not needed to mitigate adverse traffic impacts associated with the light rail route, stations, lots or maintenance facilities.

Additionally, the Metro Council has determined that implementation of the South/North LUFO under sections 8(1)(a) and (b) of Chapter 12 of the 1996 Oregon Laws (HB 3478), including the construction, operation and maintenance of the light rail route, stations, lots and maintenance facilities and the highway improvements for the Project, necessitates and requires development approval of certain associated actions and the permitting of certain associated or ancillary facilities or improvements. These associated actions or ancillary facilities or improvements generally are required: (1) to ensure the safe and proper functioning and operation of the light rail system; (2) to provide project access; (3) to improve traffic flow, circulation or safety in the vicinity of the Project; or (4) to mitigate adverse impacts caused to the adjoining roadway network resulting from the alignment, stations, lots or maintenance facilities. For these reasons, the Metro Council

has determined that these actions, facilities or improvements are integral and necessary parts of the Project.

The Metro Council has further determined that the associated actions and ancillary facilities or improvements for the South/North Project include, but are not limited to: ties, ballast, and other track support materials such as tunnels and bridges; modifications to existing tracks; retaining walls and noise walls, culverts and other drainage systems; traction electrification equipment including maintenance facility accesses, including road accesses, pedestrian bridges and pedestrian and bicycle stops, bus pullouts, shelters, bicycle storage facilities and similar facilities. They also include temporary LRT construction-related roadways, staging areas and road or lane closures; roadway reconstruction, realignment, repair, widening, channelization, signalization or signal modification, lane reconfiguration or reduction, addition or modification of turning lanes or refuges, modification of traffic circulation patterns, or other modifications or improvements that provide or improve project access, improve traffic flow, circulation or safety in the vicinity of the Project, facilitate or are necessary for the safe or proper functioning and operation of the Project, or are necessary to mitigate adverse traffic impacts created by the Project; modifications of private roadways adjoining the Project; permanent road, lane or access closures associated with and necessitated by the Project; and other associated actions or associated or ancillary facilities or improvements related to the Project.

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