



METRO

Date: April 4, 1996
To: JPACT
From: Rod Monroe, Chair *RM*
Re: Third Columbia River Bridge

As you know, following defeat of the C-TRAN ballot measure to fund South/North LRT, the Clark County Commission and Vancouver City Council appointed a Transportation Futures Committee to evaluate transportation needs throughout the county, including bi-state needs. To accomplish this charge, the committee is currently engaged in an effort to evaluate a broad range of alternatives, including the following:

- . South/North LRT
- . I-205 LRT
- . Commuter Rail
- . River Transit
- . I-5 Improvements in Oregon and Washington
- . Helicopters
- . A Third Columbia River Highway Crossing

Although their charge is to consider the merits of these alternatives relative to the needs of Clark County residents, I feel it is important that they take into consideration the position of Oregon jurisdictions, especially related to a third Columbia River highway crossing. As such, I propose to introduce to JPACT and the Metro Council a resolution defining our position on a third Columbia River bridge. I will have a draft of the proposed resolution available at the April 11, 1996 JPACT meeting.

RM:ACC:lmk

CC: Mike Burton, Executive Officer
Metro Council

The Region 2040 process in Oregon and the Growth Management Act process in Clark County have provided both portions of the region with a long-range planning framework. Both third bridge locations currently under consideration are inconsistent with these long-range plans. The western alignment would operate largely outside of the Urban Growth Boundary (UGB) and it would accelerate development pressure on communities in the U.S. 30 corridor such as Sauvie Island, Scappoose, and St. Helens.

The eastern alignment would be inconsistent with the long-range planning framework by increasing development pressure on communities such as Troutdale, Wood Village, Fairview, Gresham, Boring and Sandy in the Highway 26/Mt. Hood corridor and by increasing development pressure on the Columbia Gorge National Scenic Area.

Neither third bridge location would serve a significant existing travel market. The major travel movement served by the western alignment, Clark County to Washington County travel, represents less than 1 percent of regional work trips, and even less for all trip purposes. The eastern alignment would serve the periphery of the region, an area already served by I-84 and I-205.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING)
A POSITION ON A THIRD COLUMBIA)
RIVER HIGHWAY BRIDGE)

RESOLUTION NO. 96-2316

Introduced by Rod Monroe,
Chair, JPACT

WHEREAS, In 1995 the City of Vancouver, Clark County and the Southwest Washington Regional Transportation Council (RTC) established the Transportation Futures Committee to review a broad range of issues relating to travel within Clark County and between Clark County and the Oregon portion of the metropolitan area; and

WHEREAS, The Clark County Transportation Futures Committee has recommended evaluating the costs and impacts of a range of transportation alternatives addressing bi-state travel, including two possible locations for a third highway crossing of the Columbia River; and

WHEREAS, One bridge location, around the west side of Vancouver Lake, crossing the Columbia River near Rivergate, then crossing the Willamette River near Linnton, crossing through Forest Park and continuing to Highway 26 in Washington County, raises the following concerns:

- It would be inconsistent with state, regional and local land use policies in Oregon and it would increase pressure to expand the Urban Growth Boundary (UGB) and accelerate growth pressures on satellite communities in the Highway 30 corridor such as Sauvie Island, Scappoose and St. Helens.
- It would raise extremely serious environmental issues with regard to threatened and endangered fish in the Columbia and

Willamette Rivers, impacts to Forest Park, a major scenic and recreational resource, and it would potentially sever the continuous wildlife corridor which links Forest Park with the coastal mountains.

- It would not serve a significant existing travel market; less than 1 percent of the current regional travel is between Clark County and Washington County.

WHEREAS, The second bridge location, through east Clark County west of Camas, crossing the Columbia River near Troutdale and with a possible connection to Highway 26, raises these concerns:

- It would be inconsistent with state, regional and local land use policies in Oregon and it would increase pressure to expand the Urban Growth Boundary (UGB) and accelerate growth pressures on communities such as Troutdale, Wood Village, Fairview, Gresham, Boring, and Sandy.
- It would also increase growth pressure within the Columbia River Gorge National Scenic Area in both Oregon and Washington.
- It would raise environmental issues with regard to threatened and endangered fish in the Columbia as well as to environmentally sensitive areas such as the Sandy River watershed.
- It would not serve a significant existing travel market; the Oregon portion of this corridor is currently served by I-205 and I-84.

WHEREAS, The two bridge concepts under consideration by the Clark County Futures Committee are inconsistent with state,

Clark County Futures Committee are inconsistent with state, regional and local land use policies in both Oregon and Washington which seek to develop communities served by a range of transportation options including transit; and

WHEREAS, The two bridge concepts under consideration by the Clark County Futures Committee are inconsistent with state, regional and local transportation policies which call for improved accessibility through the development of multi-modal facilities that address fundamental regional and community goals such as environmental protection and support of the regional economy; now, therefore,

BE IT RESOLVED:

That the Metro Council finds that the two Columbia River crossing concepts under consideration by the Clark County Futures Committee are inconsistent with long-range planning efforts in the Oregon portion of the metropolitan area, would not provide significant transportation benefits to residents of the region and should not be studied further.

ADOPTED by the Metro Council this ____ day of ____, 1996.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

PHASE 1 REGIONAL FRAMEWORK PLAN ADOPTION

April 11.....Joint JPACT/MPAC Review/Draft Approval of
Titles 2 and 6

April 24.....MPAC Approval of Full "Draft" Document for
Public Review

May 9.....JPACT Discussion of "Level-of-Service"
Standard

May 22.....Deadline for Local Government and Citizen
Comments to MPAC

May 29.....MPAC Hearing on Draft Document

June 12.....MPAC Adoption of Final Recommendations to
Metro Council

June 12-July 2.....Metro Growth Management Committee Review

June 13.....JPACT Adoption of Final Recommendations on
Title 2/Title 6 to Metro Council

July 2.....Metro Growth Management Committee Recom-
mendation to Metro Council

July 11-Sept. 12....Full Metro Council Review of Document

September 12.....Metro Council Adoption

This is a working draft to be reviewed by
MTAC & TPAC, MPAC and JPACT, the
Metro Growth Management Committee
and the full Metro Council

Phase I of the Regional Framework Plan

- ☒ Metro Staff Draft 2/14
 - ☒ **MTAC/TPAC Draft 3 - 4/4**
 - ☐ MPAC/JPACT Draft
 - ☐ Metro Growth Management Draft
 - ☐ Metro Council Draft
 - ☐ Adopted
-

**A version of this document with
revisions shown from the last
draft is available on request. All
discussion and deliberations will
be made on this version and line
number references.**



METRO

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Urban Growth Management Functional Plan
A functional plan for early implementation of the Metro 2040 Growth Concept

Introduction

1 Metro was created after a vote of the citizens of the region as an elected regional government
2 for addressing issues of regional significance in the metropolitan area, and is enabled by state
3 law, adopted by the Oregon Legislature in 1977. In addition, the voters of the region adopted
4 a Metro Charter in 1992, which describes additional responsibilities for the agency. Metro has
5 an elected Executive Officer and a Metro Council which propose and determine region-wide
6 policies.

7 The Metro Policy Advisory Committee, (MPAC), is comprised of local government elected
8 officials and appointed citizens from throughout the region and was created to advise the
9 regionally elected Metro Council on matters of metropolitan significance. It was included in
10 the Metro Charter adopted by a vote of the citizens of the metropolitan area. MPAC has
11 recommended specific policies to be included in a new functional plan to be adopted by the
12 Metro Council as soon as practicable. This recommendation was made by MPAC to begin
13 implementation of the regional policies of the Metro 2040 Growth Concept as adopted by the
14 Metro Council by Ordinance No. 95-625-A. Early implementation is intended to take
15 advantage of opportunities now, and avoid land use inconsistent with the long-term growth
16 policy.

17 MPAC, as well as the Joint Policy Advisory Committee on Transportation, (JPACT) and the
18 Water Resource Policy Advisory Committee (WRPAC) have made recommendations which
19 are the basis for this functional plan. All of the elements considered by MPAC, JPACT and
20 WRPAC were deemed by the Metro Council to be of metropolitan significance. The follow-
21 ing text states the scope of recommended regional policies which will apply to all 24 cities and
22 3 counties within the Metro region for early implementation of the 2040 Growth Concept. The
23 legal form of this early implementation is a functional plan, not adoption as a "component" of
24 the regional framework plan. The policies in this functional plan will be coordinated with
25 policies to be readopted in official components of the Metro Charter mandated regional
26 framework plan, on or before December 30, 1997.

27 It should also be noted that this functional plan relies on further actions, primarily changes to
28 local government comprehensive plans and implementing ordinances, to effectuate the actions
29 described below.

The Meaning of Regional Functional Plan Adoption

The following regional policies recommend and require changes to city and county plans to implement regional goals and objectives constituting the Urban Growth Management Functional Plan under ORS 268.390, RUGGO Goal I, and Resolution No.96-2288. The requirements for plan changes, including implementing regulations, shall be adopted by all cities and counties in the Metro region within eighteen (18) months from the effective date of this ordinance.

Local determination not to incorporate 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. Local actions inconsistent with functional plan requirements are subject to appeal for violation of the functional plan.

Regional Policy Basis

The regional policies described below are formulated from, and consistent with the Regional Urban Growth Goals and Objectives, (RUGGO), including the Metro 2040 Growth Concept. These adopted Metro policies will be incorporated into the Regional Framework Plan. Also, the overall principles of the Greenspaces Master Plan are incorporated.

In addition, the 1996 Regional Transportation Plan¹, when adopted, will serve as the transportation element of the Framework Plan. It will be 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 with "requirements" binding on cities and counties of the region. It is structured so that local jurisdictions may pick from either performance standard requirements or prescriptive requirements. The intent is to write these regulations so that local jurisdictions have a significant amount of flexibility as to how they meet requirements. Performance standards are included in all titles. If local jurisdictions can show that they meet the performance standard, they have met the requirement of the title. In addition, prescriptive standards are also included. They

¹ Metro has an adopted Regional Transportation Plan. However, because of changing local and regional conditions as well as state and Federal requirements, a new 1996 edition is being written.

are available to show one very specific way that jurisdictions may meet the title requirement, but are not the only way a city or county may show compliance.

Regional Functional Plan Requirements

Title 1 Requirements for Housing and Employment Accommodation

Section 1. Intent

State law and Metro code require that the Metro 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 2015 consistent with all Statewide Goals. It is beneficial and desirable to increase the density permitted for development within the UGB consistent with the Metro 2040 Growth Concept.

Section 2. Local Plan Accommodation of Allocated Housing and Employment - Performance Standard.

Local governments must demonstrate that their regulations will permit the growth allocation contained in Section 3 of this Title to be built. Local governments must permit the expected development at densities likely to be achieved during the planning period by the private market or assisted housing programs, once all new regulations are effective.

