



METRO

DRAFT

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
Metro Council Presiding Officer

Rob Drake, MPAC Chair

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 recommended 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 satisfaction 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 recommendation 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

FOR THE PURPOSE OF RECOMMENDING)	RESOLUTION NO. 97-2487
A DEVELOPMENT PROGRAM FOR ADOP-)	
TION BY THE OREGON TRANSPORTATION)	Introduced by
COMMISSION IN THE FY 98-2001 STIP)	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

EXHIBIT A

ODOT Region 1

State Transportation Improvement Program FY 1998-2001 Development Program

I. Final Plans	<u>Current Program</u>	<u>Proposed Program</u>	
I-5/Hwy. 217 Phase 2	Development	Retain	\$17.9 m.
Sunset/Sylvan Phase 3	Development	Retain	\$21.2
Sunset/217 to Sylvan	Development	Retain	\$7.7
Farmington Rd. Phase 2	Development	Retain	\$12.1
Sunset/Murray to 217	Development	Retain	\$11.2
217/TV to Sunset	Development	Retain	<u>\$24.8</u>
TOTAL			\$94.9 m.

I-5/Wilsonville Phase 2	Development	Defer
Hwy. 217/Scholls	Development	Drop

II. EIS

Tualatin-Sherwood Expy.	Recon.	EIS	\$ 72.0 m.*
Sunrise/Unit I	EIS	Retain	37.0
Columbia/Killingsworth	None	EIS	18.0
Hwy. 224/Milwaukie	None	EIS	<u>1.8</u>
TOTAL			\$128.8 m.

*Not part of Region 1 Development Program limit

Sunrise/Unit II	EIS	Defer
I-5/East Marquam	EIS	Defer
I-5/Greeley	EIS	Defer
Hwy. 217/TV to 72nd	EIS	Defer
Mt. Hood Parkway	EIS	Defer

III. Total Region 1 - Urban Program	\$151.7 m.
Total Region 1 - Rural Program	<u>10.0</u>
GRAND TOTAL	\$161.7 m.

EXHIBIT B

WILL BE AVAILABLE AT THE MEETING

EXHIBIT B

FILE #	KEY #	FACILITY NAME	HWY NO.	COUNTY	RURA MPO	RESPON. AGENCY	PROJECT NAME	DESCRIPTION OF WORK	WORK TYPE	COST (1,000)
98 STATE PRESERVATION										
93-103	07155	Pacific West Highway	1W	Multnomah	MPO	ODOT	Ped X-ing - SW 64th	Paving, curbs, sidewalk, etc.	Pres	4,870
93-138	07191	Mt. Hood Highway	26	Clackamas	RURAL	ODOT	MP 34.00 - MP 39.00	2" O'lay	Pres	2,585
93-115	07167	NE Portland Highway	123	Multnomah	MPO	ODOT	MLK Blvd - NE 60th Ave.	2" O'lay	Pres	1,405
SUBTOTAL										8,860
98 I-PRESERVATION										
10217	01489	Pacific Highway	1	Multnomah	MPO	ODOT	NB Connection - SB Stadium Fwy	Deck Restoration	I-Pres	1,995
98 SAFETY										
97-3	09029	Various	VAR	Various	MPO	ODOT	ATMS	Ramp Mtrs, Signs, Misc.	Safety	3,000
92-26	06019	Various	VAR	Various	MPO	ODOT	Traffic Loop Repair Unit 8	Repair/replace traffic loops	Safety	750
96-24	08676	Various	VAR	Various	MPO	ODOT	98 Protective Screening	Install screening on structures	Safety	750
97-4	09030	Columbia River Highway	2	Multnomah	MPO	ODOT	148th Ave. Soundwall	Install soundwall	Safety	190
93-172	09031	Sunset Highway	47	Multnomah	MPO	ODOT	Vista Ridge Tunnel	Replace light system	Safety	630
96-5	08897	Oswego Highway	3	Clackamas	MPO	ODOT	Oswego Hwy @ West A	Intersection improvements	Safety	830
96-4	08896	Oswego Highway	3	Clackamas	MPO	ODOT	Oswego Hwy @ McVey	Intersection Improvement	Safety	1,418
97-5	09348	Sunset Highway	47	Washington	RURAL	ODOT	Sunset Tunnel	Illumination	Safety	1,575
SUBTOTAL										9,143
98 BRIDGE										
95-6	07572	Pacific Highway	1	Clackamas	MPO	ODOT	Willamette Rv (Boone) Br.#2254A	Seismic retrofit (Phase 1)	Bridge	1,575
97-6	09033	Columbia River Highway	2	Multnomah	MPO	ODOT	Sandy River Br. #06875	Scour protection	Bridge	360
97-7	09034	Columbia River Highway	2	Multnomah	MPO	ODOT	Sandy River Br. #06875A	Scour protection	Bridge	360
97-8	09035	Pacific East Highway	1E	Multnomah	MPO	ODOT	UPRR & I-84 (Grand Ave.) Br.#7040	Replace bridge rail/sidewalks	Bridge	805
97-9	09036	Pacific East Highway	1E	Multnomah	MPO	ODOT	I-84 OWR/NRR (MLK Ave) Br#2350A	Replace bridge rail/sidewalks	Bridge	805
90-28	04487	Columbia River Highway	2	Hood River	RURAL	ODOT	OWR & NRR (West Bend) Br.	Replace Deck/Rail	Bridge	420
95-6A	09037	Pacific Highway	1	Clackamas	RURAL	ODOT	Willamette River (Boone) Br.#2254A	Deck Structure Overlay	Bridge	2,730
97-10	09356	Mt. Hood Highway	26	Multnomah	MPO	ODOT	Ross Island Br.	Historic Rail Rebuild	Bridge	2,440
97-11	09038	Pacific Highway	1	Multnomah	MPO	ODOT	Iowa Street Viaduct #8197	Deck O'lay & Seismic retrofit	Bridge	1,600
SUBTOTAL										11,095
98 HEP/SAFETY										
93-70	07136	Various	VAR	Clackamas	MPO	Oregon City	Ore. City Traffic Signal Upgrade/Optic	Signal upgrades	HEP	214
93-63	07045	Allen Blvd.	VAR	Washington	MPO	Beaverton	SW 141st Ave- SW Menlo Ave.	Intersection improvements	HEP	605
97-12	09040	Mt. Hood Highway	26	Multnomah	MPO	ODOT	Pacific West - Gresham	CSIP Signals/Access Mgmt.	HEP	378
96-25	09021	Sunset Highway	47	Washington	RURAL	ODOT	Sunset Hwy @ Jackson School Rd	Illumination	HEP	54
96-26	09022	Pacific East	1E	Multnomah	MPO	ODOT	Columbia Slough - Clack. Co. Line	CSIP Signals/Access Mgmt.	HEP	389
SUBTOTAL										1,640
98 LOCAL HBRR										
94-28	08525	Anchor Way	VAR	Clackamas	RURAL	Clack Co	Abernethy Cr Br. #06223	Replace structure	HBRR	532

EXHIBIT B

94-32	08526	Old Highway 30	VAR	Columbia	RURAL	Col Co	Beaver Cr Br. #00136	Replace Structure	HBRR	300
94-30	08489	Blehm Road	VAR	Columbia	RURAL	Col Co	N Fork Scappoose Cr Br #013743	Replace Structure	HBRR	164
94-31	08490	Otto Miller Road	VAR	Columbia	RURAL	Col Co	S Fork Scappoose Cr Br #09C50	Replace Structure	HBRR	199
94-29	08500	NE 138th Ave.	VAR	Multnomah	MPO	Mult Co	Columbia Slough Br. #25T15	Replace Structure	HBRR	840
78-130	01903	Dowty Road	VAR	Clackamas	RURAL	Clack Co	Eagle Creek Br. #6561	Replace Structure	HBRR	420
93-9	06333	Lusted Road	VAR	Clackamas	RURAL	Clack Co	Sandy River Br. #6580	Replace Structure	HBRR	3,195
93-109	07249	Cedar Canyon Rd	VAR	Washington	RURAL	Wash Co	Dairy Creek Br. #671288	Replace Structure	HBRR	190
93-126	07248	Greenville Rd	VAR	Washington	Rural	Wash Co	Dairy Creek Br. #671286	Replace Structure	HBRR	327
93-141	07253	Childs Rd	VAR	Clackamas	MPO	Clack Co	Oswego Canal Br. #06429	Widen Structure	HBRR	265
								SUBTOTAL		6,432
		98 FEDERAL LANDS HWY								
	07406	Mt. Hood Meadows Access R	VAR	Clackamas	RURAL	FLH	Mt. Hood Meadows Access Road	Reconstruct roadway	FLH	4,000
								TOTAL 1998		43,165
		99 STATE PRESERVATION								
93-116	07168	Lower Columbia Rv Hwy	2W	Multnomah	MPO	ODOT	Cornelius Pass Rd - St. John's Br.	2" O'lay	Pres	2,360
93-132	07185	Clackamas/Boring Highway	174	Clackamas	RURAL	ODOT	Richey Rd - MP 8.87	2" O'lay	Pres	475
93-106	07158	Wilson River Highway	37	Washington	RURAL	ODOT	MP 37.00 - 51.00	2" O'lay	Pres	2,778
								SUBTOTAL		5,613
		99 I-PRESERVATION								
93-179	07973	Pacific Highway	1	Multnomah	MPO	ODOT	O-Xing Columbia Blvd-Hassalo O-Xin	Raise/Widen Structures	I-Pres	28,350
		99 SAFETY								
97-3A	09345	Various	VAR	Various	MPO	ODOT	ATMS	Ramp Mtrs, Cameras, Misc.	Safety	3,000
97-14	09346	Various	VAR	Various	MPO	ODOT	Traffic Loop Repair Unit 9	Repair/replace traffic loops	Safety	750
97-15	09347	Various	VAR	Various	MPO	ODOT	99 Protective Screening	Install screening on structures	Safety	750
97-16	09349	Columbia River Highway	2	Multnomah	RURAL	ODOT	Toothrock Tunnel	Replace light system	Safety	1,638
								SUBTOTAL		6,138
		99 BRIDGE								
92-32B	09351	Northeast Portland Highway	123	Multnomah	MPO	ODOT	St. Johns Bridge	Repair historic rail, sidewalk	Bridge	2,700
97-17	09369	Pacific Highway	1	Multnomah	MPO	ODOT/WD	Columbia River (I-5) Br.	Paint (1/2 cost is WDOT's)	Bridge	17,000
92-32A	09039	Northeast Portland Hwy	123	Multnomah	MPO	ODOT	St. Johns Bridge	Deck Structure Overlay	Bridge	3,700
97-18	09032	East Portland Fwy	64	Clackamas	MPO	ODOT	Willamette Rv (Abernethy) Br.#9403	Seismic retrofit (Phase 1)	Bridge	3,270
								SUBTOTAL		26,670
		99 HEP/SAFETY						SUBTOTAL		
97-19	09358	Cascade North	68	Multnomah	MPO	COP	Airport Road - SE Flavel	CSIP Signals/Access Mgmt.	HEP	450
		99 LOCAL HBRR								
96-44	09361	Point Adams Road	VAR	Col Co	RURAL	Col Co	Westport Slough Bridge #09C097	Replace structure	HBRR	265
96-45	09362	Fishhawk Road	VAR	Col Co	RURAL	Col Co	Fishhawk Creek Bridge #13671	Replace structure	HBRR	147

