



Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Joint Policy Advisory Committee on Transportation (JPACT) agenda

Thursday, March 21, 2019

7:30 AM

Metro Regional Center, Council chamber

1. Call To Order, Declaration of a Quorum & Introductions (7:30 AM)
 2. Public Communication on JPACT Items (7:35 AM)
 3. Update from the Chair & Council Update (7:40 AM)
 4. Federal Legislative Agenda Update (7:45 AM)
 5. Consent Agenda (7:55 AM)
 - 5.1 Resolution No. 19-4963, For the Purpose of Adopting the 2021-2024 Metropolitan Transportation Improvement Program Policy Statement for the Portland Metropolitan Area
Attachments: [Resolution No. 19-4963](#)
[Draft 2021-2024 MTIP Policy Report](#)
[Memo: 2021-2024 MTIP Policy Direction](#)
[Staff Report to Resolution No. 19-4963](#)
[COM](#)
[18-0215](#)
 - 5.2 Resolution No. 19-4971, For the Purpose of Adding or Amending Existing Projects to the 2018-21 Metropolitan Transportation Improvement Program Involving Three Projects Impacting Gresham, Oregon City, and Wilsonville (MR19-07-MAR)
Attachments: [Draft Resolution No. 19-4971](#)
[Exhibit A to Resolution No. 19-4971](#)
[Staff Report to Resolution No. 19-4971](#)
[Attachment 1 to Staff Report](#)
[Attachment 2 to Staff Report](#)
[COM](#)
[18-0218](#)
 - 5.3 Consideration of February 21, 2019 Minutes
Attachments: [February 21, 2019 Minutes](#)
[18-5187](#)
 6. Action Item
-

- 6.1 Resolution No. 19-1959, For the Purpose of Adopting the 2022-2024 Regional Flexible Funds Allocation Policy Statement for the Portland Metropolitan Area (8:00 AM) [COM](#)
[18-0216](#)

Presenter(s): Dan Kaempff, Metro

Attachments: [Resolution No. 19-1959](#)
[Memo: Draft 2022-2024 RFFA Policy Report](#)
[Staff Report to Resolution No.19-1959](#)
[Attachment 1 to Resolution No. 19-1959](#)

7. Information/Discussion Items

- 7.1 Regional Street Design Guidelines (8:20 AM) [COM](#)
[18-0214](#)

Presenter(s): Lake McTighe, Metro

Attachments: [Policymakers' Forum](#)
[Designing Livable Streets and Trails](#)

8. Adjourn (8:35 AM)

Upcoming JPACT meetings:

- *Thursday, April 18, 2019*
- *Thursday, May 16, 2019*
- *Thursday, June 20, 2019*

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានការបណ្តឹងរើសអើងសម្រាប់សេវាសេវាសេវា www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំស្នើសុំអាចឲ្យគេសម្រួលការបណ្តឹងរបស់លោកអ្នក ។

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600 NE Grand Ave.
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2019 JPACT Work Program

As of 3/11/19

Items in italics are tentative

<p><u>March 21, 2019</u></p> <ul style="list-style-type: none"> • Federal Legislative Agenda (Bernie Bottomly, TriMet, and Tyler Frisbee, Metro; 10 min) • Resolution No. 19-4971, For the Purpose of Adding or Amending Existing Projects to the 2018-21 Metropolitan Transportation Improvement Program Involving Three Projects Impacting Gresham, Oregon City, and Wilsonville (MR19-07-MAR) (consent) • Resolution No. 19-4963, For the Purpose of Adopting the 2021-2024 Metropolitan Transportation Improvement Program Policy Statement for the Portland Metropolitan Area (consent) • Resolution No. 19-1959, For the Purpose of Adopting the 2022-2024 Regional Flexible Funds Allocation Policy Statement for the Portland Metropolitan Area (Dan Kaempff, Metro; 20 min) • Design Standards (Lake McTighe, Metro; 15 min) • 	<p><u>April 18, 2019</u></p> <ul style="list-style-type: none"> • <i>Discussion of Regional Federal Legislative Agenda (Bernie Bottomly, TriMet; 15min)</i> • Resolution No. 19-4979, For the Purpose of Adopting the Fiscal Year 2019-20 Unified Planning Work Program: Recommendation to Metro Council* (John Mermin, Metro; 15 min) • <i>ODOT 100% Fix-It Leverage List</i> • <i>Jurisdictional Transfer Assessment</i> • <i>Congestion Pricing (ODOT & City of Portland; 15 min)</i>
<p><u>May 16, 2019</u></p> <ul style="list-style-type: none"> • <i>T2020 Transportation Regional Investment Measure*</i> • <i>Emergency Transportation Routes Update</i> • <i>Enhanced Transit/STIF Funding For Project Development (with TriMet)</i> • <i>TV Highway Corridor Plan</i> 	<p><u>June 20, 2019</u></p> <ul style="list-style-type: none"> • <i>RTO/Safe Routes to Schools</i> • <i>Freight Commodity Study/Planning</i>

<p><u>July 18, 2019</u></p> <ul style="list-style-type: none"> • <i>Mobility Policy Update*</i> • <i>SW Corridor – Marquam Hill Connector (TriMet)</i> • <i>Burnside Bridge (Multnomah County)</i> 	<p><u>August 15, 2019</u></p>
<p><u>September 19, 2019</u></p> <ul style="list-style-type: none"> • <i>Regional Flex Funds</i> 	<p><u>October 17, 2019</u></p> <ul style="list-style-type: none"> • <i>TSMO Strategy</i> • <i>Regional Flexible Funds</i> • <i>SW Corridor: Marquam Hill Connector Update</i>
<p><u>November 21, 2019</u></p> <ul style="list-style-type: none"> • <i>Mobility Update</i> 	<p><u>December 19, 2019</u></p> <ul style="list-style-type: none"> • <i>Regional Flexible Funds: Recommendation to Metro Council</i> • <i>T2020 Transportation Regional Investment Measure Update</i> • <i>Emergency Transportation Routes Update</i>

Parking Lot:

***5.1 Resolution No. 19-4963, For the Purpose of Adopting the 2021-2024 Metropolitan
Transportation Improvement Program Policy Statement for the Portland Metropolitan Area***

Consent Agenda

Joint Policy Advisory Committee on Transportation
Thursday, March 21, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE 2021-)	RESOLUTION NO. 19-4963
2024 METROPOLITAN TRANSPORTATION)	
IMPROVEMENT PROGRAM POLICY)	Introduced by Chief Operating Officer Martha
STATEMENT FOR THE PORTLAND)	Bennett in concurrence with Council
METROPOLITAN AREA)	President Lynn Peterson
)	

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP), which reports on the performance and programming of all federal surface transportation funds to be spent in the Portland metropolitan region, must be periodically updated in compliance with federal regulations; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23 Section 450.306 and 450.326 to develop and implement a long-range metropolitan transportation plan and four-year investment program in a cooperative manner with the regions stakeholders; and

WHEREAS, the Metro Council and JPACT have developed a policy statement defining how the region coordinates and cooperatively develops the 2021-2024 MTIP per federal regulations, which is represented by Exhibit A; and

WHEREAS, the Metro Council and JPACT adopted an updated Regional Transportation Plan in December 2018; and

WHEREAS, the three year process to 2018 RTP engaged stakeholders throughout to the region to develop the goals, objectives, and policies for the long-range transportation plan and the associated transportation investment priorities; and

WHEREAS, the adopted 2018 RTP specified four priorities to focus on in the near-term with the region's transportation investments; and

WHEREAS, the updated MTIP policy addresses expectations of the performance and programming of the Portland metropolitan region's transportation investments for federal fiscal years 2021 through 2024; and

WHEREAS, the expectations outlined in 2021-2024 MTIP policy are a continuation of existing policies and practices, but with minor updates and adjustments to reflect current adopted policies and funding programs; and

WHEREAS, the 2021-2024 MTIP policy provides clarity as to the role of 2018 RTP and the 2018 RTP policy priorities will set policy foundation for transportation investment in the 2021-2024 MTIP; and

WHEREAS, the 2018 RTP policy priorities will inform the 2021-2024 MTIP performance-based programming and measuring MTIP progress; and

WHEREAS, input utilized from the extensive engagement as part of the 2018 RTP informed and shaped the 2021-2024 MTIP policy; and

WHEREAS, input has been sought and received from the Transportation Policy Alternatives Committee as well as JPACT on the policy update; now therefore,

BE IT RESOLVED that the Metro Council adopt the 2021-2024 Metropolitan Transportation Improvement Program policy statement.

ADOPTED by the Metro Council this 4th day of April 2019.

Lynn Peterson, Council President

Approved as to Form:

Nathan Sykes, Metro Attorney



DRAFT

2021 – 2024 Metropolitan Transportation Improvement Program (MTIP) policy direction

March 2019

oregonmetro.gov/mtip

Public service

*We are here to serve the public
with the highest level of
integrity.*

Excellence

*We aspire to achieve exceptional
results*

Teamwork

*We engage others in ways that foster
respect and trust.*

Respect

*We encourage and appreciate
diversity in people and ideas.*

Innovation

*We take pride in coming up with
innovative solutions.*

Sustainability

*We are leaders in demonstrating
resource use and protection.*

Metro's values and purpose

We inspire, engage, teach and invite people to preserve and enhance the quality of life and the environment for current and future generation

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INTRODUCTION

The Metropolitan Transportation Improvement Program (MTIP) serves as the federally required schedule of transportation investments administered by Metro, ODOT, TriMet and SMART. The MTIP also monitors implementation of federal and regional policies for the Portland metropolitan region during a four-year cycle.

Purpose

The purpose of the 2021-2024 MTIP policy report is to provide clarity on the guiding direction for the investments to be included as part of the 2021-2024 MTIP. The 2021-2024 MTIP policy establishes the expectations among regional partners and guides federal and relevant state and local transportation investments proposed for fiscal years 2021 through 2024 in the metropolitan planning area by defining policy priorities and outcomes investments are expected to contribute towards advancing. For those partners with responsibilities to administer federal transportation funds, the 2021-2024 MTIP policy report is a reaffirmation of the common goals and objectives investments are expected to make progress towards while in their stewardship.

MTIP Basics

What is the Metropolitan Transportation Improvement Program (MTIP)?

The federal definition of the Metropolitan Transportation Improvement Program (MTIP) is,

“a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. chapter 53.”¹

In practice the MTIP is also a process in addition to a document illustrating a list of transportation investment priorities for the upcoming fiscal years. As part of the process, partners demonstrate how the region works together to achieve the common goal of implementing the most recently adopted Regional Transportation Plan (RTP) and complying with applicable federal regulations to remain eligible for funding. Further responsibilities land on the partners involved in administering federal transportation funding (Metro, ODOT, TriMet, and SMART) in demonstrating how the individual allocation processes worked cooperatively to advance RTP implementation and complying with applicable federal regulations.

The MTIP also serves as a monitoring tool for implementation of regionally significant and federally funded transportation projects.

¹ 23 CFR 450.104 - Definitions

What is part of the Metropolitan Transportation Improvement Program?

The MTIP is comprised of several components, but can be categorized into the following major elements:

1. A list of projects within the metropolitan region for the upcoming four fiscal years and numerous project details;
2. various discussion sections addressing funding allocation processes, MTIP system performance, financial constraint, RTP implementation; and
3. a description of protocols, administrative policies and other related expectations for managing the MTIP.

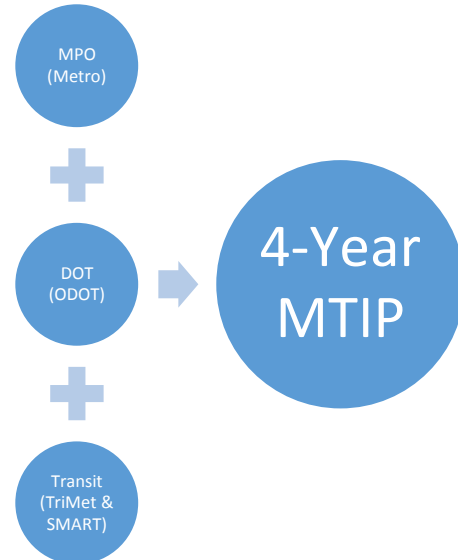


Figure 1. Projects which comprise the four year MTIP

The following bulleted list describes in more detail the typical content and components of the MTIP.² Additionally, Figure 1 illustrates the components which go into the project list and the components which go into the MTIP.

Project List

- A project list with the year-by-year anticipated expenditure schedule, phasing, and implementation of the projects

Discussion Sections

- Discussion by each partner on the policy direction and process as part of identifying and prioritizing investments (also known as projects) for entry in the MTIP
- A programmatic discussion of the MTIP complying with applicable federal regulations
- A discussion of fiscal constraint and monitoring the financial balances to ensure funds are not overspent for the MTIP
- A discussion of the performance of the four-year investment program relative to federal and regional performance goals, objectives, and targets.

Administration and Monitoring

- A section discussing the policies, protocols, and expectations in the administration of the MTIP, including change management procedures (e.g. administrative modifications and amendments).

² Bulleted list represents standard content, but additional components may be part of the MTIP in response to federal requirements or guidance.

How does the MTIP get used?

The primary functions of the MTIP, once adopted and approved, are implementation, monitoring, and federal compliance. As a monitoring tool, the project list component of the MTIP can be considered the “living” portion of the document whereas the discussion sections (e.g. individual funding allocation processes, federal compliance, and system performance and the administrative protocols) and the administrative protocols remain static. The “living” component assists in tracking spending and delivery of transportation projects and to continually ensure compliance with federal regulations, such as fiscal constraint. Since transportation projects can run into numerous unexpected hurdles, amendments are regular to refine transportation projects. This ultimately creates the need for having a living portion of the document to monitor implementation, adjust as necessary, and continue to ensure compliance with federal regulations.

As a result of the MTIP serving in a monitoring function, the standard practice is to always have an effective MTIP, which is the most recently adopted and being implemented while there is a MTIP under development. The MTIP under development plans for the future four-years beyond the effective MTIP. Information from the effective MTIP usually feeds into the development of the next MTIP. Figure 2 illustrates an example of the effective MTIP and the development the next MTIP.

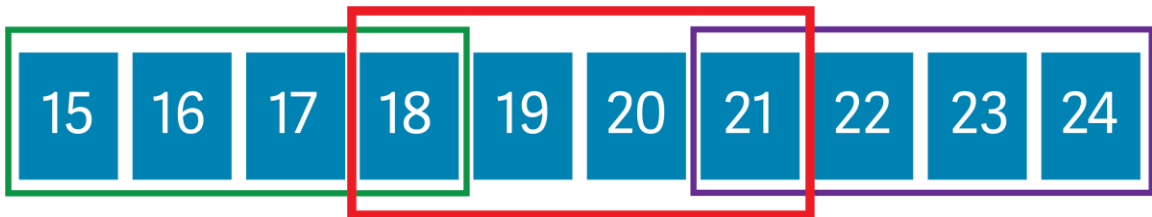


Figure 2. The overlap of fiscal years between an effective MTIP and a MTIP under development. The red box represents the fiscal years encompassing the effective MTIP and the purple box represents the fiscal years for the MTIP in development

What is the relationship between the MTIP and the State Transportation Improvement Program (STIP)?

The MTIP comprises of the regionally significant, federally funded transportation projects and programs located within a defined metropolitan region for four-fiscal years. For the Portland metropolitan region, the defined area encompasses the urbanized portions of Multnomah, Washington, and Clackamas counties. Figure 3 is a map of the defined Portland metropolitan region. Metro, as the MPO for the region is responsible for development, implementation, and stewardship of the MTIP.

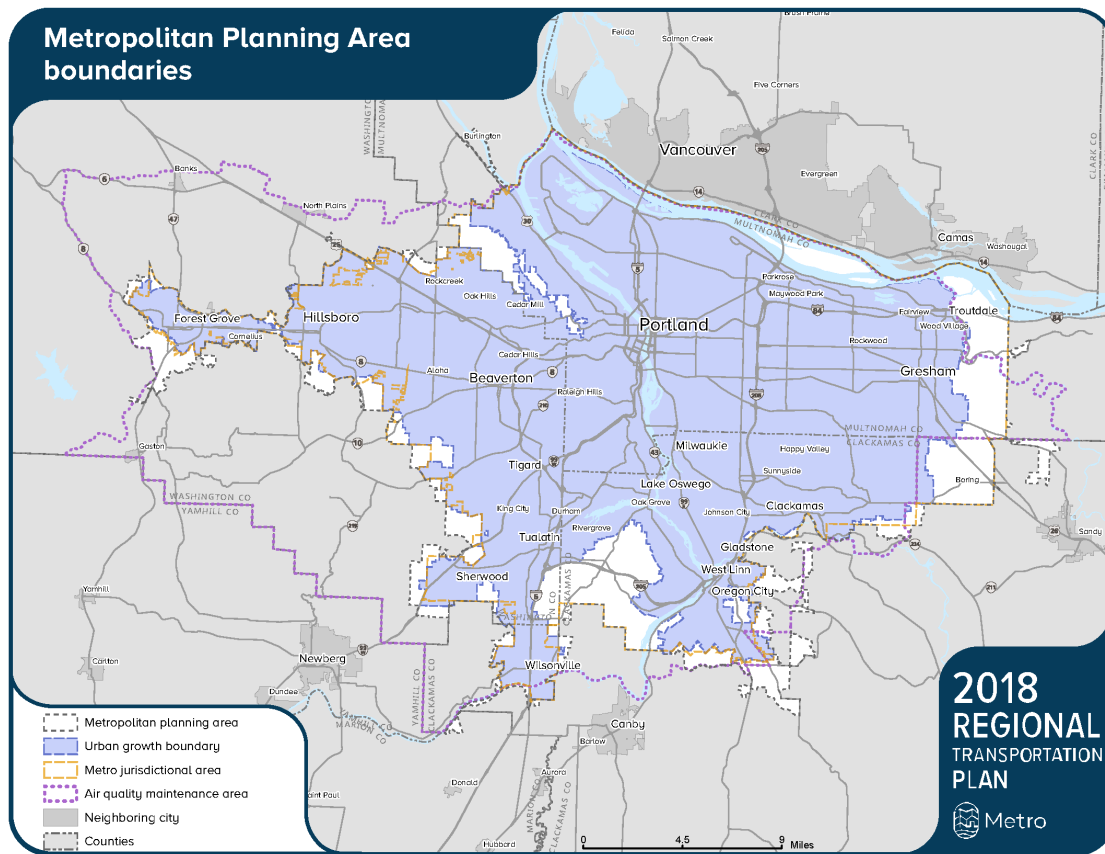


Figure 3. Federal metropolitan planning area for the Portland (OR) metropolitan region

The State Transportation Improvement Program (STIP) comprises of the regionally significant, federally funded transportation projects and program which are located outside of a metropolitan region. This includes rural areas and exurbs. The state department of transportation is responsible for the development, implementation, and stewardship of the STIP.