Section 3. Growth Allocation for Local Governments within the Metro Boundary

The Growth Allocation for Housing Units and Employment are contained in the Appendix and labeled Table 1. These include jurisdiction-wide allocations, as well as separate allocations for the Central City, Regional Centers, Town Centers, Station Area and Main Streets.

Section 4. Review of Permitted Capacity of Housing Units and Employment.

A) The purposes of this review are to determine the capacity of existing comprehensive plans and implementing ordinances to accommodate housing and employment and to determine whether amendments to existing plans are necessary to comply with Section 5 of this Title. All cities and counties within the Metro region are hereby required to review the permitted capacity² of their current comprehensive plans, and calculate the expected capacity of housing units and employment by the year 2015. These estimates shall be conducted using the following method:

B) Local governments shall use Metro estimates of vacant land, and land likely to redevelop, unless the local government has data which it believes is more accurate. In this

² See Title 8, Definitions, "permitted capacity" and "expected capacity".

case, the local government may use their data, subject to acceptance by the Metro Council or their designee, and shall include a justification for the data, including:

- 1) The source of the data;
- 2) The reasons that the locally developed data is a more accurate estimate than the Metro estimate of vacant and redevelopable land;
- 3) The database that the above were derived from;
- 4) The database of committed development lands.

C. In estimating expected capacity of existing comprehensive plans and implementing ordinances, local governments shall not estimate expected capacity at more than 79% of maximum permitted density, unless:

- 1) actual experience in the jurisdiction since 1990 has shown that development has occurred at density greater than 79% of permitted residential density or can be demonstrated or,
- 2) minimum density standards are adopted or proposed for adoption in the zoning code that require residential development at greater than 80% of maximum permitted density.

D. Local governments shall determine the effect of each of the following on its overall development capacity;

- 1) required dedications for public streets, consistent with the regional accessibility title;
- 2) off-street parking, consistent with this plan;
- 3) landscaping, setback, and maximum lot coverage requirements;
- 4) the effects of tree preservation ordinances, environmental protection ordinances, view preservation ordinances, solar access ordinances, or any other regulations that may have the effect of reducing the capacity of the land to develop at the permitted density.
- 5) the effects of areas dedicated to bio-swales, storm water retention, open space dedications, and other requirements of local codes that may reduce the development density.

Section 5. Permitted Capacity Amendments to Comprehensive Plans and Development Regulations Required

A. If the capacity estimates developed under Section 4 above are less than the jurisdiction's Growth Allocation, then the jurisdiction is hereby required to amend its comprehensive plans and implementing ordinances to provide the capacity for the population and employment allocation contained in Section 3, or request an exception according to Title 7. The capacity calculation shall be made according to the same methodology the jurisdiction used in Section 4. The jurisdiction shall demonstrate the following in providing capacity for housing and employment:

- 1) The permitted densities are at locations and densities that the market is likely to build; and
- 2) The capacity calculation used only those development types that are a permitted use in the development code. Any discretionary decision must not diminish the permitted density if it is to be counted as a part of expected capacity; and
- 3) expected capacity has been determined by accounting for all public requirements which may have the effect of reducing capacity, including those listed in Section 4c) above; and
- 4) Local governments have adopted minimum permitted densities for housing units, or minimum permitted floor-area ratios in all zoning designations that provide more than 10% of that jurisdiction's expected capacity for housing units or employment; and
- 5) local governments have reviewed their public facility capacities and plans and have, or can provide, planned public facilities to accommodate growth within the plan period; and
- 6) Local governments permit flag lots or other means of partitioning in those urban areas of the city or county where existing lot sizes are two or more times that of the minimum lot size.

Title 2 - Regional Parking Policy

Section 1 Intent

The State's Transportation Planning rule calls for reductions of vehicle miles traveled and per capita parking as means of responding to transportation and land use impacts of growth. The Metro 2040 Growth Concept calls for more compact development as means to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan relies on the 2040 Growth Concept fully achieving its transportation objectives. This title is provided to address these statutory requirements and preserve the quality of life of the region.

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

4 Section 2. Performance Standard

165 A. Local Governments are hereby required to adopt amendments if necessary to insure
166 that their comprehensive plans and implementing regulations meet the following minimum
167 standards:

- 168 1) Require no more parking than the minimum as shown on Regional Parking Stan-
169 dards Table, attached hereto, and;
- 170 2) Establish parking maximums at ratios no greater than those listed in the Parking Table
171 and as illustrated in the Parking Maximum Map. For all urban areas outside Zone A,
172 cities and counties shall establish parking space maximums no greater than those listed in
173 Zone B in the Parking Table and as illustrated in the Parking Maximum map. Local
174 governments should designate Zone A parking ratio in areas with good pedestrian access
175 to commercial or employment areas (within 1/3 mile walk) from adjacent residential areas.
- 176 3) Establish an administrative or public hearing process for considering ratios for individ-
177 ual or joint developments which are: (i) in excess of the maximum parking ratios, and (ii)
178 less than the minimum parking ratios. Local governments may grant an adjustment from
179 maximum parking ratios or minimum parking ratios through an adjustment or variance
180 process.

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

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

193 D. Local governments shall monitor and provide the following data to Metro on an
194 annual basis:

- 195 1) the number and location of actual parking spaces developed, and
- 196 2) demonstration of compliance with the minimum and maximum parking standards,
197 including the application of any local adjustments to the regional standards in this title.
198 Coordination with Metro collection of other building data should be encouraged.

9 **Title 3. Stream Corridor Conservation**

200 **Section 1. Intent.**

201 To protect the beneficial uses and functional values of resources within the Stream Corridor
202 Conservation Areas by limiting or mitigating the impact on Conservation Areas from development
203 activities.

204 **Section 2. Requirement.**

205 Cities and counties shall insure that their comprehensive plans and implementing regula-
206 tions to protect stream corridor conservation areas pursuant to Section 4 as shown on the
207 adopted Metro Stream Corridor Conservation Area Map, attached hereto. Exceptions to this
208 requirement will be considered under the provisions of Title 7.

209 **Section 3. Implementation Process for Local Governments**

210 Cities and counties are hereby required to amend, if nessessary, their local plans and implementing
211 ordinances to insure that they comply with this Title in one of the following ways:

212 3 A. Adopt the relevant provisions of the Metro Stream Corridor Conservation model
214 ordinance; or

215 B. Demonstrate that the local plans and implementing ordinances substantially complies
216 with the performance standards contained in Section 5; or

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

219 **Section 4. Performance Standards**

220 The following performance standards must be met by the plans and implementing ordinances of
221 cities and counties:

222 A. Flood Mitigation. The purpose of these standards are to protect against flooding, and
223 prevent or reduce risk to human life and properties, by allowing for the storage and conveyance of
224 stormwater runoff through these natural systems.

225 Standards: Local jurisdictions shall;

1. Either prohibit development within the Stream Corridor Conservation Area or limits development in a manner that requires balanced cut and fill, minimum finished floor elevations, and prohibitions or limits on the use and/or storage of hazardous materials for developments in the remaining portion of the Stream Corridor Conservation Area.
2. Allow unbalanced cut and fill only if a hydraulic study, prepared by a registered professional engineer shows that the proposed fill will not increase flood elevations.

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.

Standards: Local jurisdictions shall;

1. Require erosion and sediment control for all ground disturbing activities and development within or adjacent to the Stream Corridor Conservation Area. Erosion prevention and sediment control measures shall meet the requirements outlined in the Oregon DEQ NPDES Permit No. 1200C, but shall apply to all parcels over 10,000 square feet; or
2. Require erosion prevention and sediment control measures which meet the requirements outlined in the "Erosion Prevention and Sediment Control Plans technical Guidance Handbook" (City of Portland and United Sewerage Agency, Feb. 1994); and
3. Require water quality protection facilities for all new development and redevelopment in the Stream Corridor Conservation Area and those adjacent that discharge runoff to the area; and
4. Prohibit use or storage of hazardous materials in the Stream Corridor Conservation Areas.
5. Insure that for new development, post-development runoff conditions must not exceed pre-development runoff conditions.

C. Fish and Wildlife Conservation. The purpose of these standards is to protect and allow for enhancement of fish and wildlife within the Stream Corridor Conservation Areas.

Standards: Local jurisdictions shall;

1. Restrict the clearing or removal of native vegetation from the Stream Corridor Conservation Area. Limit the removal of non-native, non-invasive vegetation that substantially contributes to fish and wildlife habitat.

2. Disturbed areas shall be replanted with native plants on the Metro Plant List. Planting or propagation of plants listed on the Metro Prohibited Plant List within the Conservation Area shall be prohibited.
3. Require compliance with ODF&W seasonal restrictions for in stream work. Limit development activities that would impair fish and wildlife during key life-cycle events.

D. Protect the long term regional continuity and integrity of Stream Conservation Corridors.

Standards: Local jurisdictions shall Establish or adopt transfer of density within ownership to mitigate the effects of Stream Corridor Conservation, or through Transferable Development Rights (TDR's) which have substantially equivalent effect as the Metro Stream Corridor Conservation Model Ordinance.

2. Metro encourages local government to require approvals of applications for minor partitions, subdivisions and design review actions must be conditioned with protecting Stream Corridor Conservation Areas with a conservation easement, platted as a common open space, or through purchase or donation of fee simple ownership where feasible.

Section 5. Metro Model Ordinance Required.

Metro shall adopt a Stream Corridor Conservation Area Model Ordinance for use by local jurisdictions to comply with this section. This title shall not become effective until the Metro Council has adopted a Model Code which addresses all of the provisions of this title.

Section 6. Variances. City and County comprehensive plans and implementing regulations are hereby required to include procedures to consider claims of map error and hardship variances to reduce or remove stream corridor protection for any property demonstrated to be converted to an unbuildable lot by application of stream corridor protections."

Title 4. Retail in Employment and Industrial Areas.

Section 1 Intent

It is the intent of the Metro 2040 Growth Concept that Employment and Industrial Areas contain very little retail development. Employment and Industrial areas would be expected to include some limited retail commercial uses primarily to serve the needs of people working or living in the immediate employment areas, not larger market areas outside the employment area. Exceptions to this general policy for Employment and Industrial Areas can be made for certain areas.

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

298 Cities and counties are hereby required to amend their comprehensive plans and implementing
299 regulations to prohibit retail uses larger than 50,000 feet of gross leasable area per building or
300 business in the Employment and Industrial Areas specifically designated on the 2040 Growth
301 Concept Map.

302 **Section 3. Exceptions**

303 Exceptions to this standard may be included for:

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

306 B. Specific Employment or Industrial Areas which already have developed a substan-
307 tial amount of retailing may allow new or redeveloped retail uses.

308 **Title 5. Neighbor Cities and Rural Reserves**

309 **Section 1. Intent**

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

317 In addition, counties and cities within the Metro boundary are hereby required to amend their
318 comprehensive plans and implementing ordinances within eighteen months of the adoption of
319 this ordinance to reflect the rural reserves and green corridors policies described in the Metro
320 2040 Growth Concept.