EXHIBIT B

									SUBTOTAL		412
									TOTAL 99		67,633
		2000 STATE PRESERVATION									
97-22	09342	Pacific West Highway	1W	Washington	MPO	ODOT	Beaverton/Tigard Hwy - Tualatin Rv	3" inlay/o'lay	Pres		1,560
97-23	09343	Various	VAR	Mult/Clack	MPO	ODOT	I-405, I-5, I-205 Concrete Repair	Repair failing concrete	Pres		580
97-24	09344	Pacific West Highway	1W	Washington	MPO	ODOT	SW 60th - Beaverton/Tigard Hwy	3" inlay/o'lay	Pres		500
97-25	09363	Mt. Hood Highway	26	Mult/Clack	M/R	ODOT	Burnside St. - Sandy WCL	2" O'lay	Pres		3,400
								SUBTOTAL			6,040
		2000 I-PRESERVATION									
93-181	07969	Columbia River Highway	2	Hood River	RURAL	ODOT	Mitchell Point - Hood River	Inlay truck lane/overlay	I-Pres		7,770
93-177	03696	Pacific Highway	1	Multnomah	MPO	ODOT	Interstate Br. - O-Xing Columbia Blvd.	Upgrade Interchanges	I-Pres		2,520
								SUBTOTAL			10,290
		2000 SAFETY									
97-3B	09365	Various	VAR	Various	MPO	ODOT	ATMS	Ramp Mtrs, Cameras, Misc.	Safety		3,000
97-26	09366	Various	VAR	Various	MPO	ODOT	Traffic Loop Repair Unit 10	Repair/replace traffic loops	Safety		750
97-20	09367	Various	VAR	Various	MPO	ODOT	2000 Protective Screening	Install screening on structures	Safety		750
97-21	09368	Mt. Hood Highway	26	Hood River	RURAL	ODOT	MP 49.10 - MP 49.23	Rockfall Mitigation	Safety		1,050
								SUBTOTAL			5,550
		2000 BRIDGE									
97-27	09357	Pacific Highway	1	Multnomah	MPO	ODOT/wdot	Columbia River	Repair Deck (1/2 cost is WDOT's)	Bridge		2,860
		2000 HEP/SAFETY									
93-74	07146	Sandy Blvd.	59	Multnomah	MPO	COP	Pacific East - NE 37th Ave.	CSIP Signals	HEP		450
97-28	09370	Clackamas Highway	171	Clackamas	MPO	ODOT	River Rd. - Clackamas Interchange	CSIP Signals	HEP		368
								SUBTOTAL			818
		2000 LOCAL HBRR									
96-43	09374	Rainbow Road	VAR	Clackamas	RURAL	Clack Co	Eagle Creek Br. #6607	Replace Structure	HBRR		147
96-46	09375	Burris Road	VAR	Col Co	RURAL	Col Co	Nehalem River Bridge #13665A	Replace midspan of structure	HBRR		242
								SUBTOTAL			389
								TOTAL 2000			25,947
		2001 STATE PRESERVATION									
97-29	09364	Pacific Highway	1	Multnomah	MPO	ODOT	MP 294.50 - MP 299.95	2" Inlay, barrier, g. rail, bridge	Pres		5,760
93-117	09376	Pacific East Highway	1E	Clackamas	MPO	ODOT	Roethe Rd. - Clackamas River	4" inlay/o"lay	Pres		
93-117	09377	Pacific East Highway	1E	Clackamas	MPO	ODOT	Milwaukie SCL - Roethe Rd.	4" inlay/o"lay	Pres		
	09378	Lower Columbia River Highway	2W	Columbia	RURAL	ODOT	Fall Cr. Rd. - Ford Cr.	2" o'lay	Pres		
	09379	Pacific East Highway	1E	Multnomah	MPO	ODOT	Columbia Blvd. - Broadway	2" o'lay	Pres		
	09380	Lower Columbia River Highway	2W	Multnomah	MPO	ODOT	Nicolai - Kittridge	2" inlay	Pres		
	09381	Pacific East Highway	1E	Multnomah	MPO	ODOT	Marine Dr. - Columbia Blvd.	2-3" inlay/o'lay	Pres		

EXHIBIT B

								SUBTOTAL		5,760
		2001 I-PRES								
97-30	09382	Columbia River Highway	2	Multnomah	MPO	ODOT	Sundial -Sandy River	Overlay	I-Pres	525
97-31	09383	Columbia River Highway	2	Multnomah	RURAL	ODOT	Sandy River - Corbett	Inlay/Overlay	I-Pres	2,835
								SUBTOTAL		3,360
		2001 SAFETY								
97-32	09384	Various	VAR	Various	MPO	ODOT	Traffic Loop Repair Unit 11	Repair/replace traffic loops	Safety	750
97-33	09385	Various	VAR	Various	MPO	ODOT	2001 Protective Screening	Install screening on structures	Safety	750
97-34	09386	Clackamas Highway	171	Clackamas	MPO	ODOT	E Portland Fwy - SPRR O-Xing	Add third lane	Safety	770
97-35	09387	Various	VAR	Various	MPO	ODOT	Region 1 Signals (Hwys 29, 40, 64)	Signal Improvements	Safety	191
92-30A	09388	Mt. Hood Highway	26	Hood River	RURAL	ODOT	MP 72.00 - MP 75.00 (Rockfall)	Rockfall Mitigation	Safety	3,150
97-36	09389	Pacific West Highway	1W	Washington	MPO	ODOT	Terwilliger Blvd. - Tualatin River	Signals; Hwy 217-Main (3rd In)	Safety	466
95-13	08005	Beaverton/Tualatin Highway	141	Washington	MPO	ODOT	Beaverton/Tualatin Hwy @ Scholls	Right turn lane	Safety	107
97-37	09390	Oswego Highway	3	Clackamas	MPO	ODOT	Oswego Hwy @ Terwilliger Blvd.	Left turn channelization	Safety	326
92-47/4	09391	East Portland Freeway	64	Multnomah	MPO	ODOT	I-205 @ Glisan St. Ramps	Add right turn lanes	Safety	313
97-38	09392	Pacific East Highway	1E	Clackamas	MPO	ODOT/Milw	SPRR X-ing - Park Ave.	Reconst. int & upgrade signal	Safety	410
97-39	09406	Mt. Hood Highway	26	Clackamas	RURAL	ODOT	N. Fork Johnson Cr-N Fork Deep Cr.	Close X-ings & Intch. @ 282nd	Safety	735
91-46	04617	Clackamas/Boring Highway	174	Clackamas	RURAL	ODOT	Clackamas/Boring Hwy @ 282nd	Roundabout or signal	Safety	252
97-40	09407	Pacific East Highway	1E	Clackamas	RURAL	ODOT	Pacific East @ So. End Road	Realign., signal, illumination	Safety	819
								SUBTOTAL		9,039
		2001 BRIDGE								
97-41	09350	Pacific East Highway	1E	Multnomah	MPO	ODOT	SPRR & Division St. (Paulson) Via.	Replace structure	Bridge	18,700
92-32C	09393	Northeast Portland Highway	123	Multnomah	MPO	ODOT	St. John's Bridge	Painting	Bridge	12,000
		Mt. Hood Highway	26	Multnomah	MPO	ODOT	Ross Island Bridge	Painting	Bridge	
		Nehalem Highway	102	Washington	RURAL	ODOT	Naylor Creek Bridge	Replace structure	Bridge	
		Swift Highway	120	Multnomah	MPO	ODOT	Columbia Slough Bridge	Deck Structure O'lay	Bridge	
		Oswego Highway	3	Clackamas	MPO	ODOT	Willamette River (Oregon City) Br.	Historic Rail Rebuild	Bridge	
		Pacific West Highway	1W	Multnomah	MPO	ODOT	Columbia Blvd. Br.	Bridge Rail	Bridge	
		Pacific West Highway	1W	Multnomah	MPO	ODOT	Columbia Slough (Schmeer Rd.) Br.	Bridge Rail	Bridge	
		Pacific Highway	1	Multnomah	MPO	ODOT	I-5	Raise	Bridge	
		Pacific Highway	1	Multnomah	MPO	ODOT	I-5	Raise	Bridge	
								SUBTOTAL		30,700
		2001 HEP/SAFETY								
97-42	09394	Northeast Portland Highway	123	Multnomah	MPO	COP	Pacific East - Philadelphia Ave.	CSIP Signals	HEP	415
97-43	09395	Bachelor Flat Road	VAR	Columbia	RURAL	Col Co	Bachelor Flat Rd @ Gable Rd.	Realign Intersection	HEP	84
97-44	09396	SW 198th	VAR	Washington	MPO	Wash. Co.	SW 198th @ SW Johnson St.	Install fully actuated signal/illu.	HEP	194
								SUBTOTAL		693
		2001 LOCAL HBRR								
96-47	09400	North Bank Road	VAR	Col Co	RURAL	Col Co	Fishhawk Creek Bridge #09C118	Replace structure	HBRR	382

EXHIBIT B

		2001 FORREST HWY								
96-12B	08901	Clackamas Highway	171	Clackamas	RURAL	FHWA	FDR #4630 - Ripplebrook Br	Reconstruct roadway	FLH	5,000
								TOTAL 2001		54,934
								GRAND TOTAL		191,679

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.