By federal law, the MTIP is required to be included as part of the STIP (in essence, bringing together all the regionally significant and/or federally funded transportation projects in the state) without change. The STIP is then approved by the Governor and submitted to U.S. Department of Transportation for approval. Figure 4 shows the MTIP and STIP relationship.

Who are the partners and who makes the decisions around the Metropolitan Transportation Improvement Program?

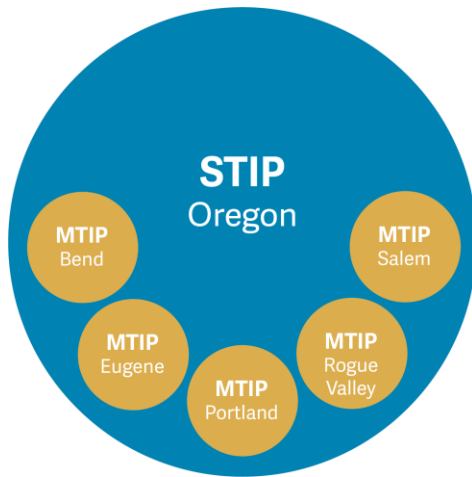


Figure 4. MTIP and STIP relationship – MTIPs are not to scale

The MTIP is a joint effort between regional and state partners. Metro acts as the main author and administrator of the MTIP, but works closely with ODOT, TriMet, and SMART to reflect the expenditure of all federal as well as regionally significant state and local transportation dollars in the urbanized area of Portland. Each agency plays a different role in advancing the region’s transportation system based on enabling legislation and therefore all have authority over expending federal transportation dollars in the Portland metropolitan region. For example, TriMet and SMART’s roles in the regional transportation system is to provide public transit service and utilize funding from the Federal Transit Administration (FTA) to support capital programs to

operate services. Since Metro, ODOT, TriMet, and SMART each have a role, each agency is responsible for providing details of expenditures from year-to-year as well as demonstrating how the transportation expenditures help advance federal, state, and regional priorities. A brief synopsis of each agency’s role is provided below.



Metro is a directly elected regional government, serving more than 1.5 million people in Clackamas, Multnomah and Washington counties. The agency’s boundary encompasses Portland, Oregon and 23 other cities.

Metro’s main function is to provide regionwide planning, coordination and services to manage growth, infrastructure, solid waste, and development issues that cross jurisdictional boundaries.

For federal purposes, Metro is the Portland area’s designated Metropolitan Planning Organization (MPO) and the lead agency for developing the regional transportation plan and the schedule of federal transportation spending in the Portland region. Metro also coordinates and develops the region’s transportation goals and policies and identifies the range of road, public transit and bike/pedestrian transportation projects that are needed to implement them.

Metro is led by the Metro Council, which consists of a president and six councilors who are elected by district every four years in nonpartisan races. The Council works with community leaders and constituents across city and county boundaries to shape the future of greater Portland. For purposes of meeting federal regulations pertaining to Metro’s MPO designation, the Council is advised by the Joint Policy Advisory Committee on Transportation (JPACT) specifically related to MPO activities.

The **Joint Policy Advisory Committee on Transportation (JPACT)** makes recommendations to the Metro Council on transportation needs in the region. Comprised of 17 members that are elected officials or transportation representatives from across the region, JPACT recommends priorities, develops plans, and oversees the coordinated implementation of those plans for the region. The Metro Council must adopt the recommendations before they become regional transportation policies.

The **Transportation Policy Alternatives Committee (TPAC)** provides technical input and helps develop policy options for consideration by the Joint Policy Advisory Committee on Transportation on transportation planning and funding priorities for the region. TPAC's membership consists of 21 technical staff from the same governments and agencies as JPACT, plus a representative from the Southwest Washington Regional Transportation Council, and six community members appointed by the Metro Council. In addition, the Federal Highway Administration and C-TRAN have each appointed an associate non-voting member to the committee.

TPAC reviews regional plans and federally funded transportation projects, and advises area leaders on transportation investment priorities and policies related to transportation. Such efforts include curbing greenhouse gas emissions and creating communities with easy access to public transit. The committee also helps identify needs and opportunities for involving the public in transportation matters.



The **Oregon Department of Transportation** is a statewide transportation agency. ODOT is responsible for the state transportation facilities across the state. This includes state highways and the interstate freeway system. The ODOT Region 1 office oversees the state facilities for the Portland metropolitan area. Responsible for administering federal transportation funds, ODOT is a key partner in providing important roadway and highway investment information for the development of the MTIP.

TRIMET **Tri-County Metropolitan Transportation District (TriMet)** is the public transportation service provider for the Portland metropolitan region. The agency provides both local and regional public transportation services from neighborhood bus routes to multi-county light rail service. As an entity responsible for administering federal transportation funds, ODOT is a key partner in providing important transit investment information for the development of the MTIP.



The **South Metro Area Regional Transit (SMART)** is a public transportation service provider for the City of Wilsonville. SMART provides local public transportation services and select regional service. As an entity responsible for administering federal transportation funds, ODOT is a key partner in providing important transit investment information for the development of the MTIP.

DESIRED OUTCOMES AND GOALS FOR THE MTIP POLICY

The desired outcomes and goals for the 2021-2024 MTIP policy is for all regional partners to come to a shared understanding of the policy direction guiding the development and implementation of the 2021-2024 MTIP. The major policies guiding the direction of the MTIP are:

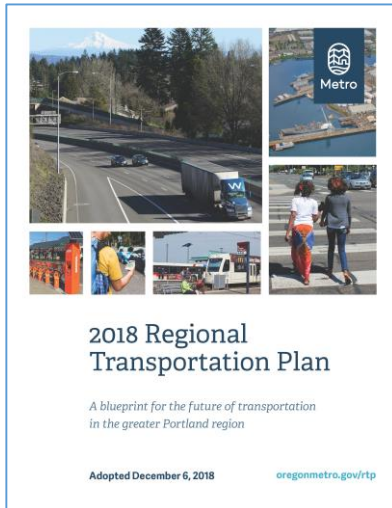
1. Implementing the policy priorities: safety, equity, addressing climate change, and managing congestion through the investments identified in the adopted 2018 Regional Transportation Plan; and
2. Complying with federal regulations pertaining to the development of the transportation improvement program (TIP) as outlined in the Code of Federal Regulations (CFR) 23 CFR 450.300 – 450.340 as well as addressing corrective actions, compliance actions, and recommendations to emerge from Transportation Management Association (TMA) certifications and/or State Transportation Improvement Program (STIP) approvals; and
3. Pursue and implement the regional finance approach; and
4. In looking at opportunities to take advantage of leveraging funding opportunities, do so in an open and coordinated manner.

Several of the policies guiding the development and implementation of the 2021-2024 MTIP are a continuation of previously adopted MTIP policies from earlier cycles. Small refinements and updates have been made to these policies to reflect changes in federal laws, funding programs, as well as the policy direction from the recently adopted 2018 RTP. Additionally, the RTP as the policy foundation for the MTIP has been implied in previous MTIP policies, but not made explicit. Because of the recent adoption of the 2018 RTP and the four priority areas identified for the near-term, the 2021-2024 MTIP policies wants to highlight the role of the RTP. Furthermore, the region has for a number of years practiced coordination on nominating funding priorities for competitive national discretionary grants. By including the practice in the 2021-2024 MTIP policy statement is an effort to formalize this norm.

In developing the 2021-2024 MTIP, partners acknowledge these policies and agree to work in a cooperative fashion as described in “Three C’s: continuous, cooperative, and comprehensive” of federal regulation pertaining to metropolitan planning. The cooperative “Three C’s” process is to achieve the policies outlined and align investments accordingly.

To provide further clarity, a description of each policy guiding the 2021-2024 MTIP is provided.

MTIP Policy 1 – Regional Policy Direction for Investments



The 2018 Regional Transportation Plan (RTP) is the foundation and guide for investments proposed for the 2021-2024 MTIP. As the policy direction for investments, regional partners agree to implement the policy priorities to emerge from the 2018 RTP.

These policy priorities – *equity, safety, addressing climate change, and managing congestion* – are described in chapter 6 and identified in the legislation adopting the 2018 RTP as the outcomes to make near-term progress by aligning investments to achieve the outcomes desired from these policy priorities.

In efforts to articulate and provide direction in how to achieve and make progress towards these outcomes, the policies identified in chapter 3 as well as the actions identified in the compendium 2018 RTP strategies (e.g. Regional Transportation Safety Strategy, Regional Transit Strategy) and other regional plans and actions (e.g. Climate Smart Strategy, Strategic Plan to Advance Racial Equity, Diversity, and Inclusion). –

As the 2021-2024 MTIP investments get compiled into a four-year investment program, the package of investments will be evaluated to assess how well the investments make progress towards the 2018 RTP policy priorities. Recognizing the role and function of 2021-2024 MTIP, the policy direction places greater emphasis to demonstrate that individual funding allocations administered by Metro, ODOT, TriMet and SMART considered, balanced, and used the 2018 RTP policy priorities for the prioritization and selection of projects and programs to award funds.

Additionally, investments proposed for the 2021-2024 MTIP are expected to be drawn from the financially constrained 2018 RTP investment strategy. Metro is responsible for demonstrating the programmatic four-year investment package advances implementation of the 2018 RTP policy priorities.

MTIP Policy 2 – Compliance with Requisite Federal Regulations

As a federal requirement to remain eligible to expend federal transportation funding, the 2021-2024 MTIP and the process by which it is developed is expected to comply with all applicable federal regulations. Applicable regulations at a minimum include:

- 23 CFR 450.300 – 23 CFR 450.340 – Metropolitan Planning
 - with particular emphasis on section 23 CFR 450.326 - Development and content of the transportation improvement program (TIP);
- Civil Rights legislation (e.g. Title VI, Americans with Disabilities Act) and public involvement;
- Performance-based planning and programming;
- Congestion management process;
- Financial constraint (23 CFR 450.326(j))

Additionally, the findings to emerge from the 2017 Transportation Management Area (TMA) Certification and 2018-2021 MTIP and STIP Approval and Statewide Planning Findings are expected to be addressed and guide the development and implementation of the 2021-2024 MTIP.

As part of Metro’s responsibilities, the agency’s evaluation of the programmatic four-year investment package will assess the region’s implementation progress towards federal, state, and regional performance targets and if necessary identify areas for course correction for future MTIPs.

Regional Transportation Plan

The Regional Transportation Plan is a blueprint to guide investments for all forms of travel throughout the Portland metropolitan region. The plan identifies \$42 billion to be invested in the region’s transportation system over the next 25 years to serve a future population of over 2 million people to address the region’s most urgent transportation needs. Nearly \$27 billion in funding is for maintenance, preservation, and operations and more than \$15 billion is for capital projects that optimize and expand the region’s highway and transit systems, complete gaps in biking and walking connections and provide important access to transit, downtowns, schools, services and other community destinations.

Near-term RTP priorities include – equity, safety, addressing climate change, and congestion – and reflects new policies and strategies for safety, freight, transit, equity, climate leadership and emerging technology that guide planning and investment decisions.

The 2021-2024 MTIP policy direction is intended to provide clarity to regional partners on the federal requirements the 2021-2024 MTIP is obligated to comply with in efforts to inform regional partners to conduct funding allocations and submit projects which complies with federal mandates. This is to ensure the region does not jeopardize its eligibility to expend federal funding and demonstrate to federal partners' stewardship in the planning, programming, and expenditure of federal transportation funds.

MTIP Policy 3 – Regional Finance Approach

In May 2009, JPACT developed a regional finance approach to direct how the transportation needs of the region are to be addressed by existing or potential transportation funding sources. Since 2009, this regional finance approach provides a starting point for the various funding programs or sources that are addressed in the MTIP and State Transportation Improvement Program (STIP).

The approach identifies funding mechanisms agencies use and a regional strategy for sources to be pursued to address unmet needs of the different elements of transportation system in the region. The approach has been utilized in the development of RFFA policies since the 2010-2013 and 2012-2015 MTIP cycle, with the most recent regional finance approach adopted as part of the 2018-2021 MTIP and 2019-2021 Regional Flexible Fund Allocation policy statement.³

The most recently adopted regional finance approach is included as Attachment 1. However, since the adoption of the 2018-2021 MTIP and 2019-2021 RFFA policy statement in 2016, new revenue sources (e.g. House Bill 2017) as well as administrative and process changes to certain sources of funds (e.g. consolidation of certain federal fund sources under federal transportation funding reauthorizations MAP-21 and FAST, restructuring of ODOT allocation programs) necessitates administrative updates to the adopted regional finance approach.

Attachment 2 is an updated version of the regional finance approach reflecting these administrative changes for the purposes of outlining a regional financial approach to pursue as part of the development and implementation of the 2021-2024 MTIP policy. As further discussion takes place regarding any of the source funds identified, periodic administrative updates will be made.

MTIP Policy 4 – Regional Funding Coordination

National Discretionary Funding Opportunities - Regional Coordination

As part of the implementation of the Regional Finance Approach, the region's partners agree to regional coordination and information sharing when competing on the national stage for federal competitive discretionary funding programs. Examples of these programs include, but not limited to: FTA's Capital Investment Grants – New Starts and Small Starts, U.S. DOT's

³ See Metro Council Resolution 16-4702

Better Utilizing Investment to Leverage Development (BUILD) and Infrastructure for Rebuilding America (INFRA). Regional coordination is to make regional partners aware of what competitive applications are being put forward and ensure any necessary MPO programming or planning requirements have been met to allow access to funds if awarded. Information of these coordinated efforts may also be shared with the region's congressional delegation to inform them of regional funding priorities.

Coordination and Leveraging of Federal Funds Across Funding Allocation Programs

Recognizing the scarcity of funding resources for the transportation system, the Portland metropolitan region supports leveraging funding opportunities being administered by different agencies within the region. However, the region desires to see leverage opportunities be discussed in a transparent and open manner that allows for partners to provide feedback and also bring awareness to potential funding leveraging opportunities. To facilitate leveraging opportunities, regional partners agree to and are encouraged:

- to identify opportunities to leverage funding early, particularly in the policy direction and program design phase (e.g. policy direction update for the 2022-2024 Regional Flexible Fund or the 2021-2024 STIP) and prior to the solicitation of projects for individual funding programs;
- to identify whether federal funds or a regionally significant project would be involved in the leveraging other funding (whether federal or local) to ensure eligibility requirements and other factors are appropriately met; and
- to begin coordination early between potential administering agencies and determine a pathway for proposals or approvals by appropriate entities, as necessary.

It is expected if regional partners wish to coordinate and leverage opportunities to fund (or partially fund) projects or programs through a funding program administered by a different administering agency, the partner bring the funding proposal to the MPO for information

Currently Agreed Upon Fund Leveraging

Through previous allocation processes, the region has come to agreement on leveraging funding administered by different partner agencies. In particular a portion of Metro's Regional Flexible Funds have been set aside towards advancing the region's high capacity transit network, planning for certain corridor bottlenecks and active transportation projects. As a result of these funding agreements, the specific projects funded will need to be brought forward to the MPO for engagement and progress updates.

and discussion. Funding proposals, especially with federal funds or for a regionally significant project, will not be considered without discussion and if necessary approval undertaken by the MPO (for federal funds or regionally significant projects). A process for bringing forward funding proposal entails:

1. Initial MPO staff and administering agency staff consultation of proposal;
2. Discussion, recommendation, and approval by the MPO (if necessary);⁴
3. Discussion and approval by the leadership entities of other administering agencies (if necessary).

Administrative funding proposals (e.g. funding swaps, changing the federal fund type) are exempt from this process, but must undergo the procedural MTIP change management process (administrative modification or amendment) depending on the significance of the changes requested.

2021-2024 MTIP Policy Implementation Process

As part of the process for implementing the 2021-2024 MTIP policy direction, Metro, as the MPO, will serve in the lead role for coordinating information sharing and other MTIP-related development activities. The Transportation Policy Alternatives Committee (TPAC) will serve as the main venue for coordination pertaining to the implementation of the 2021-2024 MTIP policy direction. The TPAC work program will be updated to include discussion items pertaining to the development of the 2021-2024 MTIP, including the individual funding allocation processes undertaken by the entities which administer federal transportation funds. TPAC will also be requested to recommend approval of the adoption draft of the 2021-2024 MTIP to JPACT in spring 2020.

