

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING THE)
SOUTHWEST CORRIDOR LUFO STEERING)
COMMITTEE) RESOLUTION NO. 17-4843
Introduced by Chief Operating Officer Martha
Bennett in concurrence with Council
President Tom Hughes

WHEREAS, the Metro Council identified the Southwest Corridor, connecting downtown Portland to the region's southwest suburbs, as the region's top priority for consideration for a high capacity transit investment based on the 2009 Regional High Capacity Transit System Plan;


WHEREAS, the Southwest Corridor project, with input from the public and government partners, has garnered regional support, leading to a narrowing of design options and transit alternatives, and advancement of the project into the National Environmental Policy Act (NEPA) environmental review process;


WHEREAS, House Bill 3202, enacted by the Oregon State Legislature in the 2017 legislative session, gives authority to TriMet to apply to the Metro Council for a Land Use Final Order (LUFO) for the Southwest Corridor project, establishing a single land use process for the project which passes through multiple government jurisdictions; and

WHEREAS, HB 3202 requires that Metro establish a steering committee to provide recommendations on the project improvements to Metro and TriMet; now therefore,

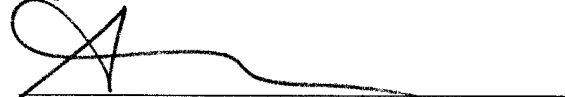
BE IT RESOLVED that the Metro Council hereby establishes the Southwest Corridor LUFO Steering Committee, the membership of which shall be appointed by Metro's Chief Operating Officer, or her designee, and whose initial membership shall include a representative from each of the following: (a) Metro, (b) TriMet, (c) ODOT, and (d) each local government affected by the Southwest Corridor project.

ADOPTED by the Metro Council this 28th day of September 2017.


Tom Hughes, Council President



Approved as to Form:


Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 17-4843, FOR THE PURPOSE OF ESTABLISHING THE SOUTHWEST CORRIDOR LUFO STEERING COMMITTEE

Date: September 13, 2017

Prepared by: Malu Wilkinson, x1680

BACKGROUND

In July 2017 the Oregon Legislature adopted HB 3202, relating to the Southwest Corridor MAX Light Rail Project. Based on legislation adopted in 1991 and 1996 to facilitate the Westside and South/North MAX light rail projects, HB 3202 establishes a consolidated and expedited land use decision-making process governing Southwest Corridor Project land use approvals and implementation that supersedes all other applicable statutes and other provisions of law.

HB 3202 specifies procedures to ensure local, regional and state goals are met while expediting the land use decision making process. This includes the following:

- Directs the Land Conservation and Development Commission (LCDC) to adopt land use criteria applicable to a Metro Council decision to approve the Project,
- Directs the Metro Council to appoint a Land Use Final Order (LUFO) steering committee that includes affected jurisdictions as well as TriMet, ODOT and Metro on or before the date that LCDC adopts an order on the land use criteria,
- Designates the Metro Council as the decision-making body authorizing the Project,
- Directs local governments and state agencies to issue permits necessary to implement the Project, with the ability to attach “reasonable and necessary” approval conditions, and
- Establishes an expedited and exclusive process for appellate review of a LUFO for the Project.

Proposed Action

The Land Conservation and Development Commission (LCDC) is scheduled to consider the land use criteria at their commission meeting on September 22, 2017, necessitating that the Metro Council consider creating the LUFO Steering Committee in a timely fashion. This resolution creates a LUFO Steering Committee that includes a member appointed by the following jurisdictions: Metro, TriMet, ODOT, City of Portland, City of Tigard, City of Tualatin, Multnomah County and Washington County. This steering committee will issue recommendations for the siting of the light rail route and other project improvements and their locations to TriMet, prior to TriMet applying to the Metro Council for a land use final order. The LUFO Steering Committee meeting will likely be held adjacent to Southwest Corridor Plan Steering Committee meetings. Staff intends that the recommendations on the LUFO and the Locally Preferred Alternative for the Southwest Corridor Light Rail Project come before the Metro Council together in 2018.

Background on the Southwest Corridor Plan and Shared Investment Strategy

The Southwest Corridor plan is a comprehensive effort focused on supporting community-based development and place-making that targets, coordinates and leverages public investments to make efficient use of public and private resources.