NO EASY FIX

**Defective I-5 Bridge
repairs in 1960 result
in big headaches
for motorists in 1997**

By THOMAS RYLL
Columbian staff writer

3/20/97

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.

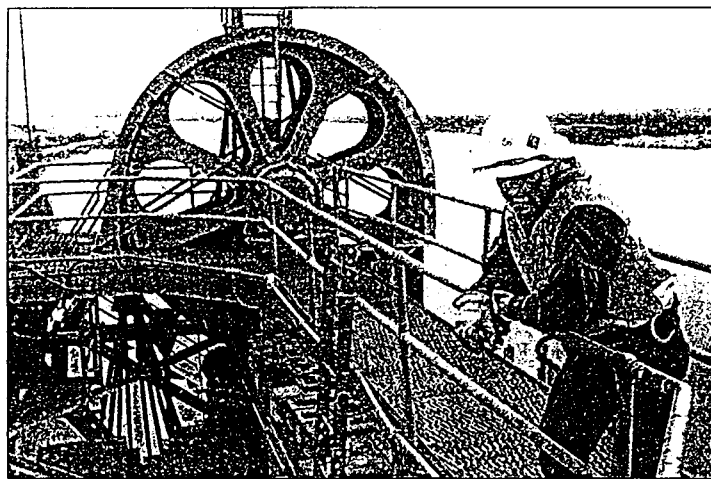
Because the trunnion is part of the system that moves one of the bridge's 272-foot-long lift spans, the crack could be expanding every time the bridge opens and closes.

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 three weeks, possibly this September, side of 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 —



FILES/The Columbian

Where the trouble lies: This April 1995 photograph shows the Interstate 5 Bridge's northeasternmost lift-span sheave. The 67-inch-long steel shaft through the center of the sheave is cracked. Engineers want to replace the shaft, sheave and lift cables on this assembly and its twin, which is behind the photographer.

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.

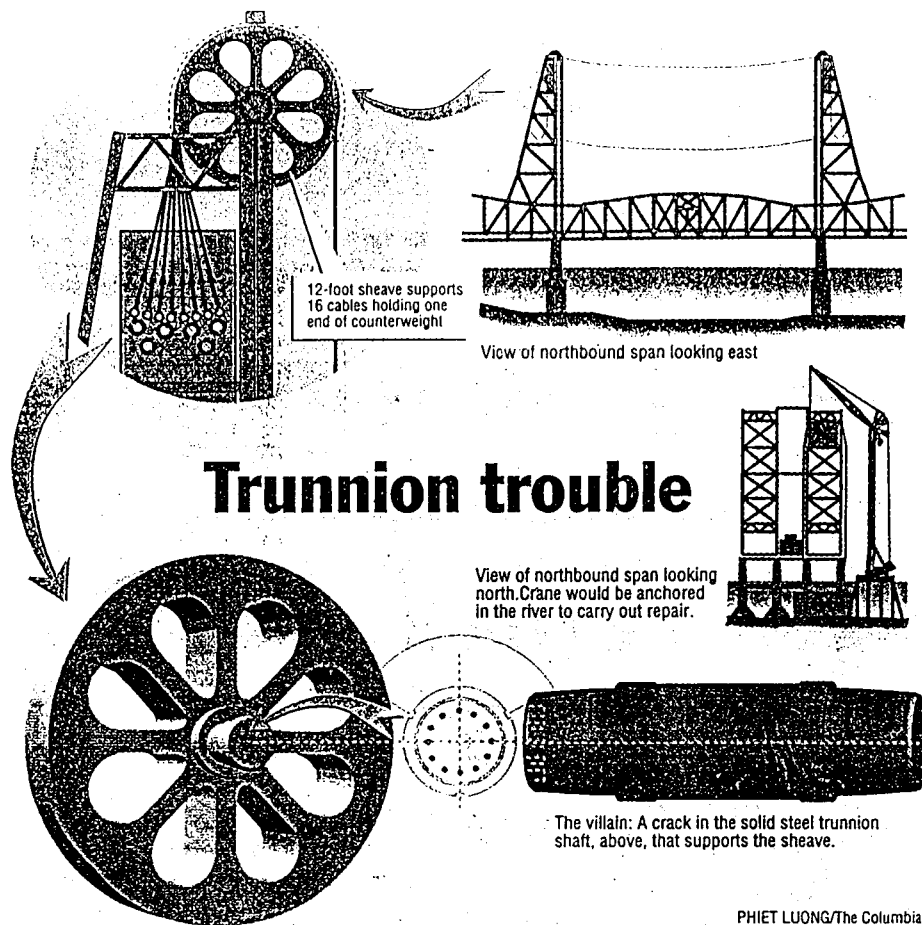
That will leave one, and only one, for all northbound vehicles.

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,



12-foot sheave supports 16 cables holding one end of counterweight

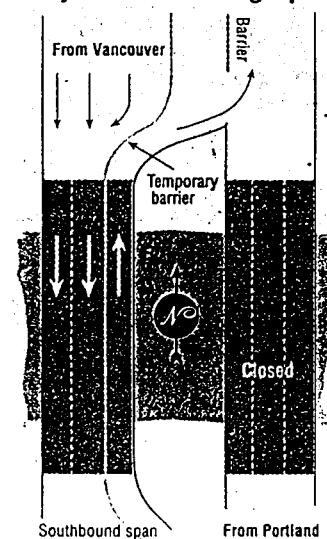
View of northbound span looking east

View of northbound span looking north. Crane would be anchored in the river to carry out repair.

The villain: A crack in the solid steel trunnion shaft, above, that supports the sheave.

PHIET LUONG/The Columbian

Likely traffic flow during repairs



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

BRIDGE/ please see A8

Bridge

Failure of bridge part could be disastrous, engineers say

From Page A1

trunnion were to fail, allowing one of the bridge's four 700-ton concrete counterweights to fall 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 apiece, 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.

The cables that travel over the sheaves are fastened, 16 per side, to the east and west ends of the

counterweights.

Each sheave rides on a steel shaft supported at each end by what is known as a bearing block. The assembly — shaft, blocks, bearings — is called a trunnion.

The problem that will mean headaches for commuters lies in the trunnion at the northeastern-most corner of the 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 engineer-

ing firm working for the Oregon Department of Transportation, traces the cracking of the trunnion shaft to machining and welding done in 1960.


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 in-

INFO•LINE QUESTION



Got a question about the closing of the Interstate 5 Bridge for repairs? We'll answer it in Sunday's paper.

To give us your question, call Info•Line at 699-6000, category 1734.

spection (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.

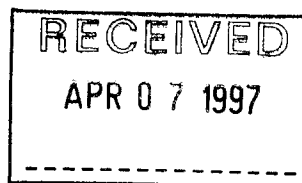
"The objective is to replace the shaft before 1999, the first year the probability of failure becomes significant," says the Oregon report.

Engineers want to do the work this September or October. Officials have drawn up three, one 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 s

April 1, 1997

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



DEPARTMENT OF
TRANSPORTATION

REGION 2

FILE CODE:

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.

A handwritten signature in dark ink that reads "Dave Bishop". To the right of the signature is a small, stylized circular mark.

Dave Bishop, Manager
Mid-Willamette Valley Area

cc: Andy Cotugno



2960 State Street SE
Salem, OR 97310
(503) 986-2600
FAX (503) 986-2630

Memorandum
April 1, 1997

DEPARTMENT OF
TRANSPORTATION

REGION 2

FILE CODE:

TO: Senator Gene Derfler
Senator Gary George
Senator Marilyn 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.



2960 State Street SE
Salem, OR 97310
(503) 986-2600
FAX (503) 986-2630

area/covltr41

January 27, 1997

Oregon

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

RECEIVED
JAN 29 1997
O.D.O.T.
To:

OREGON
TRANSPORTATION
COMMISSION

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

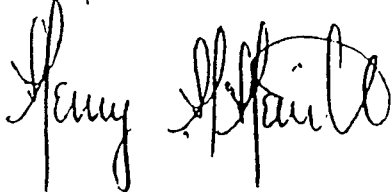
FILE CODE:

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

John A. Kitzhaber
Governor



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

Marcia Kelley
Lancaster Mall Travel
Salem Area Transit District Board

Ralph Blanchard
Polk County Commissioner

Peter Fernandez
Transportation Services Manager
City of Salem

Robert Johnstone
Yamhill County Commissioner

Duane Cole
Manager
City of Newberg

Mary Pearmine
Marion County Commissioner

Richard Van Orman
Administrator
City of Mt. Angel

Glen Welliver
Welliver Metal Products
Regional Strategies Board

Advisory Staff

Richard Schmid, Acting Executive Director
James Giesecking, 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

- Yamhill County (elected official) 1 member
- Confederated Tribes of the Grand Ronde (elected official) 1 member
- Private Sector (regional strategies key industries) 3 members

Total Voting membership 16 MEMBERS
(12 elected officials, 1 ODOT Area Mgr., 3 private sector appointees)

EX-OFFICIO, NON-VOTING MEMBERS

- Metro Portland Region (JPACT) 1 member
- Representatives of other adjoining regional commissions 1 per region
- State legislators for the Mid-Willamette area

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 MWACT 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

**Interstate 5 Corridor
(Marion County)**

Woodburn
Donald
St. Paul
Salem*
Keizer*
Jefferson
Turner

**Hwy 22W/99W/51 Corridor
(Polk County)**

Monmouth
Independence
Dallas
Falls City

Willamina
Salem*

**Hwy 22E Corridor
(Marion County)**

Aumsville
Turner
Sublimity
Stayton
Mill City
Gates
Detroit
Idanha
Salem*
Keizer*
Lyons - Linn County

**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



METRO

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

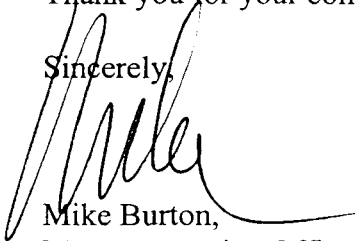
Page 2

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,

A handwritten signature in black ink, appearing to read "Mike Burton", with a long horizontal flourish extending to the right.