In addition to the coordination activities to take place at TPAC in implementing the 2021-2024 MTIP policy direction, the 2021-2024 MTIP charter provides further detail on the protocols and coordination expectations for the four main key partners responsible for the content development of the MTIP. The 2021-2024 MTIP charter is signed among the four partners and outlines the various coordination protocols for project data exchange, MTIP content, schedule, and timelines.

⁴ MPO approval may come in the form of adopting policy direction for a specific funding program or through the MTIP change management process. Will be dependent on the context and nature of the leveraging opportunity being proposed.

Attachment 1: Adopted Regional Finance Approach (June 2016)

The following table is the 2018-2021 MTIP regional finance approach as adopted in June 2016.

Table A.1: Regional Transportation Finance Approach – Adopted June 2016

Transportation Project/ Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
Local/Arterial street reconstruction/maintenance	<ul style="list-style-type: none"> • State pass through • Street utility fees 	<ul style="list-style-type: none"> • Increases in state gas tax or VRF • New street utility fees or equivalent
Active Transportation (includes bicycle, pedestrian, and small on-street transit capital improvements like bus shelters)	<ul style="list-style-type: none"> • Regional Flexible Funds • Connect Oregon • ODOT Region 1 competitive allocation – dedicated • Local contributions • Development (Frontage, Impact Fees, SDC’s) 	<ul style="list-style-type: none"> • New federal program • State Urban Trail fund • New local funds
Highway preservation	<ul style="list-style-type: none"> • Interstate Maintenance • State gas & weight/mile tax • ODOT Region 1 preservation, maintenance, and operations allocation program • NHPP 	<ul style="list-style-type: none"> • Increases in state gas tax or VRF • New street utility fees or equivalent
Transit Operations	<ul style="list-style-type: none"> • Employer tax • Passenger fares • Section 5307 • Section 5310 	<ul style="list-style-type: none"> • Employer tax rate • New funding mechanism • Passenger fare increases
Arterial Expansion	<ul style="list-style-type: none"> • Development (Frontage, Impact Fees, SDC’s) • Urban Renewal • ODOT Region 1 competitive allocation program • Regional Flexible Funds⁵ • TIGER • Local contributions 	<ul style="list-style-type: none"> • SDC rate increases • Regionally raised revenue • Increase in state gas tax or VRF

⁵ Limited to arterial freight facilities for ITS, small capital projects, and project development.

Exhibit A to Resolution 19-4963

Transportation Project/ Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
Highway expansion	<ul style="list-style-type: none"> • ODOT Region 1 competitive allocation program • NHPP • National Freight Program • Modernization Program • Fed/state earmarks 	<ul style="list-style-type: none"> • More from existing sources • Pricing/tolling • Increase in state gas tax or equivalent • Regionally raised revenue
HCT expansion	<ul style="list-style-type: none"> • Federal New Starts • Federal Small Starts • State lottery • Regional Flexible Funds • TriMet General Fund • Local contributions 	<ul style="list-style-type: none"> • More from existing sources
TSMO/Travel Options	<ul style="list-style-type: none"> • State operations • Regional Flexible Funds • TIGER 	<ul style="list-style-type: none"> • Regional VRF or equivalent
Land Use – TOD	<ul style="list-style-type: none"> • Regional Flexible Funds 	<ul style="list-style-type: none"> • Strategy under development

Attachment 2: Updated Regional Finance Approach (December 2018)

The following table is an updated version of the 2016 adopted regional finance approach. The updates reflect new revenue sources and administrative changes to funding sources and the eligible activities. As policy direction for funds may change, federal transportation reauthorization may change eligibility requirements of existing funds, or through JPACT and the Metro Council direction, the regional finance approach will be updated to reflect the administrative or policy direction changes. The 2021-2024 MTIP policy describes the purpose and function of the regional finance approach.

Table A.2: Updated Regional Transportation Finance Approach – (As of December 2018)

Transportation Project/ Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
Local/Neighborhood Street Reconstruction and Maintenance	<ul style="list-style-type: none"> • State pass through funds • Street utility fees • Local gas tax 	<ul style="list-style-type: none"> • Increases in state gas tax (e.g. House Bill 2017) • Increases in vehicle registration fees • New street utility fees or equivalent • Additional or new local gas tax
Active Transportation (includes bicycle, pedestrian, and small on-street transit capital improvements like bus shelters)	<ul style="list-style-type: none"> • Regional Flexible Funds • STBG - Transportation Alternatives Set Aside • Connect Oregon • ODOT Region 1 Fix-It Leverage – Active Transportation & Safety • ODOT Safe Routes to Schools Infrastructure • ODOT 1% gas tax dedication • Privilege tax on bicycle sales • Local gas or property tax, vehicle registration, or street utility 	<ul style="list-style-type: none"> • New federal program • State Urban Trail fund • Increases in state gas tax (e.g. House Bill 2017) • New local or regional funds
Highway Preservation	<ul style="list-style-type: none"> • Interstate Maintenance • National Highway Preservation Program • State gas tax & weight/mile fees • ODOT Region 1 preservation, maintenance, and operations allocation program (Fix-it) 	<ul style="list-style-type: none"> • Increases in state gas tax • Increases in vehicle registration fees • New street utility fees or equivalent

Transportation Project/ Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
	<ul style="list-style-type: none"> • Other state (e.g. House Bill 2017) earmarks 	
Transit Operations	<ul style="list-style-type: none"> • Employer tax • Employee tax • Passenger fares • Section 5307 urbanized area formula • Section 5310 special transportation • ODOT special transportation fund • Advertising revenue 	<ul style="list-style-type: none"> • Increases in employer and employer tax rate • New funding mechanism • Passenger fare increases
Arterial Expansion, Improvements, and Reconstruction	<ul style="list-style-type: none"> • Development Fees (e.g. Frontage, Impact Fees, System Development Charges) • Urban Renewal • ODOT Region 1 allocation program – Fix It Leverage – Enhance or Safety • ODOT Region 1 operations allocation program (Fix-it) • Other federal or state (e.g. House Bill 2017) earmarks • Regional Flexible Funds⁶ • BUILD • National Freight Program 	<ul style="list-style-type: none"> • Development fees rate increases • New local or regional funds • Increase in state gas tax • Increase in vehicle registration fee
Highway Expansion	<ul style="list-style-type: none"> • ODOT Region 1 competitive allocation – Fix It Leverage – Enhance • ODOT 2021-2024 STIP Strategic Investment Fund • Regional Flexible Funds⁷ • National Highway Preservation Program 	<ul style="list-style-type: none"> • More from existing sources • Pricing/tolling • Increase in state gas tax or equivalent (e.g. HB 2017) • New local or regional funds

⁶ Limited to arterial freight facilities for ITS, small capital projects, and project development.

⁷ Limited to project development with large discretionary funding leverage opportunities to address multiple transportation issues around the mainline facilities, focusing on the multi-modal portions of these projects that are on the regional arterial network adjacent to the freeway interchange.

Exhibit A to Resolution 19-4963

Transportation Project/ Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
	<ul style="list-style-type: none"> • National Freight Program • Other federal or state (e.g. House Bill 2017) earmarks • BUILD • Privilege tax on vehicles 	
High Capacity Transit Expansion	<ul style="list-style-type: none"> • Federal Capital Investment Grants (e.g. New Starts/Small Starts) • State lottery • Regional Flexible Funds • TriMet General Fund • Local contributions 	<ul style="list-style-type: none"> • More from existing sources • New local or regional funds
TSMO/Travel Options	<ul style="list-style-type: none"> • ODOT Region 1 operations allocation program (Fix-it) • ODOT transportation demand management program allocation to regions • Regional Flexible Funds • Regional Safe Routes to School 	<ul style="list-style-type: none"> • Regional vehicle registration fee or equivalent • Cap and Invest Program • New local or regional funds
Land Use – TOD	<ul style="list-style-type: none"> • Regional Flexible Funds 	<ul style="list-style-type: none"> • New local or regional funds

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

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Memo

Date: Thursday, March 14, 2019
To: Joint Policy Advisory Committee on Transportation and Interested Parties
From: Grace Cho, Senior Transportation Planner
Subject: 2021-2024 MTIP Policy Direction

Purpose

Request JPACT take action to approve and submit to the Metro Council for adoption the 2021-2024 Metropolitan Transportation Improvement Program (MTIP) policy update.

Introduction and Background

Led by Metro and administered in cooperation with ODOT, TriMet and SMART, the Metropolitan Transportation Improvement Program (MTIP):

- describes the transportation investment priorities for the upcoming four federal fiscal years;
- describes the prioritization processes of investments and their alignment with regional objectives and compliance with federal laws;
- measures the performance of those investments in advancing outcomes and goals; and
- monitors the progress of investments and approves significant changes in scope, schedule or budget.

The MTIP is updated on a three-year cycle, in coordination with the ODOT led funding allocations and the Metro Regional Flexible Funds Allocation (RFFA), both of which define the investment priorities for three years of funding. Transit investment priorities are typically allocated annually through the TriMet and SMART budget processes. With each MTIP cycle, a policy statement is adopted to provide further direction on the outcomes the near-term investments are expected to make progress towards. As the 2021-2024 MTIP is in the development process, the proposed policy has been put forward.

2021-2024 MTIP Policy – Policy Overview and Discussion to Date

The draft 2021-2024 MTIP policy is an update to reflect the recently adopted 2018 RTP and continue with existing policies. The 2021-2024 MTIP policy statement includes four policies:

1. The 2018 Regional Transportation Plan (RTP) is the foundation and guide for investments proposed for the 2021-2024 MTIP.
2. Funding allocations and implementation of projects will comply with requisite federal regulations.
3. The region will continue to pursue the regional finance approach.
4. The region will coordinate on pursuit of national discretionary funding opportunities and openly coordinate funding leverage opportunities between different transportation funding programs.

The first two 2021-2024 MTIP policies implement federal regulatory and regional policy direction, emphasizing specific 2018 RTP policy priorities most relevant to the MTIP. The third 2021-2024 MTIP policy is a compilation of existing individual funding program policies and an intention of how to apply existing fund sources and pursue additional fund sources to address different needs of the transportation system. This approach was developed by the JPACT Finance Subcommittee in 2009 and most recently adopted as policy in 2016. The individual funding program policies are updated

to reflect the most recent funding policies by the agencies or policy bodies responsible for those existing individual funding programs as well as consolidated federal funding programs. The fourth 2021-2024 MTIP policy area is a statement of intent to coordinate on which priorities to nominate for national competitive discretionary grants and to coordinate between funding programs for leverage opportunities. These have been practices of the region, but not previously stated as MTIP policy.

TPAC provided feedback on the proposed 2021-2024 MTIP policy at the January and February 2019 meetings. The 2021-2024 MTIP policy document was revised to reflect the feedback TPAC provided and TPAC recommended approval of the 2021-2024 MTIP policy with amendments. At the February meeting, JPACT received an overview of the revised 2021-2024 MTIP policy and follow up discussion was minimal.

Request

Metro staff requests JPACT approve and submit to the Metro Council for adoption the 2021-2024 MTIP policy direction.

Next Steps

The following timeline has been provided to illustrate the immediate next steps for the 2021-2024 MTIP development.

Timeline – Upcoming 2021-2024 MTIP Development Activities

Activity	Timeframe
<i>Policy Direction</i>	
JPACT recommendation to Metro Council/Metro Council action	March-April 2019
<i>Funding Allocations</i>	
2022-2024 STIP Fix-It Leverage funding recommendations discussions at TPAC	March 2019
Transit agency annual budget process and investment program presentations	April-May 2019
2022-2024 Regional Flexible Fund allocation process	Spring – End 2019
<i>Packaging the 2021-2024 MTIP</i>	
Compilation of draft 2021-2024 MTIP investment program	August 2019 – January 2020
Develop public review draft of the 2021-2024 MTIP with: <ul style="list-style-type: none"> • System performance evaluation of MTIP investment program and RTP consistency analysis • MAP-21 performance target evaluation • Federal regulatory compliance demonstration • Allocation process discussion 	January – March 2020
Public comment on the public review draft 2021-2024 MTIP	April – May 2020
Request TPAC recommendation to approve the 2021-2024 MTIP	June 2020
Request approval of the 2021-2024 MTIP by JPACT	June/July 2020
Adoption of the 2021-2024 MTIP by the Metro Council	July 2020
<i>Change Management</i>	
Administrative modifications and amendments	October 2020 – On-going
Project delivery monitoring, obligations, and constraint checks	October 2020 – On-going

[STAFF REPORT FOR USE FOR WORK SESSIONS AND COUNCIL MEETINGS]

IN CONSIDERATION OF RESOLUTION NO. 19-4963, FOR THE PURPOSE OF ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) POLICY STATEMENT FOR THE PORTLAND METROPOLITAN AREA

Date: March 14, 2019
Department: Planning and Development
Meeting Date: April 4, 2019

Presenter(s) (if applicable): Grace Cho,
Ted Leybold
Length:

Prepared by: Grace Cho, x1776,
grace.cho@oregonmetro.gov

ISSUE STATEMENT

Update and adopt the 2021-2024 MTIP policy in time to provide direction to the 2021-2024 MTIP development process.

ACTION REQUESTED

Metro staff requests adoption of Resolution No. 19-4963.

IDENTIFIED POLICY OUTCOMES

1. Update the existing 2018-2021 MTIP policy direction to affirm and incorporate the policy direction from 2018 Regional Transportation Plan (RTP). This includes emphasis on the RTP near-term policy priorities: safety, equity, addressing climate change, and managing congestion.
2. Update the existing 2018-2021 MTIP policy to reflect new and applicable federal regulations to maintain the region's eligibility to expend federal surface transportation funding. This includes performance-based programming requirements which set forth a new MPO activities to assess and monitor performance of the MTIP.
3. Update the existing 2018-2021 MTIP policy to reflect other adopted regional policies and policy direction to funding programs.
4. Apply these updates to the development of the 2021-2024 MTIP currently in progress.

POLICY QUESTION(S)

Update the 2021-2024 MTIP policy direction in a manner that allows the region to progress on the following four activities:

- Implement the 2018 RTP and the near-term priorities (safety, equity, climate change, congestion) identified in the 2018 RTP
- Ensure federal requirements are met to remain eligible to expend federal funds
- Pursue the regional finance approach

- Leverage funding opportunities

The policy outcome sought in adopting the 2021-2024 MTIP policy direction is to provide regional partners, namely ODOT, TriMet, and SMART, further direction and expectations as to what investments in the next four fiscal years – 2021 through 2024 – are expected to achieve.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Are the four proposed policies and their outcomes acceptable for the 2021-2024 MTIP policy direction?

If so, the anticipated results of an adopted 2021-2024 MTIP policy direction are:

- the MPO affirms the 2018 RTP and provides clear direction as to what near-term investments (i.e. fiscal years 2021-2024) should be aiming to achieve and informs partners as investments deliberations are occurring;
- the MPO and the Metro Council have additional policy backing for the proposed 2022-2024 Regional Flexible Fund allocation policy direction; and
- the MPO has clear direction in how to move forward with developing a performance assessment methodology and monitoring measures.

If not, the anticipated risks of forgoing the 2021-2024 MTIP policy direction:

- the MPO is unable to provide clear direction to partners as to what near-term investments (i.e. fiscal years 2021-2024) should be aiming to achieve;
 - As a result, any investment generally consistent with the 2018 RTP would be acceptable and leave room for advancing investment in projects which do not make progress on the region's near-term priorities;
- there is an opportunity for the policy direction for the 2022-2024 Regional Flexible Fund to directed towards other priorities not identified for the near-term; and
- the MPO staff will have challenges in measuring performance and monitoring progress on investment implementation because clear goals and priorities have not been established.

STAFF RECOMMENDATIONS

Metro staff recommends adoption of Resolution No. 19-4963.

BACKGROUND

The Metropolitan Transportation Improvement Program (MTIP) is a federally-required document which identifies a prioritized list of transportation program and projects covering a four year period. The MTIP is developed in a cooperative and coordinated manner among the region's stakeholders, with further coordination among Metro, ODOT, TriMet, and SMART as the four agencies which administer federal funds. The MPO formally adopts the MTIP to make it the effective four-year investment strategy for the region. The three main components of the MTIP are:

- A list of regionally significant projects within the metropolitan region for the upcoming four fiscal years with numerous project details related to the schedule of project delivery and spending.¹
- A discussion of the transportation funding allocations processes administered by the state department of transportation (ODOT), transit agencies (SMART and TriMet), and the metropolitan planning organization (Metro). The discussion entails how the investment decisions made through these allocation processes advance regional goals and comply with federal regulations.
- A description of administrative procedures, protocols, policies and other related expectations for implementing, administering, and managing the MTIP.

In practice, the MTIP describes how the four agencies in the region prioritize transportation funding through projects and programs in a manner consistent with the regional transportation plan and federal requirements. Additionally, the MTIP demonstrates how the four agencies work together to ensure a coordinated approach to achieve the region's vision and goals for the transportation system for the upcoming federal fiscal years. The MTIP in development addresses fiscal years 2021 through 2024.

The 2021-2024 MTIP policy report communicates the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council's policy direction for developing of the 2021-2024 MTIP. In adopting the 2021-2024 MTIP policy, the overarching direction commits the region towards aligning investments to advance regional priorities and allows Metro, as the steward of the MTIP, to continually monitor and measure progress.