321 **Section 2. Metro Intent with Regard to Rural Reserves**

322 Metro shall attempt to designate and protect common rural reserves between Metro's urban
323 growth boundary and designated urban reserve areas and each neighbor city's urban growth
324 boundary and designated urban reserves, and designate and protect common locations for
325 green corridors along transportation corridors connecting the Metro region and each neighbor-
326 ing city. For areas within the Metro boundary, counties are hereby required to amend their
327 comprehensive plans and implementing ordinances to identify and protect the rural reserves
328 and green corridors described in the Metro 2040 Growth Concept and shown on the 2040
329 Growth Concept Map. For areas outside the Metro boundary, Metro shall encourage
330 intergovernmental agreements with the cities of Sandy, Canby and North Plains.

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

332 Metro shall invite the local governments outside the Metro boundary and named in Section 1
333 of this title to sign an Intergovernmental Agreement, similar to the draft agreements attached
334 hereto.

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

336 Metro shall attempt to negotiate a Green Corridor Intergovernmental Agreement with ODOT
337 and the three counties (Clackamas, Multnomah and Washington) to designate and protect areas
338 along transportation corridors connecting Metro and neighboring cities.

339 **Title 6 Regional Accessibility**

340 **Section 1. Intent**

341 Early implementation of the 2040 Growth Concept must acknowledge that focusing develop-
342 ment in the most concentrated activity centers, including the central city, regional centers, and
343 station communities, may produce levels of congestion that exceed existing standards, yet
344 signal positive urban development for these locales. Conversely, the continued economic
345 vitality of industrial areas and intermodal facilities is largely dependent on preserving or
346 improving access to these areas and maintaining reasonable levels of freight mobility on the
347 region's main throughways. Therefore, regional congestion standards and other regional
348 system performance measures shall be tailored to reinforce the specific development needs of
349 the individual 2040 Growth Concept land use components.

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

4 Section 2. Boulevard Design

For regional routes in the central city, regional centers, station communities, main streets and town centers designated on the Boulevard Design Map, all cities and counties within the Metro region are hereby required to implement *boulevard* design elements as improvements are made to these facilities. Each jurisdiction shall adopt amendments, if necessary, to ensure that their comprehensive plans and implementing ordinances require consideration of the following *boulevard* design elements when proceeding with right-of-way improvements on regional routes designated on the boulevard design map. In general, pedestrian and transit oriented design elements are the priority in the central city and regional centers, while pedestrian and transit features are more balanced with motor vehicle design needs in station communities, main streets and town centers:

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

B. Landscape strips, street trees and other design features that create a pedestrian buffer between curb and sidewalk;

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

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

E. Bikeways;

F. On-street parking whenever possible;

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

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

Section 3. Design Standards for Street Connectivity

The design of local street systems, including "local" and "collector" functional classifications, is generally beyond the scope of the Regional Transportation Plan. However, the aggregate effect of local street design impacts the effectiveness of the regional system when local travel is restricted by a lack of connecting routes, and local trips are forced onto the regional network. Therefore, the RTP will include design standards for connectivity aimed at improving local circulation in a manner that protects the integrity of the regional system.

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

A. Design Option

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

1) New residential and mixed-use developments must include local street plans that:

- a) encourage pedestrian travel by providing short, direct public right-of-way routes to connect residential uses with nearby existing and planned commercial services, schools, parks and other neighborhood facilities; and
- b) include no cul-de-sac streets longer than 200 feet, and no more than 25 dwelling units on a closed-end street system; and
- c) provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with a minimum spacing of no more than 330 feet; 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 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, development patterns or environmental constraints prevent full street extensions.

2) For developments on vacant or primarily undeveloped contiguous parcels of five acres or larger, also prepare:

- a) a map which identifies possible local street connections to adjacent developing areas. The map should include connecting streets at intervals of no more than

660 feet, with more frequent connections in areas planned for mixed use or dense development. .

B. Performance Option

Cities and counties shall ensure that their comprehensive plans, implementing ordinances and administrative codes require demonstration of compliance with performance criteria. Approval of new developments shall include local street designs with street intersection spacing to occur at intervals of no less than 8 per mile, the number of street connections coordinated and consistent with increased density and mixed land uses. Local street designs for new developments shall satisfy both of 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 %.

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.

Title 7 Compliance Procedures

Section 1. Compliance Required

All local governments within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances to comply with the provisions of this functional plan within eighteen months of the effective date of this ordinance.

Section 2. Compliance Procedures

1. On or before the deadline established in Section 1, local governments shall transmit to Metro the following:

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

- 2 b) Copies of all applicable comprehensive plans and implementing ordinances and
453 public facility plans, as proposed to be amended;
454 c) Findings that explain how the amended local comprehensive plans will achieve the
455 standards required in titles 1 through 6 of this functional plan.

456 2. Exemptions from all or any portion of any of the above titles may be granted by the Metro
457 Council, as provided for in the Regional Urban Growth Goals and Objectives , Section 5.3,
458 after MPAC review, based on city or county submittal of the following:

459 A. General

460 In developing its compliance plan, the local jurisdiction must address the Metro 2040 Growth
461 Concept, and explain how the compliance plan relates to the Growth Concept.

462 B. Population and Employment Allocations

- 463 1) A demonstration of substantial evidence of the economic infeasibility to provide
464 sanitary sewer, water, stormwater or transportation facilities to an area or areas; or
465 2) Substantial areas which have prior commitments to development at densities
466 inconsistent with Metro growth targets; or;
467 3) The households and employment growth allocations cannot be accommodated at
8 densities or locations the market or assisted programs will likely build during the
469 planning period; and
470 3) The amount of households or employment that cannot be accommodated; and
471 4) A recommendation for where the unaccommodated growth could be located adjacent
472 to the city or county.

473 C. Parking Measures. Subject to the provisions of Title 2, local jurisdictions may request
474 relief from the parking measures. Metro may consider a local government request to allow
475 areas from Zone A to be subject to Zone B maximum parking ratio where they can demon-
476 strate:

- 477 1. No foreseeable 20 minute transit service; and
478 2. No adjacent neighborhoods close enough to generate sufficient pedestrian
479 activity; and
480 3. No significant pedestrian activity within the present business district.

481 The burden of proof for adjustments shall increase as the quality and timing of transit service
482 improves. Any adjustment granted must include a demonstration of how future conversion of
483 excess parking is feasible.

484 D. Stream Corridor Conservation. Cities and counties may request areas to be added or deleted
485 from the Metro Stream Corridor Conservation Area based on a finding that the area identified on

the map is not riparian, as defined in this functional plan. Findings shall be supported by evidence, including the results of field investigations.

E. Regional Accessibility

Local jurisdictions may request relief from the requirements of Title 6, Regional Accessibility where they can show that a street system or connection is not feasible for reasons of topographic constraints or natural or built environment considerations.

F. In addition to the above procedures, local determination not to incorporate 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. Local actions inconsistent with functional plan requirements are subject to appeal for violation of the functional plan.

Section 3. Any Comprehensive Plan Change must Comply

After the effective date of this ordinance, any change to a comprehensive plan or implementing ordinance shall be consistent with the functional plan requirements contained in titles 1 through 8. Metro shall assist the local government 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. Enforcement

City or county actions to amend a comprehensive plan or implementing ordinance in violation of this functional plan shall be subject to appeal or other legal action for violation of a regional functional plan requirement. Prior to a final action to amend a comprehensive plan or implementing ordinance, a local determination that a functional plan should not or cannot be implemented shall be subject to the conflict resolution process provided for in the Regional Urban Growth Goals and Objectives, Goal I.

Section 5. Compliance Plan Assistance

Any local government may request of Metro a compliance plan which contains the following:

A. An analysis of the local government's comprehensive plan and implementing ordinances, and what sections require change to comply with the performance standards.

B. Specific amendments that would bring the jurisdiction into compliance with the requirements of Sections 1 to 8, if necessary.

3 C. Jurisdictions must make the request within four months of the effective date of this
519 ordinance. The request shall be signed by the highest elected official of the jurisdiction.

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

1 **Title 8. Definitions** (To be developed)

525 **Expected Capacity** means the

526 **DHB** means the

527 **Local Trip** means a trip 2 ½ miles or less in length.

528 **Metro** means the

529 **Metro Boundary** means the

530 **Metro Urban Growth Boundary** means the

531 **Permitted Capacity** means the

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

534 **Stream corridor conservation area** means an area defined on the Metro Stream Corridor
535 Conservation Area Map, attached hereto. This area has been mapped to generally include the
536 following: stream or river channels, associated wetlands, areas with floodprone soils adjacent
537 to the stream, floodplains, and associated riparian area. The riparian areas are generally
538 defined as between 50 and 200 feet on each side of the center line of streams, depending on
539 local conditions.

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

545 **Development** means any man made change defined as buildings or other structures, mining,
546 dredging, filling, or grading in amounts greater than fifty (50) cubic yards on any lot,
547 paving, or excavation. In addition, any other activity that results in the removal of more than
548 50% of the existing vegetation is defined as development, for the purposes of this Title.

550 **Designated Beneficial Water Uses** means the same as the term as defined by the Oregon
551 Department of Environmental Quality.

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

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557 **Floodplain** means the 100-year floodplain as defined by FEMA Flood Insurance Studies.

558 **Vacant Land:** Land identified in the Metro or local government inventory as undeveloped
559 with permanent structures.

APPENDIX

Table 1 - Additional Household & Job Capacity - Year 2015

City or County	Household Increase to be Accommodated	Single Family / Townhouse / Multi-family Split	Job Increase to be Accommodated	Mixed Use Areas		Centers and Station Communities	
				HH, SF/TH/MF	Job Increase	Housing Capacity	Job Capacity
Beaverton							
Cornelius							
Durham							
Fairview							
Forest Grove							
Gladstone							
Gresham							
Happy Valley							
Hillsboro							
Johnson City							
King City							
Lake Oswego							
Maywood Park							
Milwaukie							
Oregon City							
Portland							
River Grove							

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Sherwood							
Tigard							
Troutdale							
Tualatin							
West Linn							
Wilsonville							
Wood Village							
Clackamas County*							
Multnomah County*							
Washington County*							

*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.

*Capacity must be shown to be met by each jurisdiction for their combined station areas. Station areas may vary substantially one from another as long as the jurisdictional total is met.

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Regional Parking Ratios¹

(parking ratios are based on spaces per 1,000 sq ft of gross leasable area unless otherwise stated)

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Land Use	Minimum Parking Re- quirements (See) Central City Transportation Management Plan for down- town Portland stds)	Maximum Permitted Parking - Zone A:	Maximum Permit- ted Parking Ratios - Zone B:
	<i>Requirements may Not Exceed</i>	<i>Transit and Pedes- trian Accessible Areas²</i>	<i>Rest of Region</i>
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

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Regional Parking Ratios¹

(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:
	<i>Requirements may Not Exceed</i>	<i>Transit and Pedestrian Accessible Areas²</i>	<i>Rest of Region</i>
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

Note: Ratios for uses not included in this table would be determined by local governments. 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,

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Metro may grant approval upon a demonstration by the local government that the parking space requirement is substantially similar to the regional standard.