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)	
IMPLEMENTATION OF THE 2040)	Introduced by
GROWTH CONCEPT)	Executive Officer Mike Burton

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:

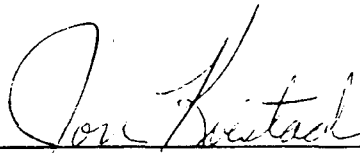
1. That the text, tables and maps included in Exhibit "A" attached and incorporated herein entitled the "Urban Growth Management Functional Plan" is hereby adopted as a functional plan pursuant to ORS 268.390.

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.

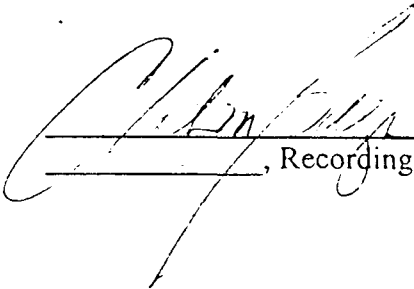
ADOPTED by the Metro Council this 21st day of November, 1996.



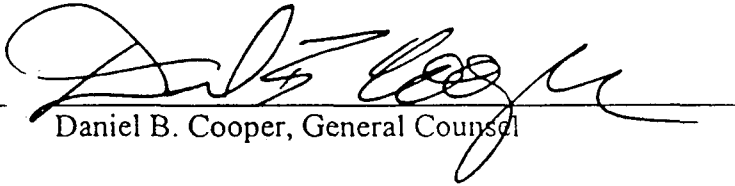
Jon Kvistad, Presiding Officer

ATTEST:

APPROVED AS TO FORM:



, Recording Secretary



Daniel B. Cooper, General Counsel

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.

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.

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

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 per net acre 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.

105 However, for the purpose of compliance with Table 1, only those
106 dwelling units that are allowed at these minimum density standards shall
107 be counted for compliance with the calculated capacities of Table 1.

- 108 2. The minimum density standard may be achieved by use of a small lot district
109 where an average lot size of 5000 to 6200 square feet allows flexibility within
110 that range on development applications, so long as the district remains in
111 compliance with the minimum density standard used to calculate capacities for
112 compliance with Table 1 capacities.
- 113 3. No comprehensive plan provision, implementing ordinance or local process
114 (such as site or design review) may be applied and no condition of approval may
115 be imposed that would have the effect of reducing the minimum density
116 standard.
- 117 4. For high density zones with maximum zoned density higher than 37 dwelling
118 units per net acre, the minimum residential density may be 30 dwelling units per
119 net acre.
- 120 5. This minimum density requirement does not apply (1) outside the urban growth
121 boundary, (2) inside areas designated as open space on the attached Open Spaces
122 Map, and (3) inside areas designated as unbuildable on the attached Open Spaces
123 Map. The maximum zoned density does not include the density bonus for zones
124 that allow them.

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

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

134 Section 3. Design Type Boundaries Requirement

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

138 Central City--Downtown Portland is the Central City which serves as the major regional center,
139 an employment and cultural center for the metropolitan area.

14/ Regional Centers--Nine regional centers will become the focus of compact development,
141 redevelopment and high-quality transit service and multimodal street networks.

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

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

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

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

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

152 Industrial Areas--Industrial areas are set aside primarily for industrial activities with limited
153 supporting uses.

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

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

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

159 A. All cities and counties shall determine whether actual built densities for housing during
160 1990-1995 were less than 80 percent of maximum zoned densities. The 1990-1995
161 actual built densities within cities and counties inside the urban growth boundary shall
162 be compared with zoned densities for housing units during that period.

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

166 B. If the comparison of actual built densities to maximum zoned densities for the period
167 1990-1995 indicates that actual built densities were less than 80 percent of maximum
168 zoned densities, the city or county shall also demonstrate that it has considered and
169 adopted at least two of the following methods to increase capacity:

170 a. Financial incentives for higher density housing;

¹ See Title 10, Definitions.

- b. Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- c. Removal or easing of approval standards or procedures;
- d. Redevelopment and infill strategies; and
- e. Authorization of housing types not previously allowed by the plan or regulations.

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 capacity² 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."

- 206 a. Actual experience in the jurisdiction since 1990 has shown that
207 development has occurred at density greater than 80 percent of zoned
208 residential density; or
209 b. Minimum density standards are adopted or proposed for adoption in the
210 zoning code that require residential development at greater than 80 percent
of maximum zoned residential density.
- 211 3. Cities and counties calculating capacity through the use of density bonus
212 provisions may consider transfers, including off-site transfers, only upon
213 demonstration that previous approvals of all density transfers within the past 5
214 years have resulted in an average of at least 80 percent of maximum zoned
215 densities actually being built.
- 216 4. The capacity calculation shall use only those development types that are
217 allowed in the development code. Any discretionary decision must not diminish
218 the zoned density if it is to be counted as a part of calculated capacity; and
- 219 5. Cities and counties, in coordination with special districts, shall demonstrate that
220 they have reviewed their public facility capacities and plans to assure that planned
221 public facilities can be provided, to accommodate the calculated capacity within
222 the plan period.
- 2 B. Calculate the increases in dwelling unit and job capacities by the year 2017 from any
224 proposed changes to the current comprehensive plans and implementing ordinances that
225 must be adopted to comply with Section 2 of this Title and add the increases to the
226 calculation of expected capacities.
- 227 C. Determine the effect of each of the following on calculated capacities, and include any
228 resulting increase or decrease in calculated capacities:
- 229 1. Required dedications for public streets, consistent with the Regional Accessibility
230 Title;
- 231 2. Off-street parking requirements, consistent with this functional plan;
- 232 3. Landscaping, setback, and maximum lot coverage requirements;
- 233 4. The effects of tree preservation ordinances, environmental protection ordinances,
234 view preservation ordinances, solar access ordinances, or any other regulations
235 that may have the effect of reducing the capacity of the land to develop at the
236 zoned density;
- 237 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
238 the land to develop at the zoned density.

240 D. If any of the calculated capacities are determined to be less than any of the city or county
241 target dwelling unit and job capacities in Table 1, either jurisdiction-wide or in mixed-use
242 areas, or both, then the city or county shall comply with the performance standards in
243 Section 6 of this Title by amending its comprehensive plans and implementing ordinances
244 to increase calculated capacities, as needed, to comply with the calculated capacities
245 required in Table 1.

246 E. Exceptions to the Section 6.B requirement that target capacities be demonstrated may be
247 requested according to Title 8 if a city or county determines that any calculated
248 capacity requirement in Table 1 cannot be achieved after implementation of Sections 2,
249 3 and 4 of this Title to increase expected capacities.

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

252 All cities and counties within Metro shall demonstrate that:

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

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

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

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

265 **Section 7. Design Type Density Recommendations**

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

268 Central City - 250 persons per acre
269 Regional Centers - 60 persons per acre
270 Station Communities - 45 persons per acre
271 Town Centers - 40 persons per acre
272 Main Streets - 39 persons per acre
273 Corridor - 25 persons per acre

274	Employment Areas - 20 persons per acre
275	Industrial Areas - 9 employees per acre
276	Inner Neighborhoods - 14 persons per acre
277	Outer Neighborhoods - 13 persons per acre

278 **TITLE 2: REGIONAL PARKING POLICY**

279 **Section 1. Intent**

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

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

296 **Section 2. Performance Standard**

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

- 300 1. Cities and counties shall require no more parking than the minimum as shown on
301 Regional Parking Ratios Table, attached hereto; and
- 302 2. Cities and counties shall establish parking maximums at ratios no greater than
303 those listed in the Regional Parking Ratios Table and as illustrated in the Parking
304 Maximum Map.. The designation of A and B zones on the Parking Maximum
305 Map should be reviewed after the completion of the Regional Transportation Plan
306 and every three years thereafter. If 20-minute peak hour transit service has
307 become available to an area within a one-quarter mile walking distance for bus
308 transit or one-half mile walking distance for light rail transit, that area shall be
309 added to Zone A. If 20-minute peak hour transit service is no longer available to
310 an area within a one-quarter mile walking distance for bus transit or one-half mile
311 walking distance for light rail transit, that area shall be removed from Zone A.
312 Cities and counties should designate Zone A parking ratios in areas with good
313 pedestrian access to commercial or employment areas (within 1/3 mile walk) from
314 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.

343 **TITLE 3: WATER QUALITY AND FLOOD MANAGEMENT CONSERVATION**

344 **Section 1. Intent**

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

348 **Section 2. Requirement**

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

352 **Section 3. Implementation Process for Cities and Counties**

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

- 355 A. Either adopt the relevant provisions of the Metro Water Quality and Flood Management
356 model ordinance and map entitled Metro Water Quality and Flood Management
357 Conservation Area Map; or
- 358 B. Demonstrate that the plans and implementing ordinances substantially comply with the
359 performance standards, including the map, contained in Section 4. In this case, the
360 purpose of this map is to provide a performance standard for evaluation of substantial
361 compliance for those jurisdictions who choose to develop their own map of water quality
362 and flood management areas ; or
- 363 C. Any combination of A and B above that substantially complies with all performance
364 standards in Section 4.

365 **Section 4. Performance Standards**

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

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

- 371 1. Prohibit development within the water quality and flood management area; or
- 372 2. Limit development in a manner that requires balanced cut and fill; unless the
373 project is demonstrated, by an engineering study, that there is no rise in flood
374 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.

411 **Section 5. Fish and Wildlife Habitat Conservation Area**

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

416 B. Fish and Wildlife Habitat Conservation Area Recommendations

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

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

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

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

- 440 a. Utility construction within a maximum construction zone width
441 established by cities and counties.
- 442 b. Overhead or underground electric power, telecommunications and cable
443 television lines within a sewer or stormwater right-of-way or within a
444 maximum construction zone width established by cities and counties.
- 445 c. Trails, boardwalks and viewing areas construction.
- 446 d. Transportation crossings and widenings. Transportation crossings and
447 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.