The adoption of the MTIP policy is a practice completed with each MTIP cycle. In previous cycles of the MTIP (2018-2021 and 2015-2018), the MTIP policy statement was combined with the policy statement for the allocation of the Regional Flexible Funds. In efforts to provide further clarity and transparency as to the role of the MTIP, the policy statement for the development, coordination, and implementation of the 2021-2024 MTIP is being brought forward separately from the policy statement for the upcoming cycle of the Regional Flexible Fund.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

As part of federal requirements, Metro and ODOT update the MTIP every three years to schedule funding for the following four-year period. The process of updating the 2021-2024 MTIP policies was initiated by the adoption of the 2018 Regional Transportation Plan (RTP) in December 2018. The 2018 RTP updated a number of the region's policies related to transit, freight, and performance management as well as new regional policies related to transportation safety, equity, and emerging technologies. In addition, the ordinance to adopt the 2018 RTP directed the region to make more near-term progress on four policy priorities to emerge from the plan: transportation safety, equity, addressing climate change, and managing congestion. As part of the adoption of the 2018 RTP, a long-range

¹ Additionally, the MTIP also includes state and local transportation programming which affects the regional transportation system.

investment strategy was also adopted. The RTP plays a significant role in the defining the outcomes transportation investments in the regional system aim to achieve.

In updating the 2021-2024 MTIP policy after the adoption of the 2018 RTP, the 2021-2024 MTIP policy statement adjusts and updates, as necessary, the policy and coordination direction for developing and implementing the 2021-2024 MTIP to support the implementation of the plan. Since the 2018 RTP emphasized equity and implementation of the region's Climate Smart Strategy, the policy statements provides clarity on the outcomes the four year investment program are to advance and make progress towards achieving in light of a newly adopted RTP. In addition to making more explicit the RTP as policy foundation for the MTIP, the updated policies for the 2021-2024 MTIP development continues existing policies and practices adopted as part of previous MTIPs with minor administrative updates, such as complying with all necessary a federal requirements (including new federal requirements) and pursuing the regional finance approach.

The 2021-2024 MTIP will include funds already allocated to projects in fiscal years 2021 (currently in the approved 2018-2021 MTIP). The policy direction is intended to guide the allocation of funds to new projects for fiscal years 2022 through 2024 through the funding allocation processes being administered by Metro, ODOT, TriMet, and SMART. In particular, these policies will greatly shape the policy direction for the regional flexible funds available for the 2022-2024 allocation.

Known Opposition/Support/Community Feedback & Explicit list of stakeholder groups and individuals who have been involved in policy development

Recognizing the significant public engagement undertaken as part of the recent 2018 RTP and 2021-2024 MTIP policy continued a number of existing MTIP policies, with minor updates or adjustments, the process for developing the 2021-2024 MTIP policy statement primarily relied on the Transportation Policy Alternatives Committee (TPAC) as the forum to gather feedback. TPAC was provided opportunities in January and February 2019 to comment and help refine the policy document. TPAC deliberated the proposed 2021-2024 MTIP policies thoroughly at the February meeting. The refined 2021-2024 MTIP policy statement taken forward to JPACT was reviewed at its February meeting with minimal discussion.

Legal Antecedents

Updates the 2018-2021 Metropolitan Transportation Improvement Program Policy Statement for the Portland Metropolitan Region, adopted by Metro Council Resolution 16-4702 on June 16, 2016 (for the purpose Adopting the 2018-2021 Metropolitan Transportation Improvement Program and 2019-2021 Regional Flexible Funds Allocation Policy Statement for the Portland Metropolitan Area). As well as the 2018 Regional Transportation Plan, adopted by Metro Council Ordinance 18-1412 on December 6, 2018. (Ordinance No. 18-1421, For the Purpose of Amending the 2014 Regional Transportation Plan to Comply With Federal and State Law and Amending the Regional Framework Plan.)

Anticipated Effects

Adoption of this resolution will provide the policy direction, program objectives and procedures that will be used for developing and administering the 2021-2024 MTIP and the 2022-2024 Regional Flexible Fund Allocation.

Financial Implications (current year and ongoing)

There are no impacts for Metro's current budget. This resolution proposes policy for coordination and direction for funding allocation processes and implementation of the 2021-2024 MTIP. This policy direction does set up the framework for the 2022-2024 Regional Flexible Fund allocation policy, which funds a mix of Metro Planning and Development department activities. These activities include the Regional Travel Options Program, the Safe Routes to Schools Program, and supplements MPO-related activities such as travel demand model development.

ATTACHMENTS

The full Resolution 19-4963 is attached.

The full 2021-2024 MTIP policy document is attached as Exhibit A.

**5.2 Resolution No. 19-4971, For the Purpose of Adding or Amending Existing Projects to the
2018-21 Metropolitan Transportation Improvement Program Involving Three Projects
Impacting Gresham, Oregon City, and Wilsonville (MR19-07-MAR)**

Consent Agenda

Joint Policy Advisory Committee on Transportation
Thursday, March 21, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING OR) RESOLUTION NO. 19-4971
AMENDING EXISTING PROJECTS TO THE)
2018-21 METROPOLITAN TRANSPORTATION) Introduced by: Chief Operating Officer
IMPROVEMENT PROGRAM INVOLVING) Martha Bennett in concurrence with
THREE PROJECTS IMPACTING GRESHAM,) Council President Lynn Peterson
OREGON CITY, AND WILSONVILLE (MR19-07-)
MAR))

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2018-21 MTIP via Resolution 17-4817 on July 27, 2017; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the U.S. Department of Transportation (USDOT) has issued clarified MTIP amendment submission rules and definitions for MTIP formal amendments and administrative modifications that both ODOT and all Oregon MPOs must adhere to which includes that all new projects added to the MTIP must complete the formal amendment process; and

WHEREAS, the city of Gresham received a \$100,000 project development grant from Metro for their SE Division Street from Wallula Ave to Birdsdale Ave active transportation improvement project, and with their \$107,000 matching contribution will complete required pre-National Environmental Policy Act (NEPA) environmental impact assessments, develop a staff preferred alternative, and complete design work up to thirty percent enabling the project to move forward and complete preliminary engineering much faster; and

WHEREAS, Oregon City received an Oregon Transportation Commission (OTC) approved \$250,000 Immediate Opportunity Fund (IOF) grant which supports primary economic development in Oregon through the construction and improvement of streets and roads and will be applied with Oregon City's \$9 million plus of local committed funds to their Meyers Rd: OR 213 to High School Ave roadway improvement and extension project; and

WHEREAS, the city of Wilsonville's Interstate 5 Bike and Pedestrian Crossing project from SW Barbur St to SW Town Center Loop completed a local fund exchange and has been de-federalized and will continue as a locally funded project not subject to federal approvals and will be monitored through Metro's Local Funded Project Delivery Program allowing it to now be removed from the MTIP to avoid potential monitoring and delivery duplication issues between Metro and ODOT; and

WHEREAS, all amended projects were evaluated against seven revised MTIP review factors to ensure all requested changes and additions can be accomplished legally through the MTIP amendment process; and

WHEREAS, the MTIP review factors included project eligibility/proof of funding, RTP consistency with the financially constrained element, consistency with RTP goals and strategies,

determination of amendment type, inclusion in the Metro transportation regional models, determination of Regional Significance, fiscal constraint verification, and compliance with MPO MTIP federal management responsibilities; and

WHEREAS, the MTIP's financial constraint finding is maintained as all projects proof of funding has been verified; and

WHEREAS, no negative impacts to air conformity will exist as a result of the changes completed through the March 2019 Formal MTIP Amendment; and

WHEREAS, all projects included in the March 2019 Formal MTIP Amendment successfully completed a required 30-day public notification/opportunity to comment period without any significant issues raised; and

WHEREAS, TPAC received their notification and recommended approval on March 1, 2019 and approved the amendment approval recommendation to JPACT; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on March 21, 2019 to formally amend the 2018-21 MTIP to include the March 2019 Formal Amendment bundle consisting of three projects.

ADOPTED by the Metro Council this ____ day of _____ 2019.

Lynn Peterson, Council President

Approved as to Form:

Nathan A.S. Sykes, Acting Metro Attorney

**2018-2021 Metropolitan Transportation Improvement Program
Exhibit A to Resolution 19-4971**



**Proposed March 2019 Formal Amendment Bundle
Amendment Type: **Formal/Full**
Amendment #: **MR19-07-MAR**
Total Number of Projects: 3**

ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
16986	70542	Gresham	Division Street Corridor Improvements (Gresham) SE Division St Improvements: Wallula-Birdsdale	Construct sidewalks and bicycle lanes on each side of Division Street between Gresham/Fairview Trail and NW Wallula Ave.	ADD FUNDING: The project received a Metro Local Funds Project Development Grant which is being added to the Planning phase for project development activities including pre-NEPA environmental work and pre-Project Specifications, & Estimates (PS&E) design work up to 30% design.
21423 NEW	TBD	Oregon City	Meyers Rd: OR213 - High School Ave (Oregon City)	Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection.	ADD NEW PROJECT: The formal amendment adds this new project to the 2018 MTIP.
20816	70883	Wilsonville	I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop	14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5 connecting SW Barber Street with SW Town Center Loop West	REMOVED PROJECT: The project is a 2019-21 RFFA federally awarded project. Per discussions with FHWA, Metro agreed to a fund exchange and de-federalized the project. The project will be monitored by Metro through Metro's Locally Funded Project program. With no federal approvals required, the project is being removed from the MTIP through this amendment.



Metro
2018-21 Metropolitan Transportation Improvement Program (MTIP)
Exhibit A to Resolution 19-4971
PROJECT AMENDMENT DETAIL WORKSHEET

Formal Amendment
Add Funding
8th Amendment to Project

Lead Agency: Gresham		Project Type:	Active Trns	ODOT Key:	16986
Project Name: Division Street Corridor Improvements (Gresham) SE Division St Improvements: Wallula-Birdsdale		ODOT Type	Bike/Ped	MTIP ID:	70542
		Capacity Enhancing:	No	Status:	2
Short Description: Construct sidewalks and bicycle lanes on each side of Division Street between Gresham/Fairview Trail and NW Wallula Ave.		Conformity Exempt:	Yes	RTP ID:	10440
		On State Hwy Sys:	No	RFFA ID:	N/A
		Mile Post Begin:	N/A	RFFA Cycle:	N/A
		Mile Post End:	N/A	UPWP:	No
		Length:	N/A	UPWP Cycle:	N/A
Project Status: 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)		1st Year Program'd:	2012	Past Amend:	7
		Years Active:	8	OTC Approve:	No

Detailed Description: In the city of Gresham on Division Street between Gresham/Fairview Trail (GFT) and NW Wallula Ave, construct sidewalks and bicycle lanes on each side of Division Street (Project Development Activities). Completion of this project will address a key gap in the regional bicycle and pedestrian network, and is consistent with the Division BRT project. (Current funding is for project development activities only.)

STIP Description: None. Project is not in the active 2018-2021 STIP currently.

PROJECT FUNDING DETAILS

Fund Type Code	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Transit)	Total
Federal Funds								
TCSP	L68E	2013		\$ 161,514				\$ -
TCSP	L68E	2013		\$ 179,460				\$ 179,460
							Federal Total:	\$ 179,460
State Funds								
								\$ -
							State Total:	\$ -
Local Funds								
Local	Match	2013		\$ 18,486				\$ -
Local	Match	2013		\$ 20,540				\$ 20,540
Local	OVM	2018		\$ 100,000				\$ -
Local-Metro	Bond	2019	\$ 100,000					\$ 100,000
Local -Grsham	Match	2019	\$ 107,500					\$ 107,500
							Local Total	\$ 228,040

Phase Totals Before Amend:	\$ -	\$ 280,000	\$ -	\$ -	\$ -	\$ 280,000
Phase Totals After Amend:	\$ 207,500	\$ 200,000	\$ -	\$ -	\$ -	\$ 407,500
Year Of Expenditure (YOE):						\$ 5,936,128

Notes and Changes:

Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred

Amendment Summary:

Gresham received a local \$100,000 project development grant from Metro to complete project development activities including pre-NEPA and initial Project, Specifications & Design (PS&E) up to 30%. Project development deliverables include (1) establishing project alignment & sections to explore alternatives for bike lanes, multi-use paths, or other improvements, (2) completing survey and base mapping, (3) identify potential environmental impacts based on a staff preferred alternative, and initiate project design up to 30%. Once completed, the project should be able to move on into the formal Preliminary Engineering phase to compete NEPA and final design assuming Gresham has developed a complete funding plan for the project. Through this amendment, the project development grant funds are being added to the project in the MTIP.

Project Notes:

- > PE obligated 1/29/2013
- > EA: PE002199
- > Federal Aid ID: 3125(049)
- > YOE = Year of Expenditure. This identifies the estimated total project cost to complete with inflation included. The amount is pulled from the RTP. It will be updated once the project reaches 30% design and has a current estimate.

RTP References:

- > RTP ID: 10440 - Division - Gresham/Fairview Trail to Wallula/212th: Sidewalks, Bike Lanes
- > RTP Description: Retrofit street to add bicycle facilities, sidewalks, and explore other multimodal facilities and connections.

Fund Codes:

- > TCSP: Federal Transportation Community & System Preservation funds that support a variety of transportation system improvement areas.
- > Local = Local agency funds provided by the agency in support of the required match to the federal or state funds.

Amendment Review and Development Personnel:

- > ODOT LAL: Jonathan Horowitz. Project Manager/Engineer or Agency Contact: Jeff Shelley
- > Metro MTIP Programming Manager: Ken Lobeck. ODOT Region 1 STIP Coordinator: Gabriela Garcia

Capital and Implementation Project Status Codes

Status Codes:

- 0 = No activity.
- 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.).
- 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)
- 3 = (PE) Preliminary Engineering (NEPA) activities initiated
- 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%,90% design activities initiated).
- 5 = (RW) Right-of Way activities initiated including R/W acquisition and/or utilities relocation.
- 6 = Pre-construction activities (pre-bid, construction management oversight, etc.).
- 7 = Construction activities or project implementation activities (e.g. for transit and ITS type projects) initiated.
- 8 = Post construction activities occurring (e.g. final rehab work, ITS system test and evaluation actions, etc.)
- 9 = Construction complete, facility open for use - no further obligations.
- 10 = Project close-out (final billings, de-obligations, etc.) in progress.
- 11 = Project completed, reimbursements finished.



Metro
2018-21 Metropolitan Transportation Improvement Program (MTIP)
Exhibit A to Resolution 19-4971
PROJECT AMENDMENT DETAIL WORKSHEET

Formal Amendment
New Project
Initial Programming

Lead Agency: Oregon City		Project Type:	Local Rd		ODOT Key:	21423	
Project Name: Meyers Rd: OR213 - High School Ave (Oregon City)		ODOT Type:	Modern		MTIP ID:	TBD	
		Capacity Enhancing:	Yes		Status:	6	
	Short Description: Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection.		Conformity Exempt:	No		RTP ID:	11544
			On State Hwy Sys:	OR213		RFFA ID:	N/A
			Mile Post Begin:	3.71		RFFA Cycle:	N/A
			Mile Post End:	3.89		UPWP:	No
			Length:	0.18		UPWP Cycle:	N/A
	Project Status: 6 = Pre-construction activities (pre-bid, construction management oversight, etc.).		1st Year Program'd:	2019		Past Amend:	0
			Years Active:	1		OTC Approve:	Yes
Detailed Description: In Oregon City On OR213 from north of OR213/Meyers Rd (MP 3.71 to 3.89) and on Meyers Rd to west of High School Ave, Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection. (2018 RTP ID: 11544)							
STIP Description: Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection.							

PROJECT FUNDING DETAILS

Fund Type Code	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction		Total
Federal Funds									
								\$	-
								Federal Total:	\$ -
State Funds									
IOF	S600	2019					\$ 250,000		\$ 250,000
								\$	-
								\$	-
								State Total:	\$ 250,000
Local Funds									
Other	OTH0	2019					\$ 7,604,142		\$ 7,604,142
								\$	-
								Local Total	\$ 7,604,142

Phase Totals Before Amend:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:	\$ -	\$ -	\$ -	\$ -	\$ 7,854,142	\$ 7,854,142
Year Of Expenditure (YOE):						\$ 9,352,514

Notes and Changes:

Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.

Amendment Summary:

The formal amendment adds the new project to the 2018 MTIP. The project is required to be included in the MTIP as it is identified as a regionally significant project located in a Metro defined Employment Zone as stated in the Metro Arterials and Throughways modeling network. The project is identified in the constrained 2018 RTP and the capacity improvement is included in the updated Arterials and Throughways network. The Project received a \$250,000 state Immediate Opportunity Funds grant award from ODOT for the construction phase. The current project schedule is to initiate the construction phase during Federal Fiscal Year 2019. Approval from the Oregon Transportation Commission was required and occurred during their January 2019 meeting. Only the Construction phase is required to be programmed. The total project cost including all other prior phases is \$9,352,514. There are no federal funds committed to this project.

Project Background:

The Beaver Creek Employment Area is comprised of 90 acres of industrial land located next to Clackamas Community College (CCC). Once fully developed, this area could enable the addition of 1,600 jobs with an estimated payroll of more than \$124 million. The Beaver Creek Employment Area consists of two development sites made up of several individual parcels. Both sites are zoned as "Campus Industrial" areas and are located within Oregon City's city limits. The Meyers Road Extension Project will provide a safe and multi-modal connection for motor vehicles, bicycles, and pedestrians traveling along Meyers Road.