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1. Ratios for uses not included in this table would be determined by local governments. 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.

**METRO**

TO: Councilor Rod Monroe, Chair, JPACT and members
Commissioner Charlie Hales, Chair, MPAC

FROM: Mike Burton, Executive Officer

DATE: April 4, 1996

SUBJECT: April 4 redraft of *Phase I of the Regional Framework Plan*

Attached please find the latest draft of the *Phase I of the Regional Framework Plan*. This document reflects the latest revisions recommended by TPAC and MTAC members.

However, there are three areas within Title 6, Regional Accessibility, with which I have concerns and would like to recommend that you change. While these changes may be supported by your technical committees, they have not been discussed or endorsed by them. In brief, my recommended changes would:

❖ **remove the hierarchy that emphasizes pedestrian and transit features over automobiles only in the central city and regional centers and replace it with a general direction to incorporate more pedestrian and transit features in station communities, main streets and town centers as well as the central city and regional centers. (This would revise lines 371 through 373, see below)**

❖ **require that cities and counties take responsibility for master street plans to ensure connectivity, rather than have the development community take responsibility for connectivity at the time of development. (This would revise text starting at lines 421 and 428)**

❖ **set congestion standards by adding a new section. (to be added after line 441)**

More specifically, I would revise the text as follows:

Lines 371 through 373 would read as follows:

~~In general, pedestrian and transit oriented design elements are the priority in the central city and regional centers, while pedestrian and transit features are more balanced with motor vehicle design needs in station communities, main streets and town centers:~~ **The intent of this section is to ensure that in the central city, regional centers, station communities, main streets and town centers, pedestrian and transit features are more balanced with motor vehicle design needs.**

At line 421, revise as follows:

2) ~~For developments on vacant or primarily undeveloped contiguous parcels of five acres or larger, also prepare:~~ All contiguous areas of vacant and primarily undeveloped land of five acres or more should be identified by cities and counties and the following will be prepared

At line 428, revise as follows:

1) ~~Approval of new developments~~ Cities and counties shall include develop a local street designs map with street intersection spacing to occur at intervals of no less than 8 per mile, the number of street connections coordinated and consistent with increased density and mixed land uses.

In addition, I believe that there are concerns that current standards for addressing congestion are too high. Continuing to use the current standards would likely have the following consequences:

- ❖ The list of transportation projects in the Interim RTP would be unattainable even with the most optimistic revenue assumptions. The 20-year "financially constrained" component of the plan (based on a "reasonable" forecast of anticipated revenues) has a road and highway funding shortfall in excess of \$2 Billion. The majority of projects are for congestion relief using current congestion standards.

- ❖ The current congestion standard could conflict with proposed use changes called for in the adopted Metro 2040 Growth Concept. The Transportation Planning Rule (TPR) requires that comprehensive plan amendments to change land uses be balanced with adequate transportation services. The current congestion standard is likely to result in inadequate transportation services, thereby prohibiting a change in comprehensive plans to increased densities.

- ❖ Congestion and mobility is a key component of the public's attitudes about liveability and therefore a major area of concern about growth. The policy issue to be addressed is should we ensure that the road system simply slows down or is stop-and-go traffic for some period of time to be expected? Should the peak hour be expected to last 30 minutes, 1 hour or 2 hours? (see attached memo to Andy Cotugno dated April 4 for more discussion and analysis)

Accordingly, I would add after line 441 the following:

Section 4. Motor Vehicle Performance Standards

Motor vehicle level-of-service performance standards are used to identify new or expanded regional road needs and to calculate the vehicle design capacity for subsequent projects. Setting regional

congestion standards is important since congestion is a key livability measure. Congestion standards must be set to ensure that roads provide adequate degrees of accessibility and mobility; to ensure the integration of modes; and to ensure that the highway system is not overbuilt.

Elsewhere, regional level-of-service performance standards are needed to ensure an adequate balance between transportation service and local land use designations, particularly those areas where densities are proposed to increase.

Each jurisdiction shall adopt amendments, if necessary, to ensure that their comprehensive plans and implementing ordinances will include the following motor vehicle performance standards and methods related to *congestion analysis* and *congestion management* when planning for new or expanded roadways in areas proposed for higher densities.

A. Congestion Analysis

- 1) **Level-of-service.** The following table shall be incorporated into local comprehensive plans and implementing ordinances to replace current methods of determining congestion on regional facilities:

General 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 E = .9 to 1.0; and LOS F = greater than 1.0.

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

B. Congestion Management

Prior to recommending a significant capacity expansion to a regional facility, or including such an expansion in a city or county comprehensive plan, the following actions shall be

Rod Monroe, Charlie Hales

April 4, 1996

page 4

applied.

- 1) Transportation system management techniques.
- 2) Transit solutions if the mode split is below the identified target for that particular corridor or area.
- 3) T M solutions must be considered if the Average Vehicle Occupancy (AVO) is below the corridor or area target.
- 4) Grid and/or parallel facilities if local trips on the congested regional facility exceed 25% of the regional median for facilities of the same motor vehicle classification.

Only if the above considerations do not adequately address the problem, may capacity improvements may be included in the comprehensive plan.

I would be happy to discuss any aspect of these recommendations with you at your meeting or at your convenience.

Level of Service (LOS) Definitions for Freeways, Arterials and Signalized Intersections

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)

Region 2040: Selected Performance Measures

	1990	Base Case	Recommended Alternative
VTM/Capita	12.40	13.04	11.06
VTM % Change from 1990	n/a	+5.16%	-10.28%
Total Lane Miles (freeway/arterial)	5,304	6,777	6,038
Congested Lane Miles	150	506	454

Metro Travel Forecasting Data



City of Gresham

Mayor Gussie McRobert

1333 N.W. Eastman Parkway
Gresham, Oregon 97030-3813
(503) 618-2306
Fax (503) 665-7692

4/2/96

To: JPACT-MPAC Members

From: Mayor Gussie McRobert

RE: Interim Measures Parking Standards and Clean Air Act

The options for this region to comply with federal clean air mandates are:

1. Oregon Legislature sets standards to enforce the Ozone Maintenance Plan. Input would be at Legislative Committee meetings and through direct legislator contacts. The result could be implementation of the recommendations or a hybrid of those made by a DEQ advisory committee which met from April 1994 to December 1995 to address the region's air shed ozone problem and requirements of HB 2214 (1993 legislative session). Parking ratios would be established and businesses allowed to buy and sell parking spaces in the same way they now buy and sell air pollution rights. Local governments would have to track these parking space transactions.

Parking would be addressed strictly as an air quality issue since that is the issue DEQ and the Legislature must resolve. There will be no consideration of the effect of marketing parking spaces on land use. Buying and selling parking spaces jeopardizes the potential success of regional and town centers by taking away any leverage to get companies to do business differently.

2. Approve proposed parking standards which are the result of months of work with DEQ, local governments, commercial realtors and big box retailers. These standards help DEQ comply with the Ozone Maintenance Plan and avoid federal intervention. They have also gained support of most industry representatives and local governments. The standards provide for specific exemptions where necessary and give more local control than federal or state mandates.

c: City of Cornelius
c: City of Durham
c: City of Fairview
c: City of Troutdale
c: City of Forest Grove
c: City of Gladstone
c: City of Happy Valley
c: City of Hillsboro
c: City of Johnson City
c: City of King City
c: City of Maywood Park
c: City of Oregon City
c: City of Rivergrove
c: City of Sherwood

c: City of Tigard
c: City of West Linn
c: City of Wilsonville
c: City of Wood Village
c: Langdon Marsh, DEQ
c: Mike Burton, Metro
c: Representative Tom Brian

State of Oregon

Department of Environmental Quality

Memorandum

Date: April 2, 1996

To: Gussie McRoberts

From: John Kowalczyk

Subject: Title 2 - Regional Parking Policy (3/25/96 Metro document):
comments and suggested language amendments

Gussie: Here are my thoughts. I hope this is what you are looking for and if not, please let me know.

- Section 1 Intent: First paragraph, I recommend the following:

The State's Transportation Planning rule calls for reductions of vehicle miles travelled and per capita parking as means of responding to transportation and land use impacts of growth. The Metro 2040 Growth Concept calls for more compact development as means to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan relies on the 2040 Growth Concept fully achieving it's transportation objectives. Notably, reducing vehicle trips and related parking spaces through minimum and maximum parking ratios. This title is provided to address these statutory requirements and preserve the quality of life of the region.

- Section 1 Intent: Under third paragraph, "D", I recommend the following:

Allow areas from Zone A to be subject to Zone B maximum parking ratios where they can demonstrateetc.

- The following language from your February 29, 1996 memo (Measure 3 Parking: Amended Language) was not included in the Section 1 Intent language and it is critical. I recommend the following language be included under the third paragraph as "E". I have changed "may" to "should" as a means of encouraging and broadening Zone A areas.

"E" Local governments should designate Zone A parking ratio standards in areas with good pedestrian access to commercial or employment areas (within 1/3 mile walk from adjacent residential areas).

RE: Regional Parking Policy

As included in the JPACT/MPAC packet, a memo from DEQ to Mayor Gussie McRobert included clarifying language to be added to the draft Phase I of the Regional Framework Plan. However, one sentence of the text was not included. Specifically, the following sentence highlighted in italics, below, is proposed to be added to the intent section of Title 2 at line 155, as follows:

Objectives. *Notably, it relies upon reducing vehicle trips and related parking spaces through minimum and maximum parking ratios.* This title is provided....

March 21, 1996

The Honorable Gussie McRobert
Mayor, City Of Gresham
1313 NW Eastman Parkway
Gresham, OR 97030

Governor Kitzhaber asked that I respond on his behalf to your letter of February 28 and clarify the State's position on what is a very contentious issue-- requiring the reduction in the amount of parking as an MPO area tool to aid in achieving our land use and transportation goals..

The State of Oregon has already weighed in on this issue with the Transportation Planning Rule (TPR) which states that, in order to reduce reliance on the automobile, local governments in MPO areas are required to implement parking plans which achieve a ten percent reduction of parking spaces per capita.

The principal behind this requirement in the TPR recognizes that--looking for ways to reduce the abundant amounts of parking associated with low density auto-oriented land use is one important aspect of achieving compact, pedestrian and transit-oriented urban environments. Being able to reduce the amount of parking will free more land for development inside Urban Growth Boundaries and reduce the pressure to develop on resource lands outside UGB's.

I will continue to push the region to fully implement these concepts as a member of JPACT and the Westside Corridor Project management.

I hope this clarification will be helpful to you. If you have any further questions, please call.