- 482 5. Metro shall establish performance standards for protection of regionally
483 significant fish and wildlife habitat which must be met by the plans implementing
484 ordinances of cities and counties.

485 **Section 6. Metro Model Ordinance Required**

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

492 **Section 7. Variances**

493 City and county comprehensive plans and implementing regulations are hereby required to
494 include procedures to consider claims of map error and hardship variances to reduce or remove
495 stream corridor protection for any property demonstrated to be converted to an unbuildable lot by
496 application of stream corridor protections.

497 **TITLE 4: RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS**

498 **Section 1. Intent**

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

504 **Section 2. Comprehensive Plan and Implementing Ordinance Changes Required**

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

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

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

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566 **TITLE 5: NEIGHBOR CITIES AND RURAL RESERVES**

567 **Section 1. Intent**

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

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

578 **Section 2. Rural Reserves and Green Corridors**

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

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

592 **Section 3. Invitations for Intergovernmental Agreements**

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

595 **Section 4. Metro Intent with Regard to Green Corridors**

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

600 **TITLE 6: REGIONAL ACCESSIBILITY**

601 **Section 1. Intent**

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

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

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

628 **Section 2. Boulevard Design**

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

638 A. Wide sidewalks with pedestrian amenities such as benches, awnings and special lighting;

- 6 B. Landscape strips, street trees and other design features that create a pedestrian buffer
640 between curb and sidewalk;
- 641 C. Pedestrian crossings at all intersections, and mid-block crossings where intersection
642 spacing is excessive;
- 643 D. The use of medians and curb extensions to enhance pedestrian crossings where wide
644 streets make crossing difficult;
- 645 E. Accommodation of bicycle travel;
- 646 F. On-street parking;
- 647 G. Motor vehicle lane widths that consider the above improvements;
- 648 H. Use of landscaped medians where appropriate to enhance the visual quality of the
649 streetscape.

650 **Section 3. Design Standards for Street Connectivity**

651 The design of local street systems, including “local” and “collector” functional classifications, is
652 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
654 restricted by a lack of connecting routes, and local trips are forced onto the regional network.
655 Therefore, the following design and performance options are intended to improve local
656 circulation in a manner that protects the integrity of the regional system.

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

- 660 A. **Design Option.** Cities and counties shall ensure that their comprehensive plans,
661 implementing ordinances and administrative codes require demonstration of compliance
662 with the following:
 - 663 1. New residential and mixed-use developments shall include local street plans that:
 - 664 a. encourage pedestrian and bicycle travel by providing short, direct public
665 right-of-way routes to connect residential uses with nearby existing and
666 planned commercial services, schools, parks and other neighborhood
667 facilities; and
 - 668 b. include no cul-de-sac streets longer than 200 feet, and no more than 25
669 dwelling units on a closed-end street system except where topography,
670 barriers such as railroads or freeways, or environmental constraints such as
major streams and rivers, prevent street extension; and

- c. 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
- d. consider opportunities to incrementally extend and connect local streets in primarily developed areas; and
- e. serve a mix of land uses on contiguous local streets; and
- f. support posted speed limits; and
- g. 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
- h. 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.

2. 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:

General Congestion Performance Standards (using LOS*)

	Preferred	Acceptable	Exceeds
Mid-Day one-hour	C or better	D	E or worse
Peak two-hour	E/E or better	F/E	F/F or worse

*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

Title 6, Exhibit A

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

Source: 1985 Highway Capacity Manual (A through F Descriptions)
Metro (>F Description)

799 **TITLE 7: AFFORDABLE HOUSING**

800 **Section 1. Intent**

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

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

814 **Section 2. Recommendations to Improve Availability of Affordable Housing**

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

- 822 A. Donate buildable tax-foreclosed properties to nonprofit organizations or
823 governments for development as mixed market affordable housing.
- 824 B. Develop permitting process incentives for housing being developed to serve
825 people at or below 80% of area median income.
- 826 C. Provide fee waivers and property tax exemptions for projects developed by
827 nonprofit organizations or governments serving people at or below 60% of area
828 median income.
- 829 D. Create a land banking program to enhance the availability of appropriate sites for
830 permanently affordable housing.
- 831 E. Consider replacement ordinances that would require developers of high-income
832 housing, commercial, industrial, recreational or government projects to replace
833 any affordable housing destroyed by these projects.

834 F. Consider linkage programs that require developers of job-producing development,
835 particularly that which receives tax incentives, to contribute to an affordable
836 housing fund.

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

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

844 **Section 3. Recommendations to Encourage Manufactured Housing**

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

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

851 B. Manufactured homes configured as duplexes, triplexes, fourplexes, etc. should be
852 encouraged outside manufactured dwelling parks where zoning densities are
853 consistent with single story development.

854 **TITLE 8: COMPLIANCE PROCEDURES**

855 **Section 1. Compliance Required**

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

860 **Section 2. Compliance Procedures**

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

- 863 1. An evaluation of their local plans, including public facility capacities and the
864 amendments necessary to comply with this functional plan;
- 865 2. Copies of all applicable comprehensive plans and implementing ordinances and
866 public facility plans, as proposed to be amended;
- 867 3. Findings that explain how the amended city and county comprehensive plans will
868 achieve the standards required in titles 1 through 6 of this functional plan.

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

872 B. Exceptions to any of the requirements in the above titles may be granted by the Metro
873 Council, as provided for in the Regional Urban Growth Goals and Objectives, Section
874 5.3, after MPAC review. Requests for an exception should include a city or county
875 submittal as specified in this section. The Metro Council will make all final decisions
876 for the grant of any requested exception .

- 877 1. Population and Capacity. An exception to the requirement contained in Table 1
878 of Title 1 that the target capacities shall be met or exceeded may be granted based
879 on a submittal which includes, but is not limited to, the following:
- 880 a. A demonstration of substantial evidence of the economic infeasibility to
881 provide sanitary sewer, water, stormwater or transportation facilities to an
882 area or areas; or
- 883 b. A demonstration that the city or county is unable to meet the target
884 capacities listed in Table 1 because substantial areas have prior
885 commitments to development at densities inconsistent with Metro target;
886 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.

927 4. Retail in Employment and Industrial Areas. Subject to the provisions of Title 4,
928 cities and counties may request a change in the Employment and Industrial Areas
929 Map. Metro may consider a city or county request to modify an Employment
930 Area to exempt existing or locally designated retail areas, unacknowledged by the
date of this Functional Plan, where they can demonstrate that

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

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

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

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

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

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

960 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.

1017 **TITLE 9: PERFORMANCE MEASURES**

1018 **Section 1. Intent**

1019 In order to monitor progress in implementation of this functional plan, and in order to implement
1020 Objective 10 of RUGGO, Metro shall establish performance measures related to the achievement
1021 and expected outcome resulting from the implementation of this functional plan.

1022 **Section 2. Performance Measures Adoption**

1023 A. Within three months of the adoption of this functional plan, the Metro Executive Officer
1024 shall submit to the Council the Executive Officer's recommendations for:

1025 1. Performance measures to be used in evaluating the progress of the region in
1026 implementation of this functional plan; and

1027 2. Policies for corrective action should the performance measures indicate that the
1028 goals contained in the functional plan are not being achieved.

1029 In developing these performance measures and policies, the Executive Officer shall use the best
1030 technology available to Metro, and shall, in addition, submit the current and recent historic levels
1031 for the proposed performance measures.

1032 B. The Council, after receiving advice and comment from the Metropolitan Policy Advisory
1033 Committee, shall adopt a list of performance measures that will be used to monitor and
1034 evaluate this functional plan. The performance measures will be evaluated at least by
1035 regional level, by Growth Concept design types, by regional and town center market
1036 areas, and by jurisdiction. The performance measures shall include a biennial goal for the
1037 next six years, and shall be accompanied by policies for adjusting the regional plans
1038 based on actual performance.

1039 C. The performance measures shall include, but shall not be limited to the following:

1040 1. Amount of land converted from vacant to other uses, according to jurisdiction,
1041 Growth Concept design type, and zoning;

1042 2. Number and types of housing constructed, their location, density, and costs,
1043 according to jurisdiction, Growth Concept design type, and zoning;

1044 3. The number of new jobs created in the region, according to jurisdiction, Growth
1045 Concept design type, and zoning;

1046 4. The amount of development of both jobs and housing that occurred as
1047 redevelopment or infill, according to jurisdiction, Growth Concept design type,
1048 and zoning;

- 10- 5. The amount of land that is environmentally sensitive that is permanently
1050 protected, and the amount that is developed;
- 1051 6. Other measures that can be reliably measured and will measure progress in
1052 implementation in key areas.
- 1053 7. Cost of land based on lot prices according to jurisdiction, Growth Concept design
1054 type, and zoning; and according to redeveloped and vacant classifications.
- 1055 8. The average vacancy rate for all residential units.

1056 D. Use of the performance measures

- 1057 1. The performance measures will contain both the current level of achievement, and
1058 the proposed level necessary to implement this functional plan and achieve the
1059 Metro 2040 Growth Concept adopted in the Regional Urban Growth Goals and
1060 Objectives (RUGGO). The performance measures will be used to evaluate and
1061 adjust, as necessary, Metro's functional plans, Urban Growth Boundary, and other
1062 regional plans.
- 1063 2. By March 1 of every other year beginning March 1, 1999, the Executive Officer
1064 shall report to the Council an assessment of the regional performance measures,
1065 and recommend corrective actions, as necessary, consistent with the Metro
1066 Council's policies.
- 1067 3. The Council shall refer the recommendations to the Hearing Officer, who shall
1068 hold a hearing to review the data in the Executive Officer's report on the
1069 performance measures, and gather additional data from any interested party. The
1070 Hearing officer shall review all of the information presented on the performance
1071 measures. The complete record of information, findings of fact, and a
1072 recommendation shall be forwarded to the Council by the Hearing Officer.
- 1073 4. The Council shall hold a hearing on the record, adopt findings of fact, and take
1074 any necessary corrective action by September 1 of the year.