RTP References:

- > RTP ID: 11544 - Meyers Road Extension (West)
- > RTP Description: Construct new 3 lane roadway, sidewalks, buffered bike lanes, WB right turn lane and center turn lanes to serve adjacent Clackamas Community College & underdeveloped industrial properties. (TSP D46)

Fund Codes:

- > IOF State Immediate Opportunity Funds allocated by ODOT for various highway improvements.
- > Other = Local agency funds provided by the agency beyond any required matching funds.

Amendment Review and Development Personnel:

- > ODOT LAL: Not Identified. Project Manager or Agency Contact: Not Identified
- > Metro MTIP Programming Manager: Ken Lobeck. ODOT Region 1 STIP Coordinator: Gabriela Garcia

Capital and Implementation Project Status Codes

Status Codes:

- 0 = No activity.
- 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.).
- 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)
- 3 = (PE) Preliminary Engineering (NEPA) activities initiated
- 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%,90% design activities initiated).
- 5 = (RW) Right-of Way activities initiated including R/W acquisition and/or utilities relocation.
- 6 = Pre-construction activities (pre-bid, construction management oversight, etc.).
- 7 = Construction activities or project implementation activities (e.g. for transit and ITS type projects) initiated.
- 8 = Post construction activities occurring (e.g. final rehab work, ITS system test and evaluation actions, etc.)
- 9 = Construction complete, facility open for use - no further obligations.
- 10 = Project close-out (final billings, de-obligations, etc.) in progress.
- 11 = Project completed, reimbursements finished.



Metro
2018-21 Metropolitan Transportation Improvement Program (MTIP)
Exhibit A to Resolution 19-4971
PROJECT AMENDMENT DETAIL WORKSHEET

Formal Amendment
Removed Project
2nd Amendment to Project

Lead Agency: Wilsonville	Project Type: Active Trns	ODOT Key: 20816
Project Name: I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop	ODOT Type: Bike/Ped	MTIP ID: 70883
Short Description: 14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5 connecting SW Barber Street with SW Town Center Loop West	Capacity Enhancing: No	Status: 3
	Conformity Exempt: Yes	RTP ID: 11554
	On State Hwy Sys: No	RFFA ID: 50288
	Mile Post Begin: N/A	RFFA Cycle: 2019-21
	Mile Post End: N/A	UPWP: No
	Length: N/A	UPWP Cycle: N/A
	1st Year Program'd: 2019	Past Amend: 1
	Years Active: 1	OTC Approve: No
Project Status: = (PE) Preliminary Engineering (NEPA) activities initiated		

Detailed Description: The project consists of a new 14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5, connecting SW Barber Street with SW Town Center Loop West

STIP Description: Design a 14 ft. wide pedestrian and bicycle bridge spanning 290 ft over SW Boones Ferry Rd and I-5, connecting SW Barber St with SW Town Center Loop West. Project includes retaining walls, public art, utility relocation and storm water runoff treatment

PROJECT FUNDING DETAILS

Fund Type Code	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Transit)	Total
Federal Funds								
								\$ -
								\$ -
							Federal Total:	\$ -
State Funds								
								\$ -
								\$ -
							State Total:	\$ -
Local Funds								
Other	OTH0	2019		\$ 1,727,405				
								\$ -
								\$ -
							Local Total	\$ -

Phase Totals Before Amend:	\$	-	\$ 1,727,405	\$	-	\$	-	\$ 1,727,405
Phase Totals After Amend:	\$	-	\$ -	\$	-	\$	-	\$ -
Year Of Expenditure (YOE):								\$ 9,086,417

Notes and Changes:

Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.

Amendment Summary:

The amendment removes the project from the MTIP. The project is a 2019-21 Metro Regional Flexible Fund Allocation (RFFA) awarded project. Upon review of the project among Metro, ODOT and FHWA, the city of Wilsonville concluded they can deliver the project cheaper as a de-federalized project. FHWA provided a concurrence that Wilsonville could move forward and deliver the project without the usual federal approvals. The federal RFFA funds were exchanged with local funds as currently programmed in the PE phase. Metro will monitor the project through their Local Funded Project Delivery program. To help avoid monitoring and delivery duplication efforts with ODOT, the project is being removed from the MTIP at this time.

RTP References:

- > RTP ID: 11554 - I-5 Walking and Biking Bridge
- > RTP Description: Construct bike/pedestrian bridge over I-5 to connect Town Center area with businesses and neighborhoods west of I-5.

Fund Codes:

> Other = Local agency funds provided by the agency in support of the project and go beyond the minimum match requirement if federal funds are also committed .

Amendment Review and Development Personnel:

- > ODOT LAL: Not Applicable. Project Manager or Agency Contact: Not Available
- > Metro MTIP Programming Manager: Ken Lobeck. ODOT Region 1 STIP Coordinator: Gabriela Garcia

Capital and Implementation Project Status Codes

Status Codes:

- 0 = No activity.
- 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.).
- 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)
- 3 = (PE) Preliminary Engineering (NEPA) activities initiated
- 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%,90% design activities initiated).
- 5 = (RW) Right-of Way activities initiated including R/W acquisition and/or utilities relocation.
- 6 = Pre-construction activities (pre-bid, construction management oversight, etc.).
- 7 = Construction activities or project implementation activities (e.g. for transit and ITS type projects) initiated.
- 8 = Post construction activities occurring (e.g. final rehab work, ITS system test and evaluation actions, etc.)
- 9 = Construction complete, facility open for use - no further obligations.
- 10 = Project close-out (final billings, de-obligations, etc.) in progress.
- 11 = Project completed, reimbursements finished.

Memo



Date: Friday, March 1, 2019
 To: JPACT and Interested Parties
 From: Ken Lobeck, Funding Programs Lead, 503-797-1785
 Subject: March 2019 MTIP Formal Amendment plus Approval Request of Resolution 19-4971

STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING THREE PROJECTS IMPACTING GRESHAM, OREGON CITY, AND WILSONVILLE (MR19-07-MAR)

BACKGROUND

What This Is:

The March 2019 Formal Metropolitan Transportation Improvement Program (MTIP) Amendment bundle (for FFY 2019) contains required changes and updates impacting Gresham, Oregon City, and Wilsonville. Three projects comprise the amendment bundle.

What is the requested action?

TPAC requests JPACT approval recommendation to Metro Council for Resolution 19-4971 enabling the three identified projects to be amended correctly into the 2018 MTIP with final approval to occur from USDOT.

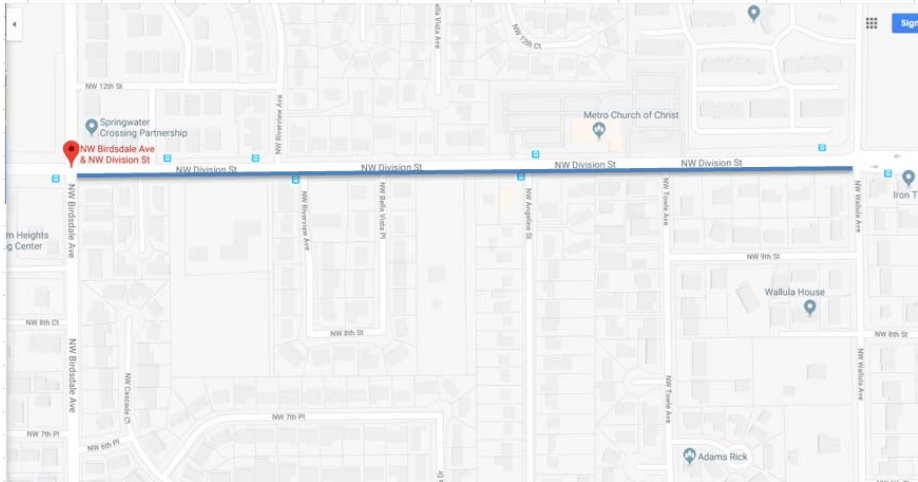
The summary of the three projects is shown in the below table:

Proposed March 2019 Formal Amendment Bundle Amendment Type: Formal/Full Amendment #: MR19-07-MAR Total Number of Projects: 3					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
16986	70542	Gresham	Division Street Corridor Improvements (Gresham) SE Division St Improvements: Wallula-Birdsdale	Construct sidewalks and bicycle lanes on each side of Division Street between Gresham/Fairview Trail and NW Wallula Ave.	ADD FUNDING: The project received a Metro Local Funds Project Development Grant which is being added to the Planning phase for project development activities including pre-NEPA environmental work and pre-Project Specifications, & Estimates (PS&E) design work up to 30% design.

Proposed March 2019 Formal Amendment Bundle Amendment Type: Formal/Full Amendment #: MR19-07-MAR Total Number of Projects: 3					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
21423 NEW	TBD	Oregon City	Meyers Rd: OR213 - High School Ave (Oregon City)	Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection.	ADD NEW PROJECT: The formal amendment adds this new project to the 2018 MTIP.
20816	70883	Wilsonville	I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop	14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5 connecting SW Barber Street with SW Town Center Loop West	REMOVED PROJECT: The project is a 2019-21 RFFA federally awarded project. Per discussions with FHWA, Metro agreed to a fund exchange and de-federalized the project. The project will be monitored by Metro through Metro's Locally Funded Project program. With no federal approvals required, the project is being removed from the MTIP through this amendment.

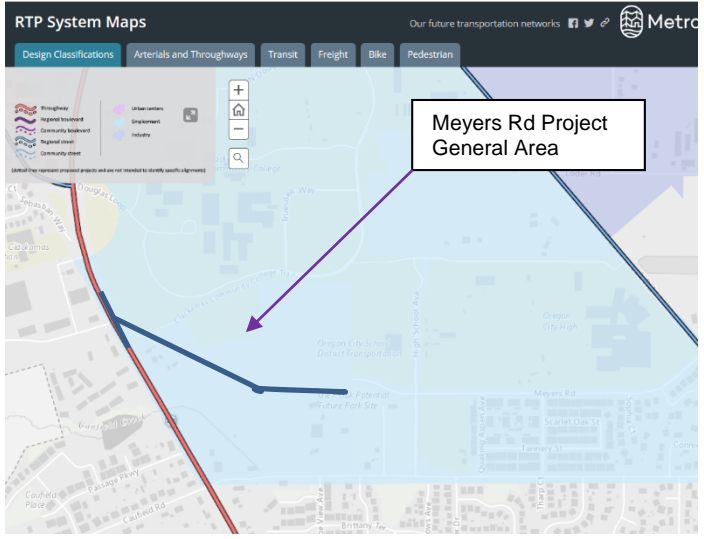
A detailed summary of the two projects being amended is provided in the tables on the following pages.

Project 1:		Division Street Corridor Improvements (Gresham)	
		SE Division St Improvements: Wallula - Birdsdale	
Lead Agency:	Gresham		
ODOT Key Number:	16986	MTIP ID Number:	70542
Projects Description:	Project Snapshot: <ul style="list-style-type: none"> Proposed improvements: In the city of Gresham on Division Street between Gresham/Fairview Trail (GFT) and NW Wallula Ave, construct sidewalks and bicycle lanes on each side of Division Street (Project Development Activities). Completion of this project will address a key gap in the regional bicycle and pedestrian network, and is consistent with the Division BRT project. (Current funding is for project development activities only.) Source: Existing MTIP project Funding: Federal Transportation Community and System Preservation (TCSP) funds Type: Active Transportation project Location: In the city of Gresham on SE Division Street Cross Streets: from Wallula Ave to Birdsdale Ave Mile Post Limits: N/A 		

	<ul style="list-style-type: none"> • Current Status Code: 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps) • STIP Amendment Number: TBD • MTIP Amendment Number: MR19-07-MAR
<p>What is changing?</p>	<p>AMENDMENT ACTION: ADDING FUNDING</p> <p>The amendment adds local funds in the amount of \$207,500 to the MTIP Planning phase in support of project development pre-National Environmental Policy Act (NEPA) activities and to initiate preliminary design up to 30%.</p> <p>With this Metro project development support grant, Gresham is attempting to re-start this project and move forward to deliver the project. The amendment also includes project renaming from the Division Street Corridor Improvements Project (Gresham) to be “SE Division St Improvements: Wallula-Birdsdale” to reflect the update limits identified in the project development grant.</p>  <p>The project was originally awarded \$832,640 federal Transportation Community and Systems Preservation (TCSP) funds and was first programmed in the MTIP in early 2012. The estimated total project cost then was \$1,310,600. The PE phase was obligated in June of 2013. \$179,460 of TCSP funds were obligated for the PE phase in 2013.</p> <p>The TCSP funds were awarded to the project with a shelf-life use it or lose it obligation requirement. During 2017, the TCSP funds lapsed and a request for their extension was denied by FHWA. As a result a formal amendment occurred to remove the remaining TCSP funds (totaling \$653,180) and local match from the remaining phases the TCSP funds were programmed.</p> <p>Metro agreed to carry-over the project into the 2018 MTIP with \$100,000 of local funds in the PE phase while Gresham worked on developing a funding plan for the project.</p> <p>The Metro grant of \$100,000 for project development work will help Gresham take a step forward in developing their funding plan for the project.</p> <p>Per the 2018 RTP, the SE Division St Improvement project revised total estimated cost is now \$5,936,128 and represents a significant increase from the TCSP funded version at \$1,310,600.</p>

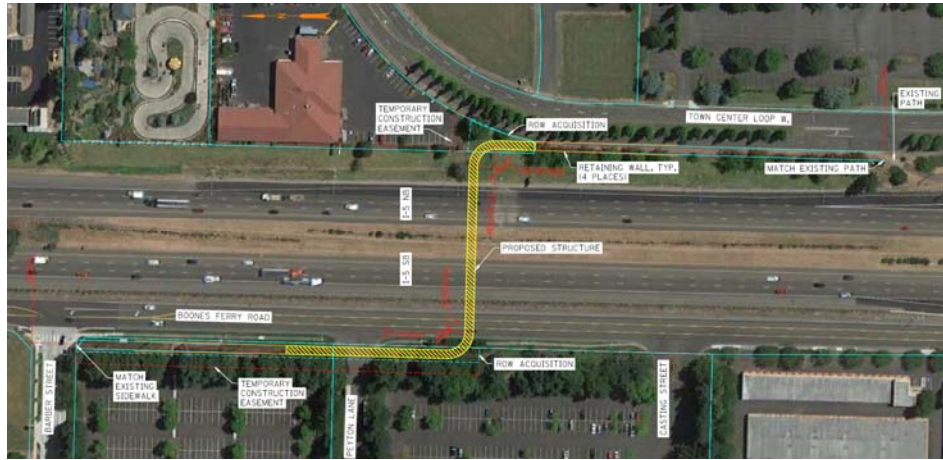
<p>Additional Details:</p>	<p>The award and use of federal transportation funds often comes with numerous conditions. Example: Federal Congestion Mitigation Air Quality improvement funds must clearly demonstrate appropriate reductions in four air pollutants for the funds to be declared eligible to the committed project.</p> <p>Another key condition for the use and reimbursement of all FHWA managed federal transportation surrounds Directive 5020.1A which involves the Repayment of Preliminary Engineering Costs for federally funded projects that do not make adequate progress through the federal transportation project delivery process. Directive 5020.1A, dated June 8, 2018 provides policy and procedures concerning the repayment of Federal-aid funds expended on preliminary engineering (PE) projects when on-site construction or right-of way (ROW) acquisition does not commence within 10 years of the date on which Federal funds were first made available.</p> <p>The TCSP funds for the PE phase were obligated on 1/29/2013. The project will need to have commenced the ROW phase before the end of FFY 2023 (or specific deadline established by FHWA) to ensure the remaining obligated TSCP are not subject to the 10-year PE Repayment Requirement as stated in Directive 5020.1A. Per Gresham’s project development grant IGA, the 30% design update final deliverable is scheduled to occur as of September 2021. The window to complete PE and move on to the ROW phase will be tight to avoid the PE payback requirement, and also assumes the project will have a sufficiently developed project financial plan.</p>
<p>Why a Formal amendment is required?</p>	<p>Per the FHWA/FTA/ODOT/MPO Amendment Matrix, Cost changes for FHWA funded projects with an active-year programming cost less than \$500,000 require a formal amendment if the cost change is in excess of 50%. Adding the \$207,500 of local funds into 2019 represents a 51.8% cost change to the project and is above the 50% threshold.</p>
<p>Total Programmed Amount:</p>	<p>The total project programming amount increases from \$100,000 to \$407,500 of which \$200,000 is reflected as prior obligated funds from years outside of the current 2018 MTIP.</p>
<p>Added Notes:</p>	

<p>Project #2: Meyers Rd: OR213 - High School Ave (Oregon City) (New Project)</p>	
<p>Lead Agency:</p>	<p>Oregon City</p>
<p>ODOT Key Number:</p>	<p>21423</p>
<p>Project Description:</p>	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • Proposed improvements: Construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/ Meyers Rd intersection to accommodate the new east leg of the intersection.. • Source: Local arterial in Oregon City • Funding: Primarily local funds from Oregon City with a \$250,000 State Immediate Opportunity Fund (IOF) grant from ODOT • Type: Modernization/capacity enhancing • Location: In Oregon City On OR213 from north of OR213/Meyers Rd and on Meyers Rd to west of High School Ave • Cross Streets: Meyers Rd east to just west of High School Ave • Mile Post Limits: 3.71 to 3.89
	<p>MTIP ID Number: TBD</p>