The work has been guided by a Steering Committee comprised of representatives from the cities of Beaverton, Durham, King City, Portland, Sherwood, Tigard, and Tualatin; Washington County; and Tri-

Met, ODOT and Metro. Steering Committee members agreed to use a collaborative approach to develop the Southwest Corridor Plan and a Shared Investment Strategy to align local, regional, and state policies and investments in the corridor. In August 2011, the Metro Council adopted Resolution 11-4278 that appointed the Southwest Corridor Steering Committee, and a charter defining how the partners will work together was adopted by the Steering Committee in December 2011.

In October 2013, the Metro Council adopted Resolution No. 13-4468A, endorsing the Southwest Corridor Shared Investment Strategy and directing staff to coordinate and collaborate with project partners on refinement and analysis of high capacity transit (HCT) alternatives and local connections in the Southwest Corridor, along with associated roadway, active transportation and parks/natural resource projects that support the land use vision for the corridor. The Shared Investment Strategy includes local and high capacity transit; prioritized multimodal (roadway, bicycle and pedestrian) improvements; an inventory of over 400 parks and habitat projects; a toolkit for policy changes and incentives to be considered at the local level to encourage the market to develop consistent with the local land use vision; and the direction to continue to collaborate to fund the defined improvements. Each project partner formally endorsed the strategy prior to Metro Council action.

In June 2014, the Metro Council adopted Resolution No. 14-4540, which included:

- adopting the *Southwest Corridor Transit Design Options*, a package of the most promising high capacity transit alignment and station options and associated roadway, bicycle and pedestrian projects that support the Southwest Corridor Land Use Vision
- directing staff to complete a focused refinement period to address remaining questions regarding the *Southwest Corridor Transit Design Options*
- directing staff to study the *Southwest Corridor Transit Design Options* under the National Environmental Policy Act in collaboration with the Southwest Corridor Plan project partners and with the involvement of stakeholders and public, pending Steering Committee direction on the results of the focused refinement analysis

In July 2016, the Metro Council adopted Resolution No. 16-4713, supporting the recommendations of the Southwest Corridor Steering Committee related to further definition and study of a high capacity transit line. After the Metro Council action staff finalized intergovernmental agreements for the funding of the DEIS, and is currently working with project partners and the Federal Transit Administration (FTA) to further study HCT alignment options by completing a Draft Environmental Impact Statement under the National Environmental Policy Act (NEPA). Project partners are aiming towards a streamlined process that will result in consideration of a Locally Preferred Alternative in spring 2018. Staff are continuing to work with project partners to facilitate implementation of early opportunities projects identified in the Southwest Corridor Shared Investment Strategy.

ANALYSIS/INFORMATION

1. Known Opposition

At this time there is no known opposition to the creation of the LUFO Steering Committee or the adoption of the Southwest Corridor LUFO Criteria by the LCDC.

2. Legal Antecedents

- Feb. 25, 2010, Resolution No. 10-4118: For the Purpose of Endorsing the Southwest High Capacity Transit Corridor as the Next Regional Priority to Advance into Alternatives Analysis

- Oct. 31, 2013, Resolution No. 13-4468A: For the Purpose of Adopting the Southwest Corridor Shared Investment Strategy
- Jun. 26, 2014, Resolution No. 14-4540: For the purpose of Adopting the Southwest Corridor high capacity transit alignment options, complementary multimodal projects and potential station locations for further study
- House Bill 3202 adopted by the Oregon State Legislature, 2017 session.

3. Anticipated Effects

Upon Metro Council action staff will work with project partners and the COO to identify LUFO Steering Committee members. The LUFO Steering Committee will be convened once there is specific information to discuss on the siting of the light rail route and other project improvements.

4. Budget Impacts

The cost for Metro to staff the LUFO Steering Committee would be minimal and accounted for as part of the budget for the Southwest Corridor Light Rail Project.

RECOMMENDED ACTION

Staff recommends that Council adopt the resolution to establish the Southwest Corridor LUFO Steering Committee as defined by the Oregon State Legislature.

- Oct. 31, 2013, Resolution No. 13-4468A: For the Purpose of Adopting the Southwest Corridor Shared Investment Strategy
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