Bruce A. Warner, P.E.
Region Manager

BW:LH:hrm
mcrobert.doc

cc: Governor John Kitzhaber
Ken Husby/Ben Wallace
Leo Huff

RECEIVED
MAR 26 1996

John A. Kitzhaber
Governor



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Portland, OR 97209-4037

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600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



METRO

Date: April 4, 1996
To: Andy Cotugno, Transportation Director
From: Michael Hoglund, Transportation Planning Manager *MH*
Subject: **Motor Vehicle Performance Measures**

This memo provides background for upcoming discussions on motor vehicle performance measures related to congestion on regional roads and highways. Included is information on transportation performance measures in general; the current practice in evaluating congestion; alternative methods for evaluating congestion; and a summary of our preliminary proposal for a new congestion analysis method.

Transportation Performance Measures - Background

As part of the current update to the RTP, new and revised performance measures are being developed. The measures will be the analysis tools used to determine whether transportation goals and objectives are being met. The proposed measures fall into two categories:

1. General system measures for analyzing the overall regional effects of alternative transportation system impacts on mobility, accessibility, air quality, cost effectiveness, and travel; and
2. Specific measures related to individual transportation modes such as motor vehicles, trucks, bicycles, pedestrians, transit, or transportation system and demand management programs and techniques.

Together with each measure, a corresponding standard or threshold will also be identified. The standard represents the minimum acceptable and reasonable target of performance relative to each measure. Simply stated, falling below a standard triggers a system deficiency and the need for an improvement to address that deficiency.

Further, performance measures and standards are also used in funding decisions. The measures and standards are refined into specific criteria for use in determining project funding priorities through the Metro Transportation Improvement Program.

In sum, developing the performance measures and identifying the corresponding standards will be an extremely important RTP exercise. The exercise will result in the methods for evaluating RTP sufficiency (particularly related to the 2040 Growth Concept); for identifying system deficiencies and projects; and for setting transportation funding priorities.

Congestion Analysis - Current Practice

The motor vehicle level-of-service (LOS) congestion measure and standard has traditionally been a key transportation planning analysis tool. The measure and corresponding standard is used to identify the perceived level of "intolerable" congestion on the regional transportation system. When congestion reaches a level where the standard is exceeded, a transportation project is triggered.

The LOS congestion *measure* is based on a simple A-F grading scale for a one-hour period, generally the afternoon peak hour. Under this scale, conditions are best at LOS A, which generally represents free-flowing traffic with few vehicles on the road. Conditions incrementally deteriorate to the worst condition, LOS F, characterized by average freeway operating speeds under 30 mph and some stop-and-go traffic where lane mergers and other bottlenecks occur. On arterials, LOS F is characterized by speeds of less than one-third to as low as one-fourth free-flow speeds.

The current adopted congestion *standard* recognizes a system deficiency when LOS D is exceeded in the afternoon peak. Exceeding D conditions represent freeway operating speeds between 30 and 40 mph and arterial speeds down to one-third free-flow conditions. The attached chart compares the current RTP standard with those included in the ODOT Highway Plan and a Metro staff proposal for further discussion (discussed below). For the most part, a project is triggered when LOS D is exceeded in both the current RTP and ODOT Highway Plan. Some exceptions are allowed for lesser service standards under special conditions (e.g., availability of light rail in a travel corridor).

This current measure and standard has been the primary technique used by transportation planners and engineers to identify road and highway expansion projects for the last 30 to 40 years. As noted above, the standard has resulted in over a \$2 billion shortfall in road and highway revenue over the next 20 years as reflected in the RTP.

Alternative Measures and Standards of Congestion

Recognizing the inherent problems with the current congestion measures and standards, a number of alternatives are being examined at both the national and local level. The goal of these efforts is to first better understand the true public perception of, and tolerance for, congestion and to develop more thoughtful and financially realistic methods of addressing congestion problems. In the Portland metro area, congestion as it relates to land use is also being considered. Examples of alternatives include (as identified by an inter-agency work group headed by Washington County staff):

1. Utilize the Existing Standard, But Over a Longer Period of Time. This measure would evaluate the duration of congestion on particular facilities and recognize that the peak hour is naturally spreading beyond a single-hour. An example of this concept would be to not trigger a need until a two-hour standard has been exceeded.
2. Consider Different Level-of-Service Standards for Different Areas. Typically, this standard would allow for greater congestion in higher density areas such as the Central City and Regional Centers.

3. Expand the Range of Definitions for Level-of-Service. This option proposes new LOS of G and H to reflect longer and more severe periods of congestion (similar to alternative one, above).
4. Focus on Accessibility. Accessibility is a measure which attempts to measure both the available transportation system in terms of travel time, but also available land uses (work, shopping, etc.) that the transportation system provides access to in terms of density of activity. Accessibility is governed by both land use patterns and the number of travel alternatives provided in the regional transportation system. This is a very promising measure which ties together land use and transportation. However, the quantitative methods are still being developed. It is likely an accessibility measure could be used to supplement other measures.
5. Use Accessibility Measures in Areas and Mobility (Congestion) Measures in Corridors. This concept concludes that accessibility is most important near and within high density areas such as the Central City, Regional Centers and Town Centers, and that mobility is necessary between major activity centers. Consequently, two different measures would be used for different locations.

Metro Staff Proposal

Metro staff is proposing for further consideration a congestion analysis methodology which recognizes the following:

- Current congestion measures and standards will likely conflict with the goal of increased densities in certain locations.
- Current congestion measures and standards are unrealistically high, have resulted in a list of road and highway projects which are financially unattainable, even under the most optimistic revenue assumptions, and are likely better than the public reasonably expects.
- Current congestion measures do not address the duration or severity of congestion beyond the afternoon peak hour.

To address these issues, Metro staff proposes a two-step process to first determine the severity and impact of congestion through a *congestion analysis* phase and then to identify appropriate actions through a *congestion management* phase.

Congestion Analysis

Congestion analysis involves two steps to determine the severity and extent of actual congestion. The first step is to analyze both a peak two-hour period and an off-peak (mid-day) one-hour period (as shown on the attached chart). Unacceptable congestion would exist if LOS F extends beyond one hour in the peak or if LOS E is reached in the off-peak. This method assumes some congestion will be tolerated in the peak hour. The off-peak service level, if achieved, recognizes the need to accommodate commercial, business, and personal trips on relatively uncongested facilities throughout the normal work day.

If congestion is present, a second step analysis is conducted to evaluate accessibility. The accessibility measure would be used to determine whether access to various activities is affected by the congestion. As noted, this measure ties the land use activities of places to the ability to travel to those places on the transportation system.

When fully developed, this measure will provide better information as to where congestion can be tolerated since good access will be maintained to employment and shopping areas and from households.

Congestion Management

If the above analysis results in both unacceptable congestion and diminished accessibility, a congestion management methodology is proposed in order to determine the appropriate congestion solution. Prior to recommending a road or highway expansion on a regional facility, the following alternatives must be addressed:

1. Transportation system management techniques.
2. Transit solutions if the mode split is below the identified target for that particular corridor or area.
3. TDM solutions if the Average Vehicle Occupancy (AVO) is below the corridor or area target.
4. Grid and/or parallel facilities if local trips on the congested regional facility exceed 25% of the regional median for facilities of the same motor vehicle classification.

This congestion management process will require a more thoughtful analysis of the causes and potential solutions to congestion. If the above methods do not adequately address the congestion problem, new regional road and highway capacity can be pursued. Finally, these requirements would not be used for road and highway improvements that serve other regional objectives, such as safety and economic development.

Metro staff recommends forwarding this proposal for discussion through the RTP update process and through the public comment and hearings process on the Regional Framework Plan - Phase I.

Attachment



METRO

**Comparison of Motor Vehicle Performance Standards for:
ODOT Highway Plan; Current RTP; Metro Proposed**

General Performance Standards. The following table identifies the minimum acceptable level-of-service standards contained in the adopted RTP, the adopted ODOT Highway Plan, and a Metro staff proposal for new standards currently being discussed as part of the RTP update. Exceedences to these standards are generally indicated with *red* on transportation level-of-service analysis maps.

	Current RTP	ODOT Highway Plan	Metro Proposed	
	<i>Peak Hour Only</i>	<i>Peak Hour Only</i>	<i>Peak Two-Hours¹</i>	<i>Off Peak²</i>
LRT Corridor	D ³	D/E	F-E	C
Special Districts	D ³	E	F-E	C
Urban	D	D	F-E	C
Urbanizing	D	C	F-E	C

MH

4/2/96

¹ Two-hour analysis period. 'F' level of congestion is acceptable for one-hour. 'E' level of congestion is acceptable for the second hour of the peak. Two hours of 'F' represents an exceedence.

² One hour analysis. This measure represents the first attempt to ensure uncongested conditions in the off-peak period to accommodate commercial and other regular personal business.

³ The RTP allows in some instances (policy, impact, cost or other constraints), decisions to accept lower level of service on segments of particular facilities. This has traditionally been applied to facilities which parallel LRT corridors or in areas where their would be significant impact on the built or natural environment.



WASHINGTON
COUNTY,
OREGON

APRIL 10, 1996

OVERVIEW OF WASHINGTON COUNTY LEVEL OF SERVICE WORKSHOPS

Purpose:

Examine issues and clarify direction associated with balancing our land use and transportation systems under current level-of-service ("los") standards and policy. Develop alternatives to current "los" standard considering mobility and accessibility.

Some Participants:

**Mike Hoglund, Metro
Larry Shaw, Metro
G. B. Arrington, Tri-Met
Sam Seskin, Parsons
Brinckerhoff**

**Gary Katsion, Kittleson & Assoc.
Randy McCourt, DKS Associates
Frank Angelo, W&H Pacific
Roger Millar, Otak**

**Mark Greenfield, Attorney at Law
Rod Sandoz, Clackamas County
Leo Huff, ODOT
Fred Eberle, ODOT
Howard Roll, City of Beaverton
Wink Brooks, City of Hillsboro
Brent Curtis, Washington County
Mark Brown, Washington County
Dan Seeman, Kittleson & Assoc.**

Some Alternatives Discussed:

- Utilize Current Standard, but over a longer period of time**
- Consider different level of service standards for different areas**
- Expand the range of definitions for level of service**

(over)

- **Focus on land use accessibility rather than level of service**
- **Focus on the average travel speed over a longer segment of roadway**

Some Preliminary Conclusions and Recommendations:

- **Current standard has limitations. Existing measure is too coarse and doesn't differentiate major problems from minor problems. Also, land use plan amendments implementing 2040 are difficult because the State Transportation Planning Rule (OAR 660-12-060) requires plan amendments to be consistent with "function, capacity and level of service" of transportation facilities.**
- **Ultimate standard will reflect both mobility and accessibility needs.**
- **Developing and selecting one or several standards will require significant effort.**
- **Funding needs to be part of the discussion**
- **Need to consider implementation as well as a long-term strategy.**

FINAL REPORT FROM THE
METRO POLICY ADVISORY COMMITTEE
BOUNDARY COMMISSION WORKGROUP

Introduction

This report summarizes the work and recommendations of the Boundary Commission Workgroup of the Metro Policy Advisory Committee (MPAC). The workgroup was established in June 1995, following a request by the Metro Council that MPAC develop recommendations concerning the future status and operations of the Portland Metropolitan Area Local Government Boundary Commission (the commission). The request was made to implement the provisions of the 1992 Metro Charter which require that the Council "undertake and complete a study of the Portland Metropolitan Area Local Government Boundary Commission with advice of the MPAC." The charter further authorizes the Council to "implement the results of the study and seek any legislative action needed for implementation."