	<ul style="list-style-type: none"> • Current Status Code: 6 (Pre construction activities) • STIP Amendment Number: 18-21-2137 • MTIP Amendment Number: MR19-07-MAR
<p>What is changing?</p>	<p>AMENDMENT ACTION: ADD NEW PROJECT:</p> <p>This project is primarily a locally funded project with a small State IOF grant. The purpose of the "Immediate Opportunity Fund" (IOF) is to support primary economic development in Oregon through the construction and improvement of streets and roads. The 1987 Oregon Legislature created state funding for immediate economic opportunities with certain motor vehicle gas-tax increases. Access to this fund is discretionary and the fund may only be used when other sources of financial support are unavailable or insufficient. The IOF is not a replacement or substitute for other funding sources. The IOF is designed to meet the following objectives:</p> <ul style="list-style-type: none"> • Provide needed street or road improvements to influence the location, relocation or retention of a firm in Oregon. • Provide procedures and funds for the Oregon Transportation Commission (OTC) to respond quickly to economic development opportunities. • Provide criteria and procedures for Business Oregon, other agencies, local governments and the private sector to work with the Oregon Department of Transportation (ODOT) in providing road improvements needed to ensure specific job development opportunities for Oregon or to revitalize business or industrial centers. <p>This project falls under the category of Type B: Benefits in terms of a revitalized business district or industrial center through the construction of road improvements.</p> <p>The project is identified in the 2018 RTP in ID 11544, "Construct new 3 lane roadway, sidewalks, buffered bike lanes, WB right turn lane and center turn lanes to serve adjacent Clackamas Community College & underdeveloped industrial properties. (TSP D46)". Because the project is located in a Metro defined "Employment Area" within the Arterials and Throughways Modeling Network, the project is considered Regionally Significant and MTIP Programming is required. It appears that federal approvals are not required allowing only the construction phase with the IOF funds needing to be programmed.</p> <p>The project will construct 2,100 feet of new Meyers Rd between OR213 and just west of High School Ave. Add a southbound left turn lane on OR213. Add 1,400 feet of new northbound through-lane on OR213. Replace traffic signal at the OR213/Meyers Rd intersection to accommodate the new east leg of the intersection.</p> 

	<p>The Construction phase estimate is \$7,854,142. The total project cost including all other phases is \$9,352,514. MTIP programming only requires the construction phase to be programmed.</p> <table border="1" data-bbox="699 222 1401 417"> <tr> <td>Preliminary Engineering</td> <td>\$667,163.00</td> </tr> <tr> <td>Permitting and Miscellaneous Expenses</td> <td>\$173,324.00</td> </tr> <tr> <td>Bonneville Power Administration Tower Modifications</td> <td>\$265,885.00</td> </tr> <tr> <td>Right-of-Way Acquisitions</td> <td>\$392,000.00</td> </tr> <tr> <td>Construction</td> <td>\$7,854,142.00</td> </tr> <tr> <td>Total Project Cost</td> <td>\$9,352,514.00</td> </tr> </table>	Preliminary Engineering	\$667,163.00	Permitting and Miscellaneous Expenses	\$173,324.00	Bonneville Power Administration Tower Modifications	\$265,885.00	Right-of-Way Acquisitions	\$392,000.00	Construction	\$7,854,142.00	Total Project Cost	\$9,352,514.00
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Right-of-Way Acquisitions	\$392,000.00												
Construction	\$7,854,142.00												
Total Project Cost	\$9,352,514.00												
<p>Additional Details:</p>	<p>Benefits of the project include:</p> <ul style="list-style-type: none"> • Relieving congestion on Glen Oak Road. • Providing a new access through the area to foster future development of industrial land parcels adjacent to the road and helping to spur the creation of over 1,600 family-wage jobs. • Providing greater access to a regionally-vital employment area that will enhance the flow of commerce. • Helping address transportation capacity concerns and alternative mobility targets at the intersection of Oregon 213 and Beavercreek Road. • Providing an additional access for the Oregon City School District Transportation and Maintenance Facility, connectivity to the future City park at the corner of Meyers Road and High School Avenue, and an additional access (on the south end of the campus) to Clackamas Community College and the expanded Transit Center under construction on their campus. 												
<p>Why a Formal amendment is required?</p>	<p>Per the FHWA/FTA/ODOT/MPO MTIP & STIP Amendment Matrix, adding a new project to the MTIP requires a formal amendment.</p>												
<p>Total Programmed Amount:</p>	<p>The total project programming amount is \$7,854,142. The total estimate project cost is \$9,352,514.</p>												
<p>Added Notes:</p>	<p>OTC approval was required in awarding the IOF grant and occurred during their January 2019 meeting.</p>												

<p>Project 3: I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop</p>			
<p>Lead Agency:</p>	<p>Wilsonville</p>		
<p>ODOT Key Number:</p>	<p>20816</p>	<p>MTIP ID Number:</p>	<p>70883</p>
<p>Projects Description:</p>	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • Proposed improvements: Construct a 14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5 connecting SW Barber Street with SW Town Center Loop West • Source: Existing MTIP project • Funding: Initially a RFFA federal award and then fund exchange for local funds • Type: Active Transportation project • Location: In the city of Wilsonville over Interstate 5 • Cross Streets: Between Barbur St and Casting Street • Mile Post Limits: MP 284.2 to MP 284.4 • Current Status Code: 3 = (PE) Preliminary Engineering (NEPA) activities initiated • STIP Amendment Number: TBD • MTIP Amendment Number: MR19-07-MAR 		
<p>What is changing?</p>	<p>AMENDMENT ACTION: REMOVE PROJECT</p> <p>The amendment removes the project from the 2018 MTIP. The city of Wilsonville's I-5 Bike/Pedestrian Overcrossing project is a 2019-2021 Regional Flexible Fund</p>		

	<p>Allocation (RFFA) award recipient. The project was awarded \$1,550,000 of federal funds from the RFFA Step 2 Funding Category.</p>  <p>However, early project reviews with ODOT and Metro indicated that Wilsonville’s funding plan for the ROW, Construction, and Utility Relocation could present issues for the project as it progressed through the federal National Environmental Policy Act (NEPA). Questions also arose if the estimated total project cost was reasonable, or if the project was underfunded. Since the RFFA award only funded the Preliminary Engineering phase, discussions continued on whether the project should be recommended to take a step back and complete additional pre-NEPA project development activities, or be de-federalized.</p> <p>Subsequent discussions with FHWA supported project de-federalization. FHWA provided their opinion that the project could proceed as a locally funded project outside of the federal transportation project delivery process. The city of Wilsonville opted for project de-federalization and completed a local fund exchange with Metro. The fund exchange shifted the federal funds from the I-5 project to Wilsonville’s Kinsman Rd – SW Boeckman to SW Barbur project for local funds from the Kinsman Rd project.</p> <p>Along with expected faster project delivery, the city of Wilsonville advocates that de-federalizing the I-5 Bike/Pedestrian Overcrossing project will result in a lower total project cost to construct and deliver the overcrossing.</p> <p>Metro has developed a separate locally funded Intergovernmental Agreement (IGA) with Wilsonville to complete the project and will monitor the project through their Local Funded Project Delivery Program. To avoid monitoring conflicts with ODOT, Metro is removing the project from the MTIP at this time.</p>
<p>Additional Details:</p>	
<p>Why a Formal amendment is required?</p>	<p>Per the FHWA/FTA/ODOT/MPO Amendment Matrix, removing/cancelling a project from the MTIP requires a formal amendment.</p>
<p>Total Programmed Amount:</p>	<p>The total project programming amount decreases from \$1,727,405 to \$0 in the MTIP.</p>
<p>Added Notes:</p>	

Note: The Amendment Matrix located on the next page is included as a reference for the rules and justifications governing Formal Amendments and Administrative Modifications to the MTIP that the MPOs and ODOT must follow.

METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The programming factors include:

- Verification as required to programmed in the MTIP:
 - Awarded federal funds and is considered a transportation project
 - Identified as a regionally significant project.
 - Identified on and impacts Metro transportation modeling networks.
 - Requires any sort of federal approvals which the MTIP is involved.
- Passes fiscal constraint verification:
 - Project eligibility for the use of the funds
 - Proof and verification of funding commitment
 - Requires the MPO to establish a documented process proving MTIP programming does not exceed the allocated funding for each year of the four year MTIP and for all funds identified in the MTIP.
- Passes the RTP consistency review:
 - Identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket
 - RTP project cost consistent with requested programming amount in the MTIP
 - If a capacity enhancing project – is identified in the approved Metro modeling network
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP
- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
 - Does not violate supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix.
 - Adheres to conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP.
 - Is eligible for special programming exceptions periodically negotiated with USDOT as well.

ODOT-FTA-FHWA Amendment Matrix
Type of Change
FULL AMENDMENTS
1. Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized
2. Major change in project scope. Major scope change includes: <ul style="list-style-type: none"> • Change in project termini - greater than .25 mile in any direction • Changes to the approved environmental footprint • Impacts to AQ conformity • Adding capacity per FHWA Standards • Adding or deleting worktype
3. Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> • FHWA project cost increase/decrease: <ul style="list-style-type: none"> • Projects under \$500K – increase/decrease over 50% • Projects \$500K to \$1M – increase/decrease over 30% • Projects \$1M and over – increase/decrease over 20% • All FTA project changes – increase/decrease over 30%
4. Adding an emergency relief permanent repair project that involves substantial change in function and location.
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS
1. Advancing or Slipping an approved project/phase within the current STIP (If slipping outside current STIP, see Full Amendments #2)
2. Adding or deleting any phase (except CN) of an approved project below Full Amendment #3
3. Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.
4. Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)
5. Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.
6. Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)
7. Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.

- Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.
- MPO responsibilities completion:
 - Completion of the required 30 day Public Notification period:
 - Project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.
 - Acting on behalf of USDOT to provide the required forum and complete necessary discussions of proposed transportation improvements/strategies throughout the MPO.

APPROVAL STEPS AND TIMING

Metro’s approval process for formal amendment includes multiple steps. The required approvals for the February 2019 Formal MTIP amendment will include the following:

<u>Action</u>	<u>Target Date</u>
● Initiate the required 30-day public notification process.....	February 25, 2019
● TPAC notification and approval recommendation.....	March 1, 2019
● JPACT approval and recommendation to Council.....	March 21, 2019*
● Completion of public notification process.....	March 26, 2019
● Metro Council approval.....	April 4, 2019

Notes:

* If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps:

<u>Action</u>	<u>Target Date</u>
● Metro development of amendment narrative package	April 8, 2019
● Amendment bundle submission to ODOT for review.....	April 8, 2019
● Submission of the final amendment package to USDOT	April 8, 2019
● ODOT clarification and approval.....	Mid-April, 2019
● USDOT clarification and final amendment approval.....	Late April-early May, 2019

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:** Amends the 2018-2021 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 17-4817 on July 27, 2017 (For The Purpose of Adopting the Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds.
4. **Metro Budget Impacts:** None to Metro

RECOMMENDED ACTION:

JPACT recommends the approval of Resolution 19-4971.

Attachments:

1. Project Location Maps
2. OTC Letter for Key 21423 – OTC Approval of IOF Funds

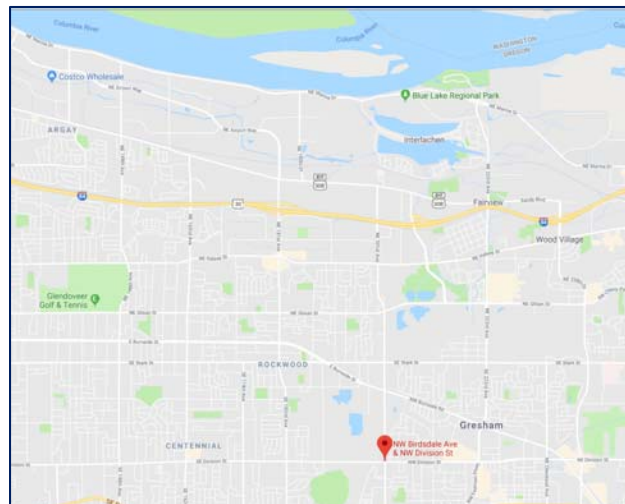
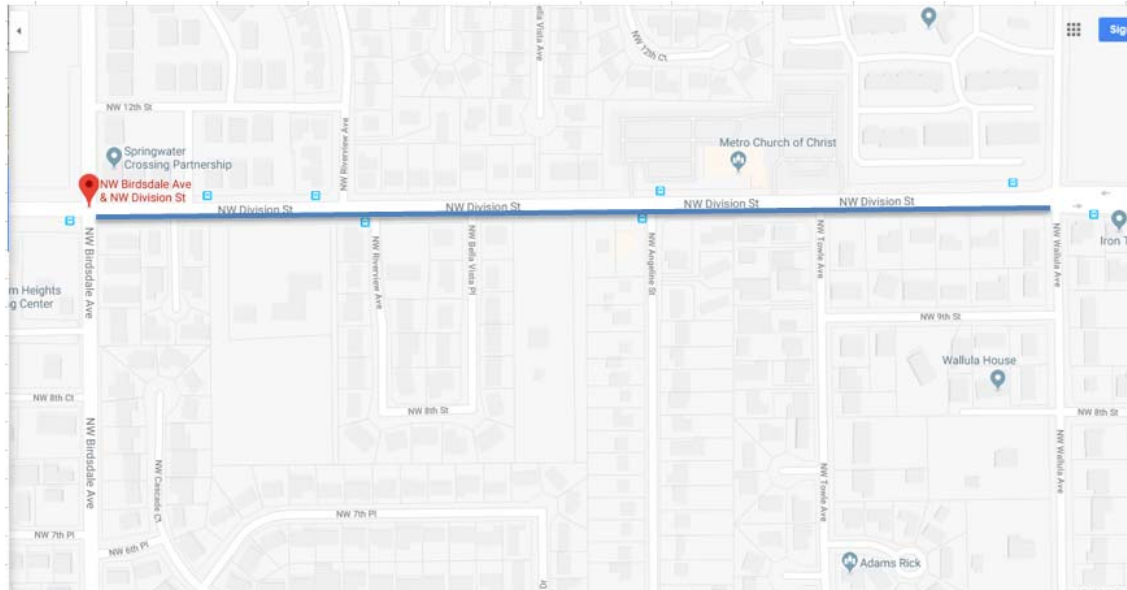
Date: Friday, March 1, 2019
From: Ken Lobeck, Funding Programs Lead, 503-797-1785
Subject: Attachment 1 to the March 2019 MTIP Formal Amendment Staff Report – Project Location Maps

BACKGROUND

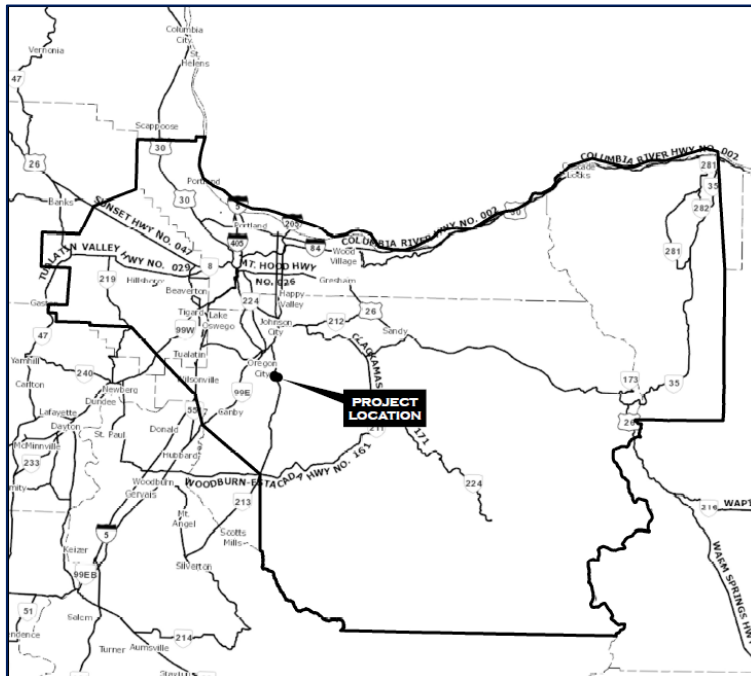
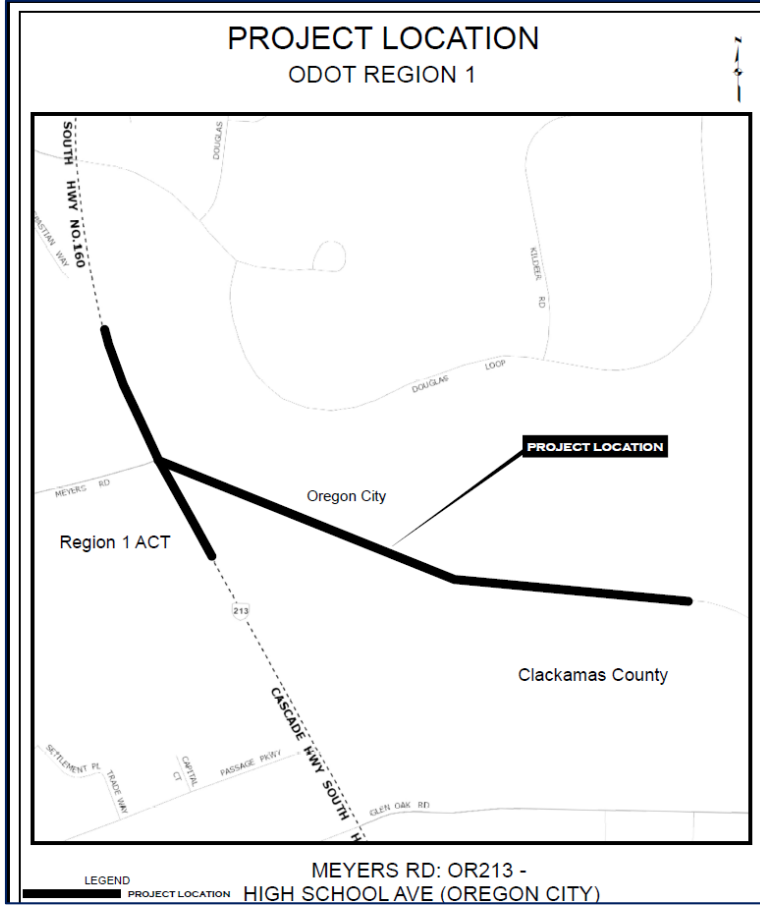
Available project location maps are included in this attachment to the staff report for reference for their applicable projects. Maps are included for:

- Key 16986 – SE Division St Improvements: Wallula-Birdsdale
- Key 21423 – Meyers Rd: OR213 - High School Ave (Oregon City)
- Key 20816 - I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop

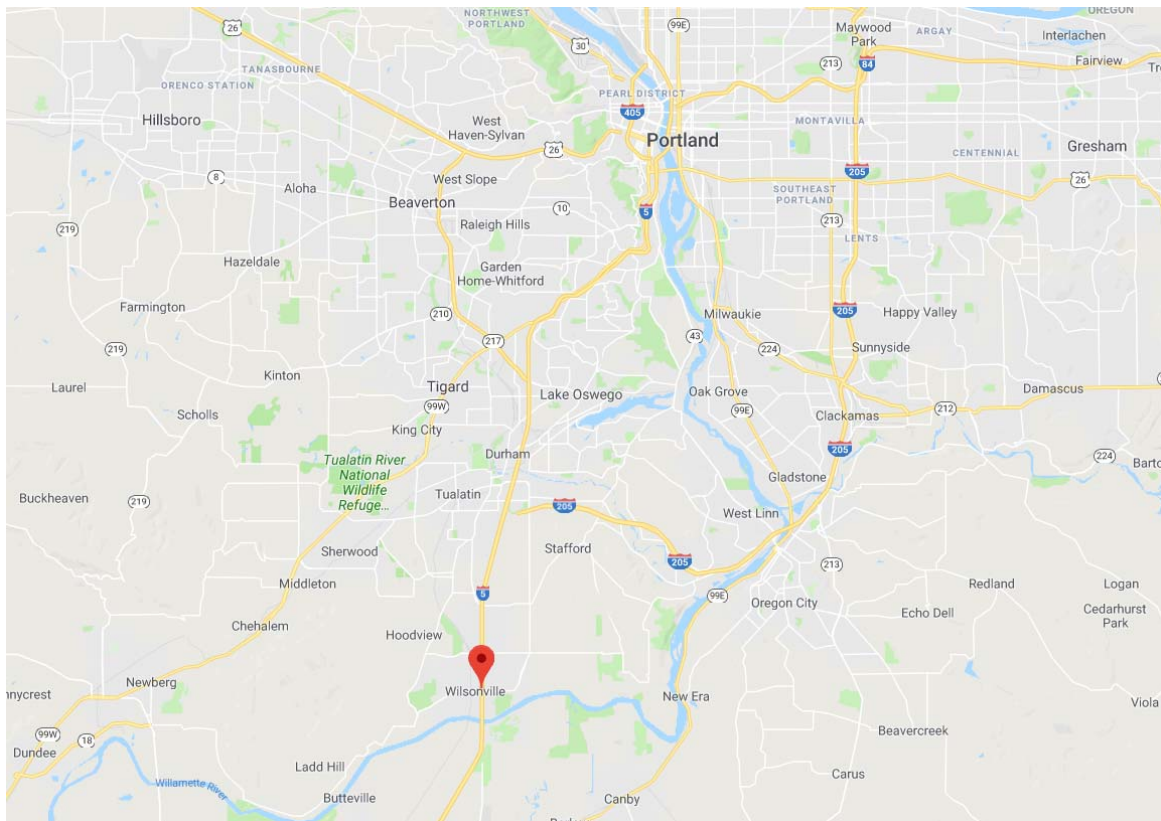
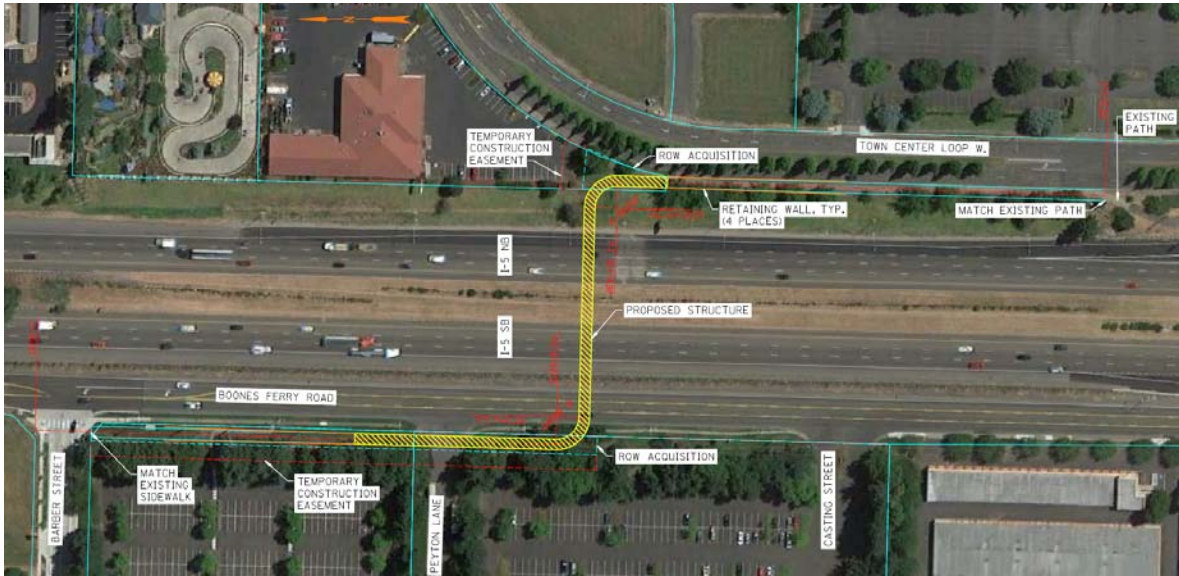
Key 16986 SE Division St Improvements: Wallula-Birdsdale



Key 21423
Meyers Rd: OR213 - High School Ave (Oregon City)



Key 20454
I-5 Bike/Ped O-xing: SW Barber - SW Town Center Loop





Oregon

Kate Brown, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: January 7, 2019

TO: Oregon Transportation Commission

[Original signature on file]

FROM: Matthew L. Garrett
Director

SUBJECT: **Consent 10** – Immediate Opportunity Fund award to the City of Oregon City for Myers Road and the Beavercreek Employment Area.

Requested Action:

Approve awarding \$250,000 of Type B [Immediate Opportunity Funds](#) (IOF) to Oregon City and adding a project to the 2018-2021 Statewide Transportation Improvement Program (STIP) for construction of Myers Road.

STIP Amendment Funding Summary:

Project	Current Funding	Proposed Funding
Immediate Opportunity Fund (IOF) Award	\$0	\$250,000
Oregon City System Development Charges and Clackamas Community College funds	\$0	\$9,102,514
TOTAL	\$0	\$9,352,514

New Project:

Meyers Road: Oregon 213 to Meyers road (Oregon City) (KN TBD)			
PHASE	YEAR	COST	
		Current	Proposed
Preliminary Engineering	2019	\$0	\$840,487
Right of Way	TBD	\$0	\$392,000
Utility Relocation	TBD	\$0	\$265,885
Construction	TBD	\$0	\$7,854,142
TOTAL		\$0	\$9,352,514

Background:

The Beavercreek Employment Area is comprised of 90 acres of industrial land located next to Clackamas Community College (CCC). Once fully developed, this area could enable the addition of 1,600 jobs with an estimated payroll of more than \$124 million. The Beavercreek Employment Area consists of two development sites made up of several individual parcels. Both sites are zoned as “Campus Industrial” areas and are located within Oregon City’s city limits. Critical infrastructure and utilities serve just a portion of the sites. The sites are located near key transportation corridors and

provide access to the Port of Portland and the Portland International Airport. Additionally, the sites strategic location next to Clackamas Community College will allow employer access to education and training resources while their proximity to retail centers will provide employees access to amenities, such as restaurants and shops.

Business Oregon and the City of Oregon City are currently working with two developers to build site infrastructure and three companies who have expressed interest in relocating to the industrial area. One of the companies is a traded-sector manufacturing outdoor industry leader that is expanding into new global markets and is in the process of expanding their workforce. They currently employ three hundred workers and plan to create ninety-two new jobs over the next twelve months. It is critical for the City of Oregon City to retain this company and the manufacturing jobs they support. The other two companies are either in the process of expansion or consolidation. Together, these projects could result in meeting nearly half of the City's employment targets for the industrial area.

The City of Oregon City has partnered with CCC to bring skilled workforce training opportunities to employers that choose to relocate to the Beavercreek Employment Area through locating its Industrial Technical Center on the college's campus, where on-site customized training by certified instructors is available.

Proposed Project:

The Meyers Road Extension Project will provide a safe and multi-modal connection for motor vehicles, bicycles, and pedestrians traveling along Meyers Road. The proposed work consists of constructing approximately 2,100 feet of new Meyers Road (including extending water, sanitary sewer, and storm drainage facilities) between Oregon 213 and just west of High School Avenue; replacement of the traffic signal at the Oregon 213 and Meyers Road signalized intersection to accommodate a new east leg of the intersection; the addition of a southbound left turn lane on Oregon 213; and adding 1,400 feet of new northbound through-lane on Oregon 213.

Benefits of the project include:

- Relieving congestion on Glen Oak Road;
- Providing a new access through the area to foster future development of industrial land parcels adjacent to the road and helping to spur the creation of over 1,600 family-wage jobs;
- Providing greater access to a regionally-vital employment area that will enhance the flow of commerce;
- Helping address transportation capacity concerns and alternative mobility targets at the intersection of Oregon 213 and Beavercreek Road;
- Providing an additional access for the Oregon City School District Transportation and Maintenance Facility, connectivity to the future City park at the corner of Meyers Road and High School Avenue, and an additional access (on the south end of the campus) to Clackamas Community College and the expanded Transit Center under construction on their campus.

Proposed Project Budget Summary:

The City is funding the project, for the most part, with System Development Charges (SDC's), including Transportation, Water, Sanitary Sewer and Storm Drainage SDC's. The City has also worked

collaboratively with CCC to determine the college's proportional share of the project expenses related to their current development on the campus.

A summary of the budget for the project, is as follows:

Preliminary Engineering	\$667,163.00
Permitting and Miscellaneous Expenses	\$173,324.00
Bonneville Power Administration Tower Modifications	\$265,885.00
Right-of-Way Acquisitions	\$392,000.00
Construction	\$7,854,142.00
Total Project Cost	\$9,352,514.00

IOF Program Type:

This project falls under the category of Type B: Benefits in terms of a revitalized business district or industrial center through the construction of road improvements.

Options:

With approval, \$250,000 in IOF funds will be awarded to Oregon City for the construction of Meyers road between Oregon Highway 213 and the existing Meyers road alignment.

Without approval, the IOF funds will not be awarded but the project will likely proceed with a combination of local funds and other resources.

Attachments:

- Attachment 1 – Location and Vicinity Maps
- Attachment 2 – Business Oregon recommendation to ODOT for IOF award to City of Oregon City
- Attachment 3 – IOF Commitment Table

Copies to:

Jerri Bohard	Travis Brouwer	Tom Fuller	Bob Gebhardt
Kris Strickler	David Kim	McGregor Lynde	Jeff Flowers
Arlene Santana	Rian Windsheimer	Mandy Putney	Kimberly Dinwiddie
Talena Adams	Gabi Garcia	Amanda Sandvig	Ted Miller
Cooper Brown			

5.3 Consideration of February 21, 2019 Minutes

Consent Agenda

Joint Policy Advisory Committee on Transportation
Thursday, March 21, 2019
Metro Regional Center, Council Chamber



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION (JPACT)
Meeting Minutes
February 21, 2019
Metro Regional Center, Council Chamber

MEMBERS PRESENT

Shirley Craddick (Chair)
Nina DeConcini
Craig Dirksen
Tim Knapp
Anne McEnerny-Ogle
Roy Rogers
Bob Stacey
Carley Francis
Rian Windsheimer
Jessica Vega Pederson

AFFILIATION

Metro Council
Oregon Department of Environmental Quality (ODEQ)
Metro Council
City of Wilsonville, Cities of Clackamas County
City of Vancouver
Washington County
Metro Council
Washington State Department of Transportation
Oregon Department of Transportation
Multnomah County

MEMBERS EXCUSED

Jeanne Stewart
Karylinn Echols

AFFILIATION

Clark County
City of Gresham, Cities of Multnomah County

ALTERNATES PRESENT

Emerald Bogue
Jef Dalin
Bernie Bottomly
Chris Warner
Jim Bernard

AFFILIATION

Port of Portland
City of Cornelius, Cities of Washington County
TriMet
City of Portland
Clackamas County

OTHERS PRESENT: Dwight Brasher, Theresa M. Kohlhoff, Paul Morrison, Mike Bezner, Jeff Owen, Mark Graf, Megan Channel, Dayna Webb, Dara Ron, Kathrying Harrington, Jaimie Huff

STAFF: Margi Bradway, Andy Shaw, Ted Leybold, Dan Kaempff, Nathan Sykes, Ernest Hayes, Sara Farrokhzadian, Sima Anekonda

1. CALL TO ORDER, DECLARATION OF A QUORUM & INTRODUCTIONS

JPACT Chair Shirley Craddick called the meeting to order at 7:30 AM. She asked members, alternates and meeting attendees to introduce themselves.

2. CITIZEN COMMUNICATION ON JPACT ITEMS

Jim Cortright, No More Freeways: spoke to the Rose Quarter freeway widening project. He stated that transportation was the highest source of carbon emissions and that expanding the freeway would not be beneficial to the environment. He said that building capacity for cars increases carbon emissions and added that the environmental assessment for the projects was opaque and omitted fundamental facts. He said that the assessment did not include how many vehicles would use the freeway and did not reveal the climate effects of this project.

Jim Powell, Oregon Association of Transportation Activists: provided comments on the Rose Quarter and stated that he had intended to bring testimony he made on 2012 after speaking to an advisory committee for the North Core project. He said that that advisory committee never looked at a transit alternative and he wondered why alternatives continued to not be considered. Councilor Bob Stacey inquired about what alternatives he was speaking to and Mr. Powell provided clarification. He said that the alternative intersected with a number of bus lines and carried 30% of bus ridership.

3. UPDATES FROM THE CHAIR AND COMMITTEE MEMBERS

Chair Shirley Craddick spoke to the list provided to JPACT members and added that it would be a reoccurring item on JPACT meetings. She thanked Commissioner Jessica Vega Pederson for her willingness to co-chair the committee. She added that it was a 35-member committee then thanked various JPACT members for their ability to participate.

Mr. Rian Windsheimer discussed the Rose Quarter project's environmental assessment. He said that his team had a number of public hearings and added that there were videos that showcased to the scope of the project. He explained that there was an open house and hearing on March 7, 2019 for the public to present their testimony.

4. CONSENT AGENDA

MOTION: Mr. Bottomly moved and Ms. Nina DeConcini seconded to adopt the consent agenda.

ACTION: With all in favor, motion passed.

5. ACTION ITEMS

5.1 Resolution No. 19-4969, For the Purpose of Urging the Oregon Legislature to Adopt a Climate "Cap and Invest" System and Direct Proceeds to Implementation of the Climate Smart Strategy

Chair Craddick stated that Resolution No. 19-4969 was created in response to comments made at the previous JPACT meeting. She stated that the resolution discussed legislative matters related to the "cap and invest" legislation.

Ms. Margi Bradway invited JPACT members to make language changes to the resolution. She highlighted that Mayor Denny Doyle raised concerns over impacts of the gas tax. She stated that the resolution proposed that Oregon cities and counties rely on the tax. She also cited

comments from Commissioner Chloe Eudaly's office and welcomed further input on the resolution.

MOTION: Commissioner Roy Rogers moved and Councilor Stacey seconded to approve Resolution No. 19-4969.

- Commissioner Roy Rogers stated his support for the resolution. He relayed concerns regarding the investments posed by Resolution No. 19-4969 and provided suggestions on the fund allocation process.
- Mayor Knapp raised reservations over Resolution No. 19-4969 and stated that it needed to have support across the State of Oregon. He expressed concerns regarding the resolution's wording and how it would affect cities outside the Metro boundary.

Mayor Knapp made a motion to amend the resolution to include the phrase "as appropriate within each jurisdiction across the state" in the third "be it resolved" and to remove the term "regional" from the fourth "be it resolved" item. Chair Jim Bernard seconded.