1075 **TITLE 10: DEFINITIONS**

1076 **Accessibility** means the amount of time required to reach a given location or service by any
1077 mode of travel.

1078 **Alternative Modes** means alternative methods of travel to the automobile, including public
1079 transportation (light rail, bus and other forms of public transportation), bicycles and walking.

1080 **Balanced cut and fill** means no net increase in fill within the floodplain.

1081 **Bikeway** means separated bike paths, striped bike lanes, or wide outside lanes that
1082 accommodate bicycles and motor vehicles.

1083 **Boulevard Design** means a design concept that emphasizes pedestrian travel, bicycling and the
1084 use of public transportation, and accommodates motor vehicle travel.

1085 **Calculated Capacity** means the number of dwelling units and jobs that can be contained in an
1086 area based on the calculation required by this functional plan.

1087 **Capacity Expansion** means constructed or operational improvements to the regional motor
1088 vehicle system that increase the capacity of the system.

1089 **Comprehensive plan** means the all inclusive, generalized, coordinated land use map and policy
1090 statement of cities and counties defined in ORS 197.015(5).

1091 **Connectivity** means the degree to which the local and regional street systems in a given area
1092 are interconnected.

1093 **Designated Beneficial Water Uses** means the same as the term as defined by the Oregon
1094 Department of Water Resources, which is: an instream public use of water for the benefit of an
1095 appropriator for a purpose consistent with the laws and the economic and general welfare of the
1096 people of the state and includes, but is not limited to, domestic, fish life, industrial, irrigation,
1097 mining, municipal, pollution abatement, power development, recreation, stockwater and wildlife
1098 uses.

1099 **Design Type** means the conceptual areas described in the Metro 2040 Growth Concept text and
1100 map in Metro's regional goals and objectives, including central city, regional centers, town
1101 centers, station communities, corridors, main streets, inner and outer neighborhoods, industrial
1102 areas, and employment areas.

1103 **Development** means any manmade change defined as buildings or other structures, mining,
1104 dredging, paving, filling, or grading in amounts greater than ten (10) cubic yards on any lot or
1105 excavation. In addition, any other activity that results in the removal of more than 10% of the
1106 existing vegetated area on the lot is defined as development, for the purposes of Title 3.

- 1107 Exceptions:
- 1108 a. Stream enhancement or restoration projects approved by cities and counties.
- 1109 b. Agricultural activity.
- 1110 c. Replacement, additions, alterations and accessory uses for existing structures and
- 1111 development that do not encroach into the Water Quality and Flood Management
- 1112 Area more than the existing structure or development.
- 1113 **Development Application** means an application for a land use decision, limited land decision
- 1114 including expedited land divisions, but excluding partitions as defined in ORS 92.010(7) and
- 1115 ministerial decisions such as a building permit.
- 1116 **DBH** means the diameter of a tree measured at breast height.
- 1117 **DLCD Goal 5 ESEE** means a decision process local governments carry out under OAR 660-23-
- 1118 040.
- 1119 **Fish and Wildlife Habitat Conservation Area** means the area defined on the Metro Water
- 1120 Quality and Flood Management Area Map to be completed and attached hereto. These include
- 1121 all Water Quality and Flood Management Areas that require regulation in order to protect fish
- 1122 and wildlife habitat. This area has been mapped to generally include the area 200 feet from top
- 1123 of bank of streams in undeveloped areas with less than 25% slope, and 100 feet from edge of
- 1124 mapped wetland on undeveloped land.
- 1125 **Floodplain** means land subject to periodic flooding, including the 100-year floodplain as
- 1126 mapped by FEMA Flood Insurance Studies or other substantial evidence of actual flood events.
- 1127 **Functions and Values of Stream Corridors** means stream corridors have the following
- 1128 functions and values: water quality retention and enhancement, flood attenuation, fish and
- 1129 wildlife habitat, recreation, erosion control, education, aesthetic, open space and wildlife
- 1130 corridor.
- 1131 **Growth Concept Map** means the conceptual map demonstrating the 2040 Growth Concept
- 1132 design types attached to this plan in the Appendix.
- 1133 **Hazardous materials** means materials described as hazardous by Oregon Department of
- 1134 Environmental Quality.
- 1135 **Implementing Regulations** means any city or county land use regulation as defined by
- 1136 ORS 197.015(11) which includes zoning, land division or other ordinances which establish
- 1137 standards for implementing a comprehensive plan.
- 1138 **Landscape Strip** means the portion of public right-of-way located between the sidewalk and
- 1139 curb.

- 1140 **Level-of-Service (LOS)** means the ratio of the volume of motor vehicle demand to the capacity
1141 of the motor vehicle system during a specific increment of time.
- 1142 **Local Trip** means a trip 2½ miles or less in length.
- 1143 **Median** means the center portion of public right-of-way, located between opposing directions
1144 of motor vehicle travel lanes. A median is usually raised and may be landscaped, and usually
1145 incorporates left turn lanes for motor vehicles at intersections and major access points.
- 1146 **Metro** means the regional government of the metropolitan area, the elected Metro Council as the
1147 policy setting body of the government.
- 1148 **Metro Boundary** means the jurisdictional boundary of Metro, the elected regional government
1149 of the metropolitan area.
- 1150 **Metro Urban Growth Boundary** means the urban growth boundary as adopted and amended by
1151 the Metro Council, consistent with state law.
- 1152 **Mixed Use** means comprehensive plan or implementing regulations that permit a mixture of
1153 commercial and residential development.
- 1154 **Mobility** means the speed at which a given mode of travel operates in a specific location.
- 1155 **Mode-Split Target** means the individual percentage of public transportation, pedestrian,
1156 bicycle and shared-ride trips expressed as a share of total person-trips.
- 1157 **Motor Vehicle** means automobiles, vans, public and private buses, trucks and semi-trucks,
1158 motorcycles and mopeds.
- 1159 **Multi-Modal** means transportation facilities or programs designed to serve many or all
1160 methods of travel, including all forms of motor vehicles, public transportation, bicycles and
1161 walking.
- 1162 **Narrow Street Design** means streets with less than 46 feet of total right-of-way and no more
1163 than 28 feet of pavement width between curbs.
- 1164 **Net Acre** means an area measuring 43,560 square feet which excludes:
- 1165 (1) any developed road rights-of-way through or on the edge of the land; and
- 1166 (2) environmentally constrained areas, including any open water areas, floodplains,
1167 natural resource areas protected under statewide planning Goal 5 in the
1168 comprehensive plans of cities and counties in the region, slopes in excess of 25
1169 percent and wetlands requiring a Federal fill and removal permit under Section
1170 404 of the Clean Water Act. These excluded areas do not include lands for which

1171 the local zoning code provides a density bonus or other mechanism which allows
1 the transfer of the allowable density or use to another area or to development
1173 elsewhere on the same site; and

1174 (3) all publicly-owned land designated for park and open spaces uses.

1175 **Net Developed Acre** consists of 43,560 square feet of land, after excluding present and future
1176 rights-of-way, school lands and other public uses.

1177 **Perennial Streams** means all primary and secondary perennial water ways as mapped by the
1178 U.S. Geological Survey.

1179 **Performance Measure** means a measurement derived from technical analysis aimed at
1180 determining whether a planning policy is achieving the expected outcome or intent associated
1181 with the policy.

1182 **Persons Per Acre** means the intensity of building development by combining residents per net
1183 acre and employees per net acre.

1184 **Person-Trips** means the total number of discrete trips by individuals using any mode of travel.

1185 **Practicable** means available and capable of being done after taking into consideration cost,
1186 existing technology, and logistics in light of overall project purpose.

1187 **Primarily Developed** means areas where less than 10% of parcels are either vacant or
1188 underdeveloped.

1189 **Redevelopable Land** means land on which development has already occurred which, due to
1190 present or expected market forces, there exists the strong likelihood that existing development
1191 will be converted to more intensive uses during the planning period.

1192 **Regional Goals and Objectives** are the land use goals and objectives that Metro is required to
1193 adopt under ORS 268.380(1).

1194 **Retail** means activities which include the sale, lease or rent of new or used products to the
1195 general public or the provision of product repair or services for consumer and business goods.
1196 Hotels or motels, restaurants or firms involved in the provision of personal services or office
1197 space are not considered retail uses.

1198 **Riparian area** means the water influenced area adjacent to a river, lake or stream consisting of
1199 the area of transition from an hydric ecosystem to a terrestrial ecosystem where the presence of
1200 water directly influences the soil-vegetation complex and the soil-vegetation complex directly
1201 influences the water body. It can be identified primarily by a combination of geomorphologic
1202 and ecologic characteristics.

1203 **Single Occupancy Vehicle (SOV)** means private passenger vehicles carrying one occupant.

- 1204 **Shared-Ride** means private passenger vehicles carrying more than one occupant.
- 1205 **Straight-Line Distance** means the shortest distance measured between two points.
- 1206 **Target capacities** means the capacities in Table 1 required to be demonstrated by cities and
1207 counties for compliance with Title 1, Section 2.
- 1208 **Target densities** means the average combined household and employment densities established
1209 for each design type in the RUGGO 2040 Growth Concept.
- 1210 **Top of Bank** means the same as “bankfull stage” defined in OAR 141-85-010(2).
- 1211 **Traffic Calming** means street design or operational features intended to maintain a given
1212 motor vehicle travel speed.
- 1213 **Underdeveloped Parcels** means those parcels of land with less than 10% of the net acreage
1214 developed with permanent structures.
- 1215 **Vacant Land:** Land identified in the Metro or local government inventory as undeveloped land.
- 1216 **Variance** means a discretionary decision to permit modification of the terms of an implementing
1217 ordinance based on a demonstration of unusual hardship or exceptional circumstance unique to a
1218 specific property.
- 1219 **Water Quality and Flood Management Area** means an area defined on the Metro Water
1220 Quality and Flood Management Area Map, to be attached hereto. These are areas that require
1221 regulation in order to mitigate flood hazards and to preserve and enhance water quality. This
1222 area has been mapped to generally include the following: stream or river channels, known and
1223 mapped wetlands, areas with floodprone soils adjacent to the stream, floodplains, and sensitive
1224 water areas. The sensitive areas are generally defined as 50 feet from top of bank of streams for
1225 areas of less than 25% slope, and 200 feet from top of bank on either side of the stream for areas
1226 greater than 25% slope, and 50 feet from the edge of a mapped wetland.
- 1227 **Zoned Capacity** means the highest number of dwelling units or jobs that are allowed to be
1228 contained in an area by zoning and other city or county jurisdiction regulations.