The six-member work group was chaired by County Commissioner Judie Hammerstad from Clackamas County. Other workgroup members included: Portland City Commissioner Charlie Hales, Tualatin Valley Water District Board Member Rob Mitchell, Cornelius City Councilor Jeannine Murrell, Washington County Commissioner Linda Peters, and Lake Oswego Mayor Alice Schlenker. All of the workgroup members are members of MPAC. Metro Councilor Susan McLain attended the workgroup meetings and served as the liaison with the Metro Council.

Staff was provided by the Metro Council Office. The staff of the commission provided summaries of the early workgroup meetings and promptly responded to all information requests from the workgroup. The workgroup also was assisted by the McKeever/Morris consulting firm and in the development of funding proposals by Kent Squires, General Manager, Oak Grove Sanitary District.

Commission History

As early as the mid 1950s, the Legislative Assembly recognized that local government response to the rapid growth of suburban areas throughout the state was fragmented and resulted in the ineffective provision of urban services in metropolitan areas. Legislation was introduced, but not adopted, in the 1957 Legislative Assembly to create a statewide local government boundary commission.

Following the work of the Portland Metropolitan Study Commission, legislation to establish boundary commissions in certain local areas was introduced in the 1967 Legislative Assembly. The legislation passed in the House but died in a Senate committee. Similar legislation was reintroduced and passed in the 1969 Assembly.

This legislation created the Portland Metropolitan Area Local Government Boundary Commission with a jurisdiction of all of Clackamas, Columbia, Multnomah and Washington Counties (Columbia County was removed from commission jurisdiction in 1979). By the time the commission was created, the number of local governmental units within its jurisdiction had reached over 300. Many small cities had been created to avoid annexation to larger cities. These cities had no capacity to provide urban services. Suburban areas were generally served by a patchwork of special districts. Fragmentation and a lack of planning for the provision of urban services were commonplace. One study concluded that the average citizen in the Portland metropolitan area was subject to decisions made by 11 separate units of government. During its 27 years of operation, the number of units of government has declined from 290 to 105.

Current Commission Role

The following discussion outlines how the commission defines its purposes and jurisdiction, the types of actions subject to commission review, its decision-making processes and the criteria used in the decisionmaking process.

Purposes. Though there have been a number of technical and procedural changes enacted since 1969, the essential purpose and role of the commission have remained unchanged. The Law defines these purposes to be:

- 1) guide the creation and growth of local jurisdictions to prevent illogical boundary extensions and encourage restructuring of overlapping units;
- 2) assure service quantity and quality and financial integrity of local jurisdictions;
- 3) provide impartial forum for resolution of local issues;
- 4) provide decisions consistent with local comprehensive plans and statewide planning goals;
- 5) reduce fragmented service delivery by encouraging single agency service delivery.

Jurisdiction. The commission's jurisdiction includes all cities and thirteen of the most common types of special districts. These include water, sanitary, fire, county service and park and recreation districts. Notable exemptions to the commission's jurisdiction include school districts and people's utility districts.

Local Actions Subject to Review. The following types of actions by local jurisdictions are subject to commission review:

- 1) incorporation, dissolution, merger or consolidation of a city or district;
- 2) initiation of a new function by a district;
- 3) annexation to or withdrawal from a city or district;
- 4) formation or expansion of privately-owned community water or sewer system with certain exceptions;
- 5) extraterritorial water or sewer line extensions.

Decision-making Process

The general commission process for the consideration of actions subject to its review is as follows:

- 1) submittal of the proposed action to the commission by the initiating local jurisdiction, or by citizens requesting an action;
- 2) scheduling a commission hearing;
- 3) preparation of a commission staff report, including recommendations;
- 4) holding of a public hearing by the commission;
- 5) commission decision, which may include approval, denial or modification of the proposed action;
- 6) issuance of a commission final order.

The commission has up to 120 days to take action on major proposals, such as the initiation, merger or consolidation of a city or district. Commission action on all other types of actions, such as annexations, must be completed within 90 days. The law also has established a 25-day expedited process for the consideration of small non-contested actions.

The effective date of the commission's final orders depends on the type of action under consideration. All commission decisions are appealable to the state Court of Appeals.

Decision-making Criteria

The state statute governing the commission does not clearly and separately define the criteria that are to be applied by the commission to the action items that it must review. The policy

section of the statute (ORS 199.410) provides that "a single governmental agency, rather than several governmental agencies is in most cases better able to assess the financial resources and therefore is the best mechanism for establishing community services." The commission has interpreted this language to mean that it should give a preference to cities as service providers.

Other examples of language in the governing statute include a provision of the policy section which provides that the intent of the commission is "to create a governmental structure that promotes efficiency and economy in providing the widest range of necessary services in a manner that encourages and provides planned, well-ordered and efficient development patterns." ORS 199.462 provides that the commission "consider local comprehensive planning for the area, economic, demographic and sociological trends and projections pertinent to the proposal, past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change."

The commission has utilized the general policy and intent statements throughout its government statute to develop a series of 17 general decision-making criteria. These include:

- 1) Avoid fragmentation of public services.
- 2) Orderly development of urban area is in the best interest of the citizens of this state.
- 3) Effect of the growth of one unit of government on other units of government.
- 4) Insure orderly determination of local government boundaries.
- 5) Determine the local service provider when local comprehensive plans are unclear.
- 6) Preference for single agency provision of urban services (cities as preferred providers).
- 7) Promote efficiency and economy in providing urban services.
- 8) Encourage planned, well-ordered and efficient development patterns.
- 9) Guide creation and growth of units of government to prevent illogical boundaries.
- 10) Encourage reorganization of overlapping units of government.
- 11) Assure adequate quality and quantity of urban services.

12) Assure financial integrity of units of government affected by a boundary change.

13. Serve as an impartial forum.

14) Make decisions consistent with local plans and statewide goals.

15) Consider timing, phasing and availability of services.

16) Reduce fragmentation by encouraging single agency service delivery.

17) Consider economic, demographic, and sociological trends and past, present and future development of the land.

Workgroup Review Process

Initial workgroup meetings in July and August 1995 focused on the identification of issues and concerns related to the current operation of the commission. The workgroup also extensively discussed the current local and regional land use planning process and how these activities relate to the commission.

In September, the workgroup finalized a list of issues that would become the focus of its review. These included:

- 1) the purpose of the commission
- 2) the authority of the commission
- 3) policy framework for decision-making (including criteria)
- 4) commission governance
- 5) funding
- 6) status of the commission advisory committee
- 7) commission decision-making process
- 8) appellate review, and
- 9) the expedited consideration process..

A discussion paper outlining these issues and identifying related policy questions was sent to local jurisdictions subject to the commission. The workgroup then held a series of three public hearings in October. Written and oral testimony was received from the commission (including current and former commissioners and staff), cities, counties, special districts and the general public.

Workgroup meetings during November and December reviewed the information received during the hearing process and refined the nature of the issues and policy options that would receive further consideration. During a series of worksessions in January, February and March, the workgroup developed its preliminary and final recommendations and approved its final report to MPAC.

Workgroup Findings and Recommendations

The workgroup has developed recommendations in four principal areas related to the commission. These include: 1) function and structure, 2) criteria, 3) geographic boundaries, and 4) funding. Each of these areas are addressed below.

Function and Structure

Discussion. The commission and its supporters contend that the existing functions and structure should be retained with only a few minor changes. They argue that, while the commission has reduced fragmentation and inefficient service provision, its continuation in its present form is necessary to maintain the status quo. They note that "the easy recreation of confusion and inefficiency is only avoided by the presence of the Commission."

Supporters contend that the commission provides timeliness, centralized processing efficiency, impartial fairness and uniformity to the boundary change decision-making process. They argue that returning many boundary change decision-making functions to local jurisdictions would increase costs and result in decisions based on political considerations.

Actions by one jurisdiction could have significant impact on another jurisdiction and it would be more difficult to insure the state and regional interests are addressed. For example, they note that the state shares a variety of revenue sources with local jurisdictions and therefore has a significant interest in the development of efficient and economical local government structures.

Commission supporters recognize that there are many new mechanisms that may assist local jurisdictions in resolving boundary and service provision issues among themselves. These could include the SB 122 (ORS 195.020-195.080) intergovernmental service agreement process, Metro's 2040 early implementation measures and the development of the Regional Framework Plan. But they contend that the agreement and planning process are still evolving and there is no assurance they will fully address all boundary and service delivery issues.

Supporters also contend the existence of comprehensive land use plans and intergovernmental service provision agreements do not address many issues addressed in the commission's decision-making

criteria. For example, while such plans and agreements may set service area boundaries, they often do not address issues related to the timing, availability and financing of service provision. In addition, they may not address the question of whether an area outside a city boundary is to be annexed.

The commission proposed potential statutory changes to address its relationship with the SB 122 process and the implementation of the Regional Framework Plan. These included a commission-administered process for setting urban service boundaries based on SB 122 agreements and with clear statutory direction that the commission's decisions should be consistent with adopted regional plans.

The workgroup also received extensive testimony from several local jurisdictions which advocated a substantial reduction in the scope of the commission's functions. These suggested changes were based on two principal assumptions: 1) that a large percentage of the local boundary and service provision decisions subject to commission review are minor and have only a limited local impact, and 2) there are extensive state, regional and local planning processes now in place that reduce the need for the commission.

Some jurisdictions have established local processes for the consideration of annexations. These procedures generally include a local planning commission and city public hearing process. Other jurisdictions file annexation proposals directly with the boundary commission. In addition, property owners may choose to file annexation proposals directly with the commission.

A large majority of the commission's work involves the review of proposed city annexations. Such annexations often involve a single parcel or a small number of parcels that are being annexed at the request of the landowner. In many cases there is no opposition to the proposal. Testimony suggested that commission review of such cases is costly and time consuming. It was noted that most commission hearings on these types of actions are noncontested. Some of those offering testimony to the workgroup suggested that only "contested" cases be subject to review at the regional level.

It is generally agreed that at the time the commission was originally established, the governmental landscape in the metropolitan region was characterized by a proliferation of small units of governments, distrust and competition between governments and an almost total lack of intergovernmental cooperation and planning. However, many of those testifying before the workgroup noted that in recent years new regional and local intergovernmental planning processes have been mandated. They contended that the completion of these processes will significantly reduce the need for a boundary commission.