Table 1 - Target Capacity for Housing and Employment Units - Year 1994 to 2017				
City or County	Dwelling Unit Capacity ¹	Job Capacity	Mixed Use Areas ²	
			Dwelling Unit Capacity	Job Increase
Beaverton	15,021	25,122	9,019	19,084
Cornelius	1,019	2,812	48	335
Durham	262	498	0	0
Fairview	2,921	5,689	635	2,745
Forest Grove	2,873	5,488	67	628
Gladstone	600	1,530	20	140
Gresham	16,817	23,753	3,146	9,695
Happy Valley	2,030	1,767	52	245
Hillsboro	14,812	58,247	9,758	20,338
Johnson City	168	180	0	0
King City	182	241	55	184
Lake Oswego	3,353	8,179	446	3,022
Maywood Park	27	5	0	0
Milwaukie	3,514	7,478	2,571	6,444
Oregon City	6,157	8,185	341	2,341
Portland	70,704	158,503	26,960	100,087
River Grove	(15)	41	0	0
Sherwood	5,010	8,156	1,108	3,585
Tigard	6,073	14,901	981	8,026
Troutdale	3,789	5,570	107	267
Tualatin	3,635	9,794	1,248	2,069
West Linn	2,577	2,114	0	594
Wilsonville	4,425	15,030	743	4,952
Wood Village	423	736	68	211
Clackamas County ³	19,530	42,685	1,661	13,886
Multnomah County	3,089	2,381	0	0
Washington County ³	54,999	52,578	13,273	25,450
	243,993	461,633		

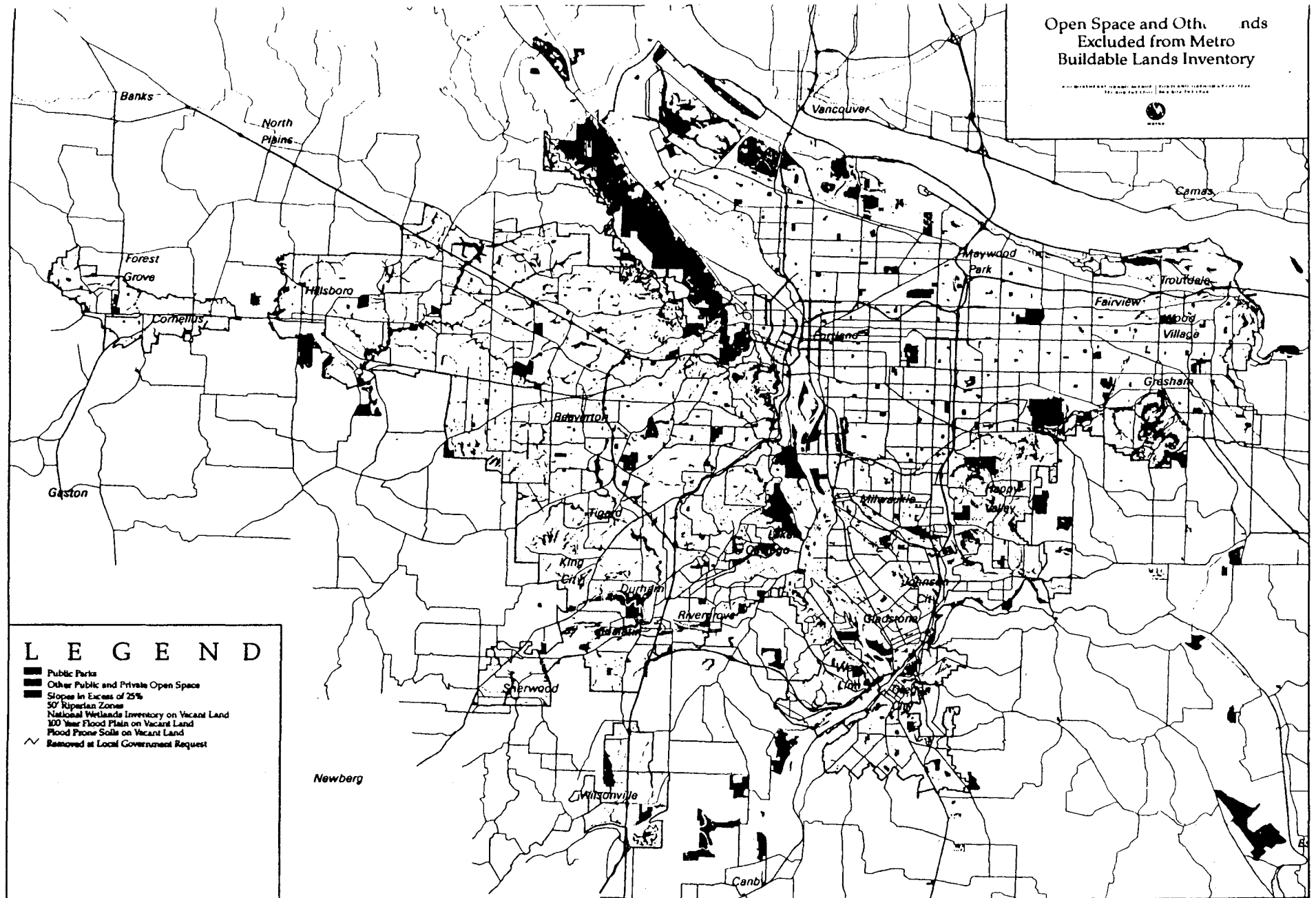
¹ Based on Housing Needs Analysis. Applies to existing city limits as of June, 1996. Annexations to cities would include the city assuming responsibility for Target Capacity previously accommodated in unincorporated county.

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

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/14/01 BY 60322 UCBAW/STP/STP



LEGEND

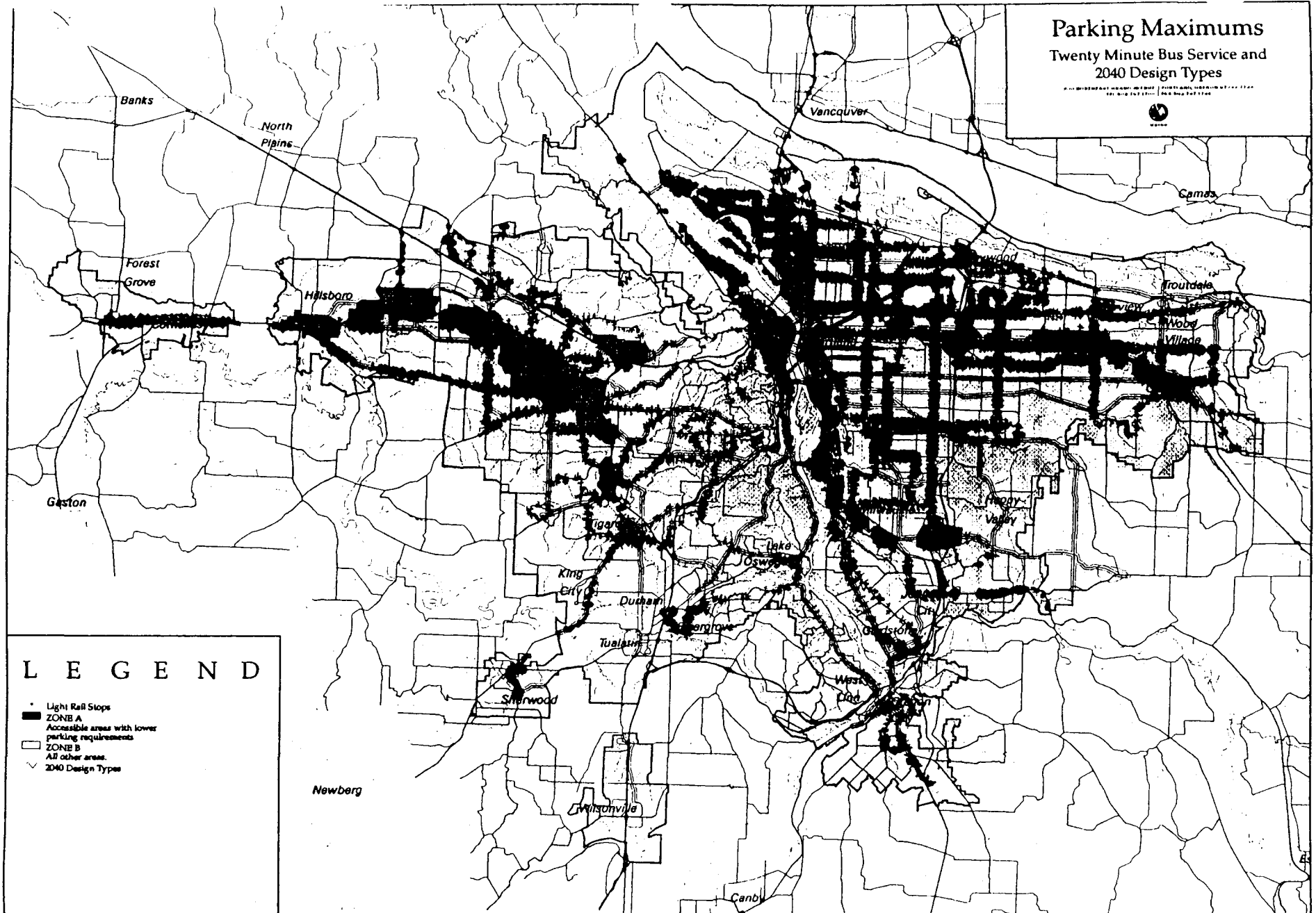
- Public Parks
- Other Public and Private Open Space
- Slopes in Excess of 25%
- 50' Riparian Zones
- National Wetlands Inventory on Vacant Land
- 100 Year Flood Plain on Vacant Land
- Flood Prone Soils on Vacant Land
- Removed at Local Government Request

Table 2 - Regional Parking Ratios (parking ratios are based on spaces per 1,000 sq ft of gross leasable area unless otherwise stated)			
Land Use	Minimum Parking Requirements (See) Central City Transportation Management Plan for downtown Portland stds)	Maximum Permitted Parking - Zone A:	Maximum Permitted Parking Ratios - Zone B:
	Requirements may Not Exceed	Transit and Pedestrian Accessible Areas ¹	Rest of Region
General Office (includes Office Park, "Flex-Space", Government Office & misc. Services) (gsf)	2.7	3.4	4.1
Light Industrial Industrial Park Manufacturing (gsf)	1.6	None	None
Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)	0.3	0.4	0.5
Schools: College/ University & High School (spaces/# of students and staff)	0.2	0.3	0.3
Tennis Racquetball Court	1.0	1.3	1.5
Sports Club/Recreation Facilities	4.3	5.4	6.5
Retail/Commercial, including shopping centers	4.1	5.1	6.2
Bank with Drive-In	4.3	5.4	6.5
Movie Theater (spaces/number of seats)	0.3	0.4	0.5
Fast Food with Drive Thru	9.9	12.4	14.9
Other Restaurants	15.3	19.1	23
Place of Worship (spaces/seats)	0.5	0.6	0.8
Medical/Dental Clinic	3.9	4.9	5.9
Residential Uses			
Hotel/Motel	1	none	none
Single Family Detached	1	none	none
Residential unit, less than 500 square feet per unit, one bedroom	1	none	none
Multi-family, townhouse, one bedroom	1.25	none	none
Multi-family, townhouse, two bedroom	1.5	none	none
Multi-family, townhouse, three bedroom	1.75	none	none

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

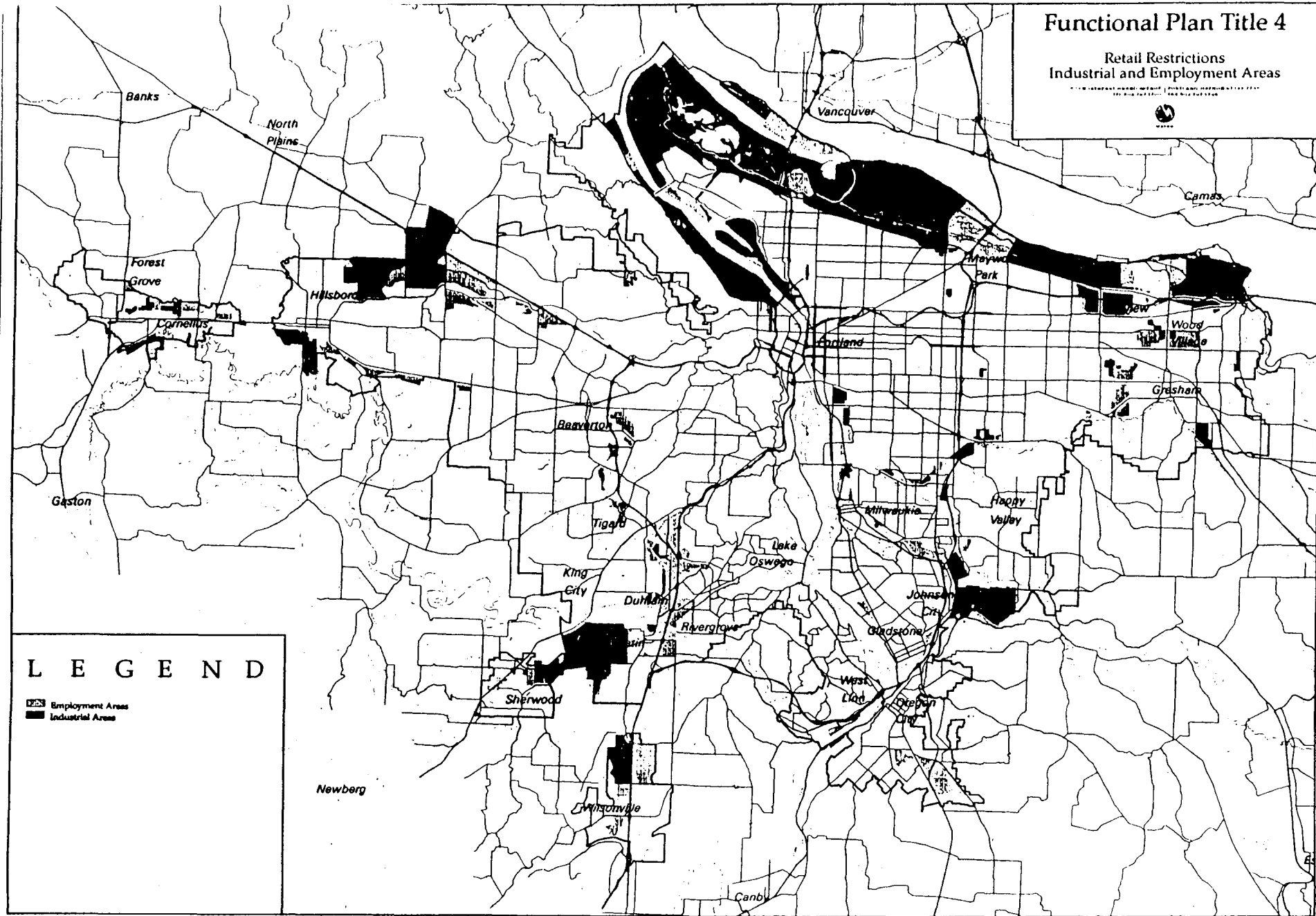
STATIONING: 100' (30.5M) | DISTANCE: 100' (30.5M) | ROAD TYPE: 100' (30.5M)



Functional Plan Title 4

Retail Restrictions Industrial and Employment Areas

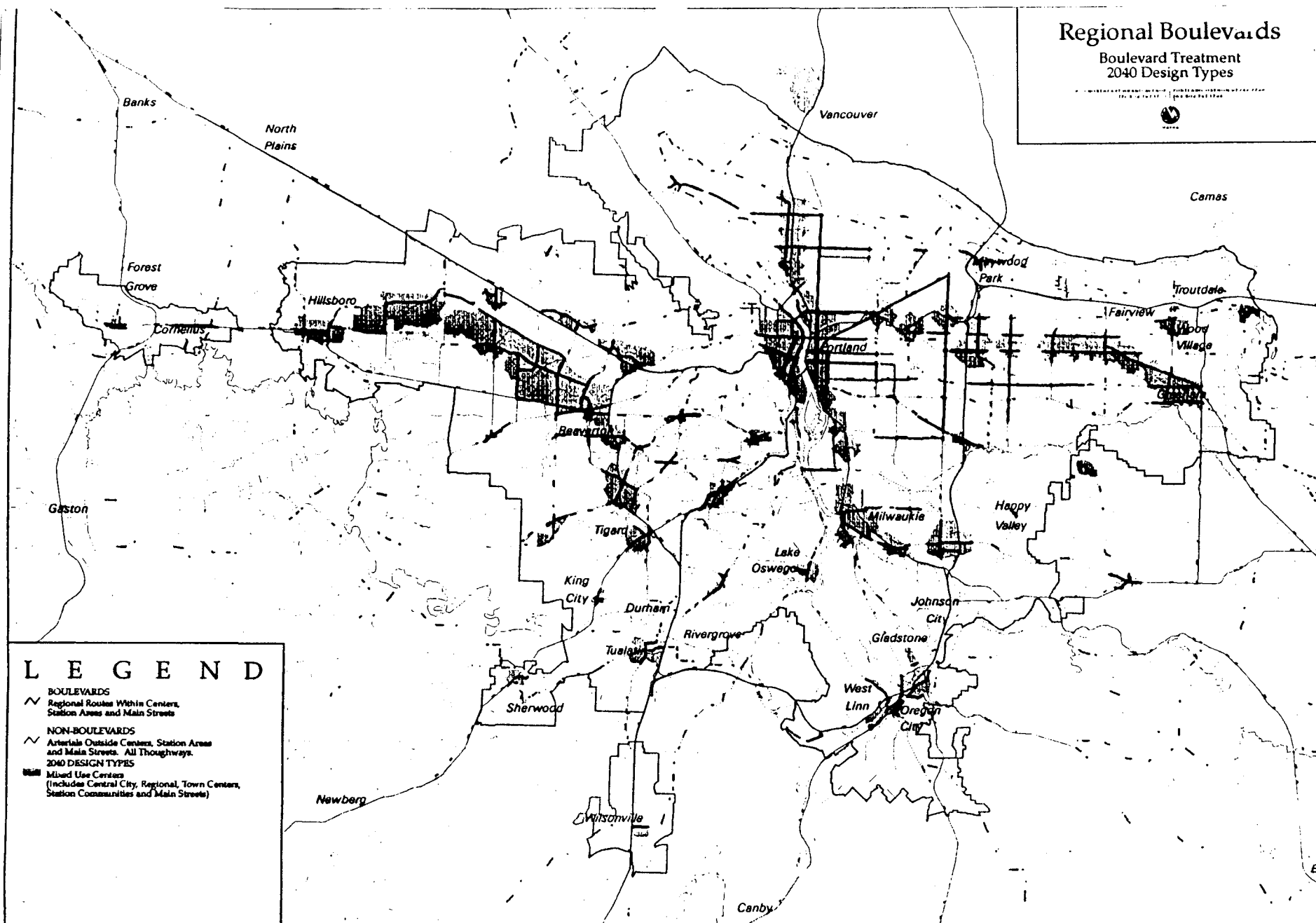
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BY: [illegible]
FOR: [illegible]



Regional Boulevards

Boulevard Treatment
2040 Design Types

Prepared for the Oregon Department of Transportation
by the Oregon Department of Transportation



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 I: 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

Map. 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 types¹” (Section 3), particularly those identified as “mixed use areas².”

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 acre³” 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

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 UGB⁴.

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.⁵ 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

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 UGB⁶. 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.)

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⁶ See KCM Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas, June, 1996.

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