At the regional level, the 1992 Metro Charter requires the development of a regional framework plan by December 1997. The

plan will address transportation and mass transit systems, administration of the urban growth boundary, housing densities, urban design and settlement, open spaces, and water sources and storage. Cities and counties will be required to make land use decisions consistent with the framework plan, and the Metro Council will adjudicate and determine the consistency of local comprehensive plans with the framework. In addition, Metro is completing a review of the urban growth boundary under the 2040 process that will result in boundary adjustments and the creation of urban reserves outside of the boundary.

At the local level, the Legislative Assembly has enacted legislation (SB 122) requiring local governments to develop urban service agreements for areas inside an urban growth boundary. These SB 122 agreements must address who will provide each urban service, the functional role of each service provider, determination of service areas, and assign responsibilities for planning and administration of urban services. Such agreements would be required for sanitary sewer, water, fire protection, parks, open space, recreation and street, road and mass transit services. A variety of economic, financial, feasibility, cost allocation, demographic and sociological factors must be addressed in developing the agreements. The agreements will be required to be in place by the time of the city's next comprehensive plan acknowledgement by the state Land Conservation and Development Commission. In the metropolitan region, Metro has been designated as the review, advisory and coordinative agency.

Several jurisdictions also contended that there is now a much higher level of intergovernmental cooperation related to service delivery issues. They noted that there are numerous agreements affecting police, fire, emergency and library services. In addition, they noted the recent regional study effort on future water source and delivery issues that involved all of the region's water providers.

In conclusion, those who support reducing the scope of regional boundary adjudication functions argue that many of the functions now performed by the current commission will be addressed through other types of regional or local planning processes. In most cases, the commission's role would be reduced to simply reviewing noncontested cases or confirming that a local action is consistent with the regional framework plan or a local SB 122 agreement.

Recommendation. The workgroup makes the following recommendations concerning the scope of the regional boundary change review and adjudication process and its administrative structure.

- 1) The scope of the boundary change review process be substantially reduced to include only "contested" cases. A contested case would include any action in which there is a dispute

between two or more jurisdictions or when a staff review of the action concludes that it may violate any regional plans or local urban service agreements. This criteria would apply to any type of local action that is currently subject to review by the boundary commission.

The workgroup concluded that many local annexations involve small areas that have no regional interest or significance. Under the workgroup's proposal, these types of will be handled at the local level. Local jurisdictions will establish processes for soliciting public input concerning these actions. Local citizens and property owners can participate in this process and attempt to influence their local decisionmakers. There are adequate provisions in existing law that provide procedures for legal appeal or electoral remonstrance procedures for those who may object to a decision. In addition such decisions in the future will be governed by existing SB 122 urban service agreements and the provisions of the framework plan.

Major decisions related to the initiation, merger, consolidation or dissolution of a unit of government occur infrequently. In recent years, these actions have generally involved the merger or consolidation of special districts. In most cases, these mergers and consolidations have proceeded only after extensive economic analysis and a local public hearing process. Under the workgroup's proposed recommendation, if such actions were not objected to by another jurisdiction or did not violate regional or local plans or agreements, local approval by the affected jurisdictions and administrative review at Metro would be all that is necessary to validate the proposed action.

2) The boundary review function be transferred to Metro. This recommendation is based on two factors. First, it is anticipated the number of local decisions that will be contested will represent only a small percentage of the cases currently considered by the commission. This reduced workload would not be sufficient to support an independent agency with a five-person staff.

Second, several mechanisms have been put in place in recent years to facilitate local management of the region's growth management process. Metro now administers many aspects of this process including management of the urban growth boundary, development and administration of the regional framework plan and serving as the coordinator of the local SB 122 urban service agreement process. Transfer of the regional boundary review function would be a logical extension of these regional planning functions.

3) Boundary Review Process and the Structure and Role of a Metro Boundary Review Office. The workgroup recommends the establishment of separate boundary review processes for "noncontested" and "contested" cases. These processes would apply

to all types of local actions that are currently subject to boundary commission review.

Non-contested cases. The non-contested case process would include the following steps:

1) Proposed actions would be developed by a local jurisdiction.

2) The jurisdiction would conduct an analysis and public input process based on the nature of the proposal.

3) The jurisdiction would consult with Metro boundary review staff to determine the necessary legal requirements for filing the proposal with Metro.

4) The jurisdiction would make a decision to file the proposal.

5) Metro staff would review the proposal to insure it complies with necessary legal requirements (ie. including an accurate metes and bounds description of lands proposed for annexation). Legislative change will be necessary to rely on computerized maps for determining metes and bounds. If deficiencies are identified, the proposal would be returned to the local jurisdiction for correction.

6) Metro staff would review the proposal to determine if it qualified as a contested case. If it is determined that the proposal is not contested, the staff would notify the jurisdiction that the filing of the proposal had been accepted. The jurisdiction would be authorized to proceed with the proposed action subject to statutory appellate procedures.

7) Metro staff would provide required information to affected local offices (ie. elections and assessment and taxation departments). The boundary commission currently provides this information.

Contested cases. The first five steps of the contested case process would be the same as the non-contested process. If Metro staff determines that a proposed action is a contested case, the following process would be followed.

1) The proposing jurisdiction would be notified. The jurisdiction would have the opportunity to eliminate those elements of the proposal that caused it to become contested. For example, if another jurisdiction objected, there would be an opportunity to negotiate a solution. If Metro staff determined that the proposal violated a regional plan, the proposing jurisdiction would have an opportunity to address these issues.

2) If a proposal retains its contested status following step 1, it would be referred for a hearing before a hearings officer. The hearings officer would render a decision on the proposal. (Note: The workgroup considered used either a hearings officer or a citizen review board to hear contested cases. The workgroup is recommending the use of a hearings officer for several reasons. These include: 1) a hearings officer would have knowledge of applicable laws and local and regional plans and agreements, 2) a hearings officer would provide constant and objective decisions, and 3) a hearings officer would be more cost-effective. It is recommended that the hearings officer serve on a contract basis to preserve objectivity and as a least-cost option.

3) The decision of the hearings officer may be accepted or the proposal modified to comply with the decision. If not, the proposal may be dropped or the decision appealed to the Metro Council.

4) The decision of the Metro Council may be accepted or the proposal modified to comply with the decision. If not, the proposal may be dropped or the decision appealed to the state Court of Appeals.

5) If at any point during the contested case process, the objecting jurisdiction withdraws its objection or Metro staff determines the proposal has been modified to comply with applicable regional plans, Metro would accept the filing of the proposal, and the proposing jurisdiction could proceed with the proposed action.

Decision-making Criteria

Discussion. The commission and its supporters argue the existing statute provides general policy and intent statements that are sufficient for the development of decisionmaking criteria. They note the commission has used this statutory direction to develop 17 more specific criteria which are outlined in its administrative rules. They contend that these criteria give the commission flexibility in addressing the often unique aspects of individual proposals. In addition, the criteria give the commission the opportunity to examine important issues that extend beyond compliance with an applicable land use plan. The commission noted that issues related to the adequacy of services or governmental structure are frequently the most critical to be examined.

The workgroup also received testimony from local jurisdictions that expressed concern about the current criteria. This concern focused on three principal issues.

First, some special districts objected to the statutory and criteria language which gives a preference to cities as service providers. They noted that as some special districts have merged

in recent years, they have become the most efficient service providers in many areas of the region.

Second, it was argued that the general language of the current criteria may be subject to multiple interpretations that has resulted in a lack of consistency in commission decisions. For example, testimony from one special district questioned how the language "most efficient service provider" could be interpreted.

Third, some contended that the current criteria work against the development of regional and subregional approaches to service delivery. It was suggested that existing regional efforts to quantify the quality and quantity of public services and identify service provision areas be utilized to develop sounder boundary change decision-making criteria.

Recommendation. The workgroup recommends that, as part of the transfer of the boundary change review process to Metro, statutory language be enacted to give Metro the authority to establish clear and objective criteria that will be used to examine local proposals. Metro would consult with MPAC and local jurisdictions in developing these criteria.

The workgroup also adopted four specific recommended criteria. These include: 1) compliance with provisions of the regional framework plan, 2) a presumption that all territory within the urban growth boundary will ultimately be within a city, 3) consideration of the economic and financial effects of the proposed action, and 4) compliance with existing SB 122 agreements.

Geographic Boundaries

Discussion. Since 1979 the jurisdiction of the commission has included all of Clackamas, Multnomah and Washington Counties. The workgroup received some testimony that questioned the need to include the rural portions of these counties within the commission's jurisdiction. They noted that the municipalities in rural Clackamas and Washington Counties are distinct communities. The effect of boundary changes in these areas is generally limited to the individual city and possibly an adjacent special district. They noted that the larger communities, such as Sandy and Canby, would be subject to the same SB 122 urban service agreement requirements as more urbanized cities.

The commission and its supporters expressed several concerns about removing more rural areas from its jurisdiction. They noted that growth management and boundary change policies within the region's urban growth boundary could impact nearby rural areas. In addition, growth policies in nearby cities, such as Sandy and Canby could have impact inside the urban growth boundary. They also

contended the commission had been effective in addressing service delivery and the proliferation of service providers in the Mt. Hood Corridor. It was also noted that the removal of a large geographic area would reduce the funding base for the commission.

Recommendation. The workgroup recommends that, as part of the transfer of the boundary change review process to Metro, the jurisdiction should be limited to units of government that are wholly or partly within Metro's boundaries. Proposed changes outside the Metro boundary would be processed using existing statutory procedures that apply in areas of the state that do not have boundary commissions.

Funding

Discussion. The commission's funding is currently provided through the collection of assessments from cities, counties and special districts and from filing fees collected from jurisdictions submitting proposals for commission review. Cities and counties pay a per capita assessment and special districts pay an assessment based on the assessed value of property within the district. Large entities such as Metro, the Unified Sewerage Agency and several larger special districts pay a flat fee. A total of 42 percent of the commission's funding comes from cities, 31 percent from districts, and 27 percent from filing fees.

Several special districts testified that the current assessment system unfairly penalizes those who live in unincorporated urban areas that are served by several special districts. They noted that each special district pays an assessment and the county pays an additional assessment. For example, the Oak Lodge Fire District testified that governments in its area pay a total of 41 cents per capita in commission assessments. By comparison, residents of nearby cities paid 10 cents per capita.

The commission responded by explaining that its funding is based on the potential for providing services to local units of governments. They noted that in areas served by multiple special districts, each of the districts may receive services and therefore each district should pay its fair share.

Recommendation. Adoption of the entire package of workgroup recommendations should reduce the cost of providing necessary boundary review services. The commission currently processes about 125-150 proposals annually. If the boundary review function is transferred to Metro and the geographic boundaries are reduced, the workgroup assumes the number of proposals received will decline. In addition, if the hearing process is limited to contested cases only, staffing needs will be reduced.

The current commission budget is \$349,022 for FY 95-96. The commission has a 4-FTE staff and is housed in the State Office

Building. It is difficult to precisely forecast the funding needs for a Metro-based boundary review process. This is primarily due to the difficulty in estimating the number of local proposals that will result in contested cases and the associated hearing and appellate costs related to these cases.

Workgroup staff developed two potential staffing scenarios. The first scenario assumed the workload reduction would result in a two-person staff with a total budget of \$194,608. The second scenario assumed a three-person staff with an estimated cost of \$287,550. The actual budget will need to be determined by Metro at the time the transfer of the commission's functions actually occurs.

The workgroup recommends that funding for Metro's boundary review office be provided from three sources. These would include: 1) a minimal assessment collected from all jurisdictions subject to the revised boundary review process, 2) a system of fees for the filing of proposed actions, and 3) payments for the costs of a contested case review by the party initiating the case. A specific funding proposal should be developed by Metro in consultation with MPAC and the affected units of government. The proposal should address the funding equity concern raised by jurisdictions that serve unincorporated areas. In addition, the workgroup recommends that, due to the uncertainty of the office's workload, the methods of funding should be reviewed after two years of operation.

The workgroup also recommends that when Metro assumes the boundary review function, the transfer shall include all current commission contingency and capital reserve fund balances, files and equipment. These fund balances were estimated to be \$52,482 in FY 95-96. These funds would provide a necessary cushion should Metro initially underestimate the costs of processing contested cases and implementing the new review procedure..



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Conference Partners

Bi-State Development (St. Louis, Missouri)

Capital Metro (Austin, Texas)

City of Portland, Oregon

RTD (Denver, Colorado)

Federal Transit Administration

Metro (Portland, Oregon)

Surface Transportation Policy Project

Tri-Met (Portland, Oregon)

Utah Transit Authority

Conference Affiliates

American Association of Retired Persons

American Public Transit Association

Local Government Commission

Maryland Transit Authority

New Jersey Transit

New Starts Coalition

Oregon Department of Transportation

Washington Metro Area Transit Authority

Dear Colleague:

You are cordially invited to submit a proposal for a workshop/panel at Rail~Volution '96!

A national rail and community building conference, Rail~Volution '96 is the successor to the exciting Rail~Volution conference held last year in Portland, Oregon. Attended by over 800 planners, developers, financiers, citizens, elected officials, and transportation professionals from 87 cities in 26 states, Rail~Volution was hailed for its useful information, unique coalition of sponsors, broad range of attendees, and community feel.

This year, Rail~Volution will be held in Washington, D.C. on September 8 - 10 and will showcase success stories of communities from around the country that have used rail systems to improve mobility, stimulate local economies, and revitalize neighborhoods. Holding the conference in our nation's capital will give us the opportunity to meet face-to-face with members of Congress and their staffs to reiterate the importance of ISTEA and the role of state, local and private investments in transportation. Our objective is to engage a broader base of constituents while educating Congress on the critical need for strong national policy and appropriations to support rail transit.

To accomplish this ambitious agenda, we need your input. If you have a story to tell, please complete the attached Program Nomination Solicitation form and return it to the address indicated by May 15. We want to have a varied curriculum with some panels, workshops and trainings varying from 90 minutes to 3 hours. Let us know how your expertise or success story might fit into this format. Please keep in mind that conference attendees will include citizen activists, planners, developers, financiers, and elected officials as well as transportation professionals.

Thank you — and we hope to see you in September!

Earl Blumenauer
Commissioner of Public Works
City of Portland

Tom Walsh
General Manager
Tri-Met

Mike Burton
Executive Officer
Metro

R a i l ~ V o l u t i o n ' 9 6
Building Successful Communities With Rail
September 8-10 ~ Omni-Shoreham Hotel ~ Washington, DC

Program Nomination Solicitation

Name of Presenter _____
Job Title _____
Organization _____
Address _____
Telephone _____ FAX _____

Program Track

- ☐ Riding the Rail to Revitalized Communities
 - ☐ A Metropolitan Agenda for America: ISTEA
 - ☐ Getting Everyone on Track : Building Coalitions
-
-

Presentation Title _____

Abstract (150 to 300 words)

Return by May 15, 1996 to: G.B. Arrington, Rail -Volution Program Chair / Tri-Met
4012 S.E. 17th Avenue / Portland, Oregon 97202 / FAX 503-239-6469

Rail~Volution'96

Building Successful Communities With Rail
September 8-10 ~ Omni-Shoreham Hotel ~ Washington, DC

TRACK 1 ~ RIDING THE RAIL TO REVITALIZED COMMUNITIES

Rail Investments together with land use planning can serve as the means to the end of creating a livable community. This track will showcase local success stories integrating community development, economic growth and rail investments to create livable communities.

We are looking for program sessions on:

- ☐ Transit and Livable Communities
- ☐ Transit Oriented Development
 - Case Studies
 - Financing and Marketing
 - The Developers Perspective
 - Making the Ridership Promise Real
- ☐ Reinvesting in Community: Redevelopment and Infill
- ☐ Public-Private Partnerships
- ☐ Station Area Planning and Development
- ☐ Regional Strategies for Transportation and Land Use
- ☐ Repairing the Suburbs: Putting a There There
- ☐ Transit Based Housing
- ☐ Leveraging Growth Management with Rail

TRACK 2 ~ A METROPOLITAN AGENDA FOR AMERICA

ISTEA is an opportunity to reinvest in American's Cities by channeling transportation dollars. This track will look at reauthorization of ISTEA and showcase examples of flexible funds leveraging a broad urban agenda of housing, economic development and community revitalization.

We are looking for program sessions on:

- ☐ "Flexing" ISTEA funds for Rail and Livable Communities
- ☐ Innovative Finance -- New Opportunities
- ☐ Success Stories: ISTEA Funding for Transit Based Housing, Day Care ...
- ☐ Flexible Funding -- What Difference Has It Made?
- ☐ Partnerships to Build Livable Communities under ISTEA
- ☐ ISTEA II -- Why Should Anyone Care?
- ☐ Inside and Outside the Beltway -- Making ISTEA Work For You
- ☐ Where has all the money gone?
- ☐ Creative Financing -- Is there private money out there?
- ☐ Regional Solutions

TRACK 3 ~GETTING EVERYONE ON TRACK

Building Livable Communities is an enormous undertaking cutting across levels of government, involving diverse groups and interests. This track focuses on the importance of building local and national coalitions to leverage transit investments as a tool to create Livable Communities.

We are looking for program sessions on:

- ☐ Grass Roots Groups to Advocate for Transit
- ☐ "Unusual Coalitions" -- The Alliance may not be Obvious
- ☐ Building a National Coalition
- ☐ How to -- Build Influence, Get Your Message Out
- ☐ Delivering the Message to Congress
- ☐ Connecting Governments With Activists
- ☐ Building a Coalition for Rail and Livability
- ☐ Making Government Accountable to the People
- ☐ Dealing Successfully With Critics
- ☐ Building a Coalition Improves the Product

COMMITTEE MEETING TITLE Joint JPACT/MPAC

DATE 4-11-96

NAME	AFFILIATION
<u>[Signature]</u>	<u>Clackamas County</u>
<u>Roy Rogers</u>	<u>WASHINGTON County</u>
<u>[Signature]</u>	<u>VANCOUVER, WA</u>
<u>Harry Smith</u>	<u>WSDOT</u>
<u>Peggy Lynch</u>	<u>Citizen/MPAC</u>
<u>JEANNINE MURREN</u>	<u>COUNSELLOR, CITY OF CORNELIUS</u>
<u>Linda Peters</u>	<u>MPAC, SMALL CITIES WASH. CO.</u>
<u>Susan McLean</u>	<u>Wash Co - MPAC; JPACT at Forest</u>
<u>John Kavalazgh</u>	<u>Metro</u>
<u>TOM WALSH</u>	<u>DEQ</u>
<u>David Lohman</u>	<u>TRI-MET</u>
<u>Michelle Wall</u>	<u>Port of Portland</u>
<u>JIM ZAKEN</u>	<u>CITIZEN - MPAC</u>
<u>[Signature]</u>	<u>CITIZEN - MPAC</u>
<u>[Signature]</u>	<u>Gresham</u>
<u>Heather Chumman</u>	<u>Clackamas City</u>
<u>DEWE WARNER</u>	<u>ODOT</u>
<u>[Signature]</u>	<u>Species Restoration, Multnomah Co.</u>
<u>Chuck Petersen</u>	<u>Special Districts - Clackamas Co.</u>
<u>Jean Schreiber</u>	<u>Clackamas Cities</u>
<u>Jude Hamnerstad</u>	<u>Clackamas Co. Commission</u>
<u>TANYA COLLIER</u>	<u>MULTNOMAH COUNTY</u>
<u>Jill Thorne</u>	<u>West Linn</u>
<u>Rod Monroe</u>	<u>Metro Council</u>

COMMITTEE MEETING TITLE _____

DATE _____

NAME

AFFILIATION

✓ CHARUE HANES	City of Portland
✓ Mike Burton	Metro Exec. Office
✓ Gretchen Miller Kabany	City of PDX
✓ John C. Magnano	Clark County WASH.
✓ BOB DRAKE	CITY OF BEAVERTON & OTTIE OF WASH. CO.
✓ Phil Bogue	Tri-Met
✓ Paul Blum	Porter
✓ Mary Henry	WSDOT
✓ Ken Bergman	Clack County Public Works
✓ Les White	C-Tran
✓ Dean Lookingbill	RTC
✓ STEVE DOTERRER	City of Portland
✓ Meeky Blizzard	City of Portland
✓ Bob Clay	City of Portland - Planning
✓ GB ARROWOOD	TRI-MET
✓ Andy Priche	Tualatin Hills Park & Rec. District
✓ Andy Back	Washington County
✓ Brent Curtis	Wash Co
✓ Gary Katsion	Kittelson & Associates, Inc.
✓ Kimi Woshi	McKeeves/Morris
✓ Richard Ross	CITY OF GRESHAM / TRAC CITIES OF MULT CO.
✓ Duke Mabrey	City of Gresham
✓ Jim Cumley	City of Happy Valley

DATE _____

AFFILIATION

Mike Haglund

Metro

Brian Campbell

Port of Portland

Kathy Busch

Mull Co.

Susan Lee

Mult. Co.

Elsa Coleman

City of Portland

SUSAN TURNER

~~DE~~

DAVE WILLIAMS

0001

John Rosenberger

Washington County

Gina Whitehill - Baziuk

Metro

ROD JANDOR

CLACKAMAS COUNTY

Jav Mower

Hillsdale Vision Group

Rex Burkholder

Bicycle Trans. Alliance

Anne Weaver

Sensible Transp. Options for People

Mary Kyle McCurdy

1000 Friends

Heather Nelson

Metro

LARRY SHAW

МЕТНО

Dong Bollam

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Ken Sandblast

Citizen