- Councilor Dirksen asked that Metro staff respond to Mayor Knapp's motion.
- Ms. Bradway spoke to the complexity of Resolution 19-4969 and mentioned the need for it to include an urban and rural strategy. She emphasized the purpose of requesting funds from the State for the resolution. Ms. Bradway welcomed further discussion on Mayor Knapp's motion.
- Councilor Dirksen agreed that the resolution was a statewide action and stated that the Metro Council and JPACT represented the metropolitan region. He said that the individuals in these group had many duties and the proposal must to consider the needs of the entire region. He added that the Metro region was the only area which had a State mandate to meet greenhouse gas goals.
- Mr. Warner echoed that it was vital to explicitly mention the region in Resolution No. 19-4969 and added that the amendment was meant to consider how funds would be regionally allocated.
- Ms. Emerald Bogue concurred that referencing the region in the resolution was vital when requesting regional funds.
- Councilor Stacey agreed with Councilor Dirksen's remarks and reminded JPACT that the resolution did not speak to the entire statewide greenhouse gas allowance program, but only to the transportation portion. He stated that areas outside the metropolitan region would receive resources for transportation allowances. He added the resolution requested an appropriate number of funds.
- Commissioner Vega Pederson echoed Councilor Stacey's comments. She clarified how the requests made by the resolution related to one another and spoke to the upper right share of auction proceeds. She stated that she supported resolution as written.
- Mayor Knapp stated that he did not agree with the discussion that occurred at the JPACT table. He highlighted that the resolution urged the State to adopt a "cap and invest" program and added that the resolution needed to have more consistent language.

Mayor Knapp withdrew his original motion and made a new motion to only amend the third "be it resolved" to include the phrase "as appropriate within each jurisdiction across the state". Chair Bernard seconded.

- Ms. Bradway relayed the information provided by section 7 and section 33 of HB 2020. She stated that colleagues on the State legislature felt that Metro’s support of clean energy jobs was consistent with the implementation of Climate Smart.

Chair Craddick called for a vote on Mayor Knapp’s motion to modify the third “be it resolved” to read “That those proceeds should be spend in ways that will yield the greatest long-term reduction in greenhouse gas emissions per dollar as appropriate within each jurisdiction across the state.”

ACTION: With four in favor and nine opposed, the motion failed. Ms. DeConcini abstained.

- Mr. Bottomly touched on Mayor Knapp’s comments and signaled to JPACT members that the resolution was not a Metro centric initiative.

Mr. Bottomly made a motion to amend the resolution to include a Whereas statement that acknowledged investments be made to non-metropolitan areas.

- Ms. Margi Bradway offered the following language be included in the resolution: “Whereas, JPACT recognized the need for cities and counties across the State impacted by climate change and potentially impacted by this legislation.” Ms. Bogue seconded.

ACTION: With seven in favor and two abstaining, the motion passed.

Chair Craddick called for a vote on Resolution 19-4969 as amended. Commissioner Vega Pederson seconded.

ACTION: With eleven in favor, motion passed.

6. INFORMATION/DISCUSSION ITEMS

6.1 State Legislative Agenda Update

Mr. Andy Shaw explained that Metro did not prepare a Legislative Update due to extenuating circumstances. He stated that the Committee on Carbon Reduction was holding a series of roadshow hearings. Mr. Shaw added that the Joint Committee on Transportation was holding a hearing as well. He stated that Council President Lynn Peterson joined a panel and spoke on behalf of the region on various Metro interests. Mr. Shaw added that Salem, Oregon would provide a forecast on the budget which would be finalized in May 2019.

6.2 MTIP Policy

Ms. Grace Cho explained that Metropolitan Transportation Improvement Program (MTIP) was a list of regional significant projects, a process of aligning investments, and a document of administrative procedures. She stated that MTIP included three components: processes, monitoring and federal compliance.

Ms. Cho provided insight on the development process MTIP underwent which included aligning investments to achieve regional outcomes and ensuring federal regulations were met. She then highlighted the implementation phase which required tracking progress and fund availability, confirming fund eligibility, and outlining change management rules.

Ms. Cho summarized that the MTIP policy was guiding the direction for developing and implementing MTIP. She said that the policy applied to the 2021-2024 fiscal years. She emphasized that the policy itself was not new and was something that was adopted each cycle. She explained that with each cycle, the MITP policy and RFFA were often a joint document. She mentioned that the two were separated in order to provide distinction. Ms. Cho added that the policy included an update of the existing 2018-2021 policy direction and reflected newly adopted plans and funding program changes.

Ms. Cho explained that after MTIP was updated, four new MTIP policies were proposed. She explained that the first MTIP policy affirmed the 2018 Regional Transportation Plan (RTP) as an overarching policy direction for investments. She explained that that second MTIP policy was updated to clarify federal rules including: general regulations, regulations specific to MTIP, and new federal regulations. Ms. Cho described the third MTIP policy which aimed to pursue a regional finance approach. She articulated the fourth MTIP policy which coordinated as a region on competitive discretionary funding programs.

Ms. Cho explained that MTIP work plan and stated that the policy was still in the pre-adoption phase. She mentioned that JPACT would receive regular updates on this project and that the purpose of the presentation was to keep them informed.

Ms. Cho outlined their projects next steps and stated that the Metro Council was scheduled to take action on matter in early April 2019. She added that during the spring and summer of 2019 funding allocations would take place. Ms. Cho stated that during the winter of 2019, MTIP evaluation would take place.

Member discussion included:

- Commissioner Roy Roger hoped to have time to review and allocate funds and inquired whether the project timeline would be affected by funding issues. He then requested a more definitive timeframe for the project be provided. Mr. Ted Leybold explained that the presentation covered a broader MTIP policy and clarified that Mr. Dan Kaempff would speak more to RFFA.
- Councilor Dirksen stated that because a broad MTIP policy was already in place, JPACT would need to respond to changes to the policy. He expressed gratitude for TPAC and their work in deliberating nuances of the policy. He appreciated the language changes made to the policy and was interested to see what suggestion TPAC had.

6.3 RFFA Project Funds Allocation

Mr. Dan Kaempff stated that the presentation review the RTP framework, provide input received from TPAC, and discuss RFFA policy alignment with the 2018 RTP investment priorities.

Mr. Kaempff stated that the allocation was part of four aspects and discussed the primary functions of the MPO: RTP, MTIP, Unified Planning Work Program (UPWP), and RFFA. He summarized the RTP and stated that it defined a vision, goals, and objects for the region's transportation system. He explained that the RTP established performance measures to track progress and provided policy direction for how the region was to invest and deliver the envision system.

Mr. Kaempff stated how outreach was conducted and stated that there were over 19,000 individual touch points to better understand priorities. Mr. Kaempff spoke to investment priorities which included: equity, safety, climate smart, and congestion. He then provided definitions for each priority. He said that the RFFA focused on high entry corridors where many fatalities occurred and stated that a large amount of time was spent working closely on climate smart. He stated that strategies were adopted to speak to the State's mandate and stated the need to improve the region's bus and transit system.

Mr. Kaempff spoke to the existing RFFA framework and stated that fund allocation underwent a two-step process: 1) Regional Commitments and 2) Capital Projects and Project Development. He highlighted the first step which considered transit and project development bond payments, various programs (TOD, RTP, and TSMO), corridor system planning, and MPO functions. Mr. Kaempff spoke to the second step which he explained was split into two categories: active transportation and complete streets as well as regional freight initiatives.

Mr. Kaempff provided an overview of the Metro Council's direction in four key areas: 2018 RTP priorities relating to the RFFA framework, primary investment priorities, two step funding framework, and alignment with the second step of the project and the RTP priorities. He then spoke to an example of how outcomes could align with priorities in the second step.

Mr. Kaempff clarified the input TPAC provided. He said that TPAC provided idea for how the second step category criteria could better reflect the four RTP investments. He said that TPAC also considered how technology could support multiple priorities. He conveyed that TPAC clarified opportunities for fund exchange.

Mr. Kaempff outlined the next steps for policy development then provided an overview of the project timeline.

Member discussion included:

- Commissioner Rogers spoke to the importance of integrating different projects. Ms. Bradway echoed Commissioner Rogers' sentiments and stated that there was a shift away from modal thinking. Commissioner Rogers stated that systems thinking was crucial to the planning effort.
- Ms. Emerald Bogue agreed with Commissioner Rogers and stated that each project had different requirements but related outcomes. She mentioned that every project had an impact on the environment and expressed her desire for projects to work together. Ms. Gertler concurred.
- Councilor Stacey spoke to the fourth phase of the project and conveyed that, in September 2019, the Metro Council and JPACT would be asked to comment on the closed project list. He urged members to be thoughtful while advocating for projects and

provide solutions early on in the process. He detailed experiences of receiving proposals late and encouraged partners to think about the community engagement process.

- Mr. Bottomly clarified TriMet's perspective on fund exchange issues. Councilor Craddick stated that action would be taken in March 2019

ADJOURN

JPACT Chair Craddick adjourned the meeting at 8:48 AM.

Respectfully Submitted,



Sima Anekonda
Recording Secretary

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEBRUARY 21, 2018

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
3.0	Handout	2/21/19	Regional Transportation Funding Task Force Membership list	022119j-01
3.0	Handout	2/21/19	I-5 Rose Quarter Improvement Project: About the Environmental Study Process	022119j-02
6.2	Presentation	2/21/19	2021-2024 MTIP Policy presentation	022119j-03
6.3	Presentation	2/21/19	DRAFT 2022-24 Regional Flexible Funds Allocation Policy presentation	022119j-04

**6.1 For the Purpose of Adopting the 2022-2024 Regional Flexible Funds Policy Report for the
Portland Metropolitan Area**

Action Items

Joint Policy Advisory Committee on Transportation
Thursday, March 21, 2019
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE 2022-)	RESOLUTION NO. 19-1959
2024 REGIONAL FLEXIBLE FUNDS POLICY)	
REPORT FOR THE PORTLAND)	Introduced by Chief Operating Officer Martha
METROPOLITAN AREA)	Bennett in concurrence with Council
)	President Lynn Peterson
)	

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23 Section 450.306 and 450.326 to develop and implement a long-range metropolitan transportation plan and four-year investment program in a cooperative manner with the regions stakeholders; and

WHEREAS, the Portland metropolitan region periodically conducts a process to select projects and programs of regional significance in which to invest the region’s allotment of federal surface transportation funds, known as the Regional Flexible Funds Allocation (RFFA); and

WHEREAS, the RFFA is one element of the Metropolitan Transportation Improvement Program (MTIP), which reports on the performance and programming of all federal surface transportation funds to be spent in the Portland metropolitan region; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23, Section 450.324 to allocate these funds to projects and programs in the metropolitan region and preceding the allocation, have developed a policy statement defining how the region should consider investments for federal fiscal years 2022-2024 for the regional flexible funds; and

WHEREAS, the Metro Council and JPACT adopted an updated Regional Transportation Plan in December 2018; and

WHEREAS, the three year process to 2018 RTP engaged stakeholders throughout to the region to develop the goals, objectives, and policies for the long-range transportation plan and the associated transportation investment priorities; and

WHEREAS, the adopted 2018 RTP specified four priorities to focus on in the near-term with the region’s transportation investments; and

WHEREAS, the 2021-2024 MTIP policy provides clarity as to the role of 2018 RTP and the 2018 RTP policy priorities will set policy foundation for transportation investment in the 2022-2024 RFFA process; and

WHEREAS, input utilized from the extensive engagement as part of the 2018 RTP informed and shaped the 2022-2024 RFFA policy; and

WHEREAS, input has been sought and received from the Transportation Policy Alternatives Committee as well as JPACT on the policy update; now therefore,

BE IT RESOLVED that the Metro Council adopt the 2022-2024 Regional Flexible Funds Allocation policy report.

ADOPTED by the Metro Council this 4th day of April 2019.

Lynn Peterson, Council President

Approved as to Form:

Nathan Sykes, Metro Attorney

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: Thursday, March 7, 2019
To: JPACT and interested parties
From: Dan Kaempff, Principal Transportation Planner
Subject: DRAFT 2022-2024 Regional Flexible Funds Allocation Policy Report

Purpose

Request JPACT take action to approve and submit to the Metro Council for adoption the 2022-2024 Regional Flexible Funds Allocation (RFFA) policy report.

Background

Every three years, Metro leads a process with the region's decision-makers to affirm and select transportation investments made with the federal transportation funds awarded to Metro, in its role as the designated Metropolitan Planning Organization (MPO). This process is known as the RFFA.

The first step in the RFFA process is to affirm and adopt a series of funding objectives and the policy direction to guide allocation of these funds. Overall, RFFA funding is to be used in a manner that aligns with the prioritized investment strategy as defined in the Regional Transportation Plan (RTP).

As the 2022-2024 RFFA funding cycle began closely after adoption of the 2018 RTP, the direction outlined in this policy report follows the extensive public input that guided development of the RTP overall, and specifically created four investment priorities. These priorities are Equity, Safety, Climate and Congestion. Metro Council affirmed these priorities should form the policy framework for the 2022-2024 RFFA process at their January 8, 2019 work session.

TPAC and JPACT discussion

Metro staff presented a draft RFFA policy report to TPAC in February and March, and presented the policy framework and process to JPACT at their February 21 meeting. Input from both committees, and the response from Metro staff is listed in Table 1 below.

Table 1: Comments from TPAC and JPACT, with Metro Response

Input from 2/20/19 TPAC workshop	Metro response
<p>1. Propose adding a funding category to directly address safety. Existing Step 2 categories don't fit certain projects; other funding may not be available for these projects (ARTS, for example).</p>	<p>The two existing Step 2 categories reflect a policy decision made in the 2014-2015 RFFA cycle to specifically target funding on active transportation and freight outcomes. Council direction to date has indicated their support for continuing these categories. Criteria in both categories place a high emphasis on advancing safety in project design. The 2018 RTP project list contains many projects that improve safety and fit into the two existing Step 2 categories.</p>
<p>2. The existing Step 2 category descriptions don't always neatly fit certain projects, and the amount of funding in the freight category is relatively small. There are projects that achieve both active transportation and freight improvements, but may not compete strongly in either category as they are currently defined. The desire is to "blur the lines" between the two category descriptions.</p>	<p>Metro Council has expressed their direction to maintain the existing categories. Council directed staff to better align Step 2 project criteria with the four RTP investment priorities within the existing category framework. It is recognized that many projects may have good outcomes for both project target areas. The criteria for both project categories has been modified to better reflect multiple project benefits.</p>
<p>3. Question about why elderly, youth, and persons with disabilities are not listed in the Equity criteria.</p>	<p>While there are many groups with equity concerns, extensive work has been done with the region's stakeholders – through the RTP and the Regional Equity Strategy processes – to identify the needs of Communities of Color, English language learners, and lower-income communities as being the region's equity focus areas. Investments targeted at addressing the needs of these groups largely have benefits to additional equity groups.</p>
<p>4. Clarification was requested regarding the definition of "Proven Safety Countermeasures", listed in the Safety criteria for Step 2 projects.</p>	<p>There are a variety of sources of good information on safety countermeasures. These sources identify a broad range of effective countermeasures to address a specific project's needs. The purpose behind this criterion is to be descriptive, not to limit the range of useful countermeasures. Language in the criteria has been modified to clarify this intent.</p>

<p>5. Concerns around the difficulties associated with using federal funds were raised. The desire to seek opportunities to exchange federal funds for local funding was noted by several members.</p>	<p>Metro is committed to working with local partners to identify opportunities for exchanging funds. Such opportunities are limited both by partners’ capacity to use federal funds, and by Metro’s staff capacity to manage projects. Metro will seek all opportunities to exchange funds under these constraints.</p>
<p>Input from 2/21/19 JPACT meeting</p>	<p>Metro response</p>
<p>6. Question about the limitation of the two Step 2 categories. Was it possible to fund projects that achieve both outcomes (AT and Freight benefits)?</p>	<p>See response to question 1 above.</p>
<p>7. Question about public comment process. Concern was to ensure public input was strongly considered in final decision.</p>	<p>There will be a month-long public comment period, including a joint JPACT/Metro Council public hearing. A report of the public input received will be provided as part of the materials available to decision-makers prior to their deliberations.</p>
<p>8. Comment from TriMet (Bernie Bottomly) regarding their ability to exchange funds, noting it is challenging for them to accept CMAQ funds.</p>	<p>Noted.</p>

The February 20 TPAC discussion resulted in a number of changes to the draft RFFA policy report. These changes focused on tightening the Step 2 project category descriptions, and the project selection criteria to provide better clarification of policy intent and alignment with RTP direction.

Input from JPACT at their February 21 meeting included a desire for consideration of how the existing Step 2 project categories could be reconfigured to support projects that could demonstrate positive outcomes for both Active Transportation and Freight/Economic Development categories. After discussion, TPAC did not recommend changing these existing project categories in the draft 2022-2024 RFFA policy report. They did recommend that a thorough discussion of the region’s needs relative to the flexible funds take place at the outset of the 2025-2027 RFFA process.

Draft financial forecast and opportunities for fund exchanges

A draft financial forecast has been added. \$141.72 million is estimated to be available in this RFFA cycle. Detailed funding amounts for the Step 1 and Step 2 categories has been included in the attached draft policy.

TPAC and JPACT both noted in their comments that it can prove costly and difficult to use federal funds on certain types of RFFA-eligible projects, and that Metro staff should attempt to find opportunities to exchange federal funds for local dollars to the extent feasible. Currently, the only regional agency able to exchange funds is TriMet. Metro is committed to working with TriMet to maximize this opportunity. However, it should be noted that both agencies have limits in their ability to exchange funds; TriMet, in the amount and type of additional federal funding they have

capacity to use, and Metro, in their staff capacity to project manage non-federally funded projects (which are otherwise managed through ODOT's Local Agency Liaison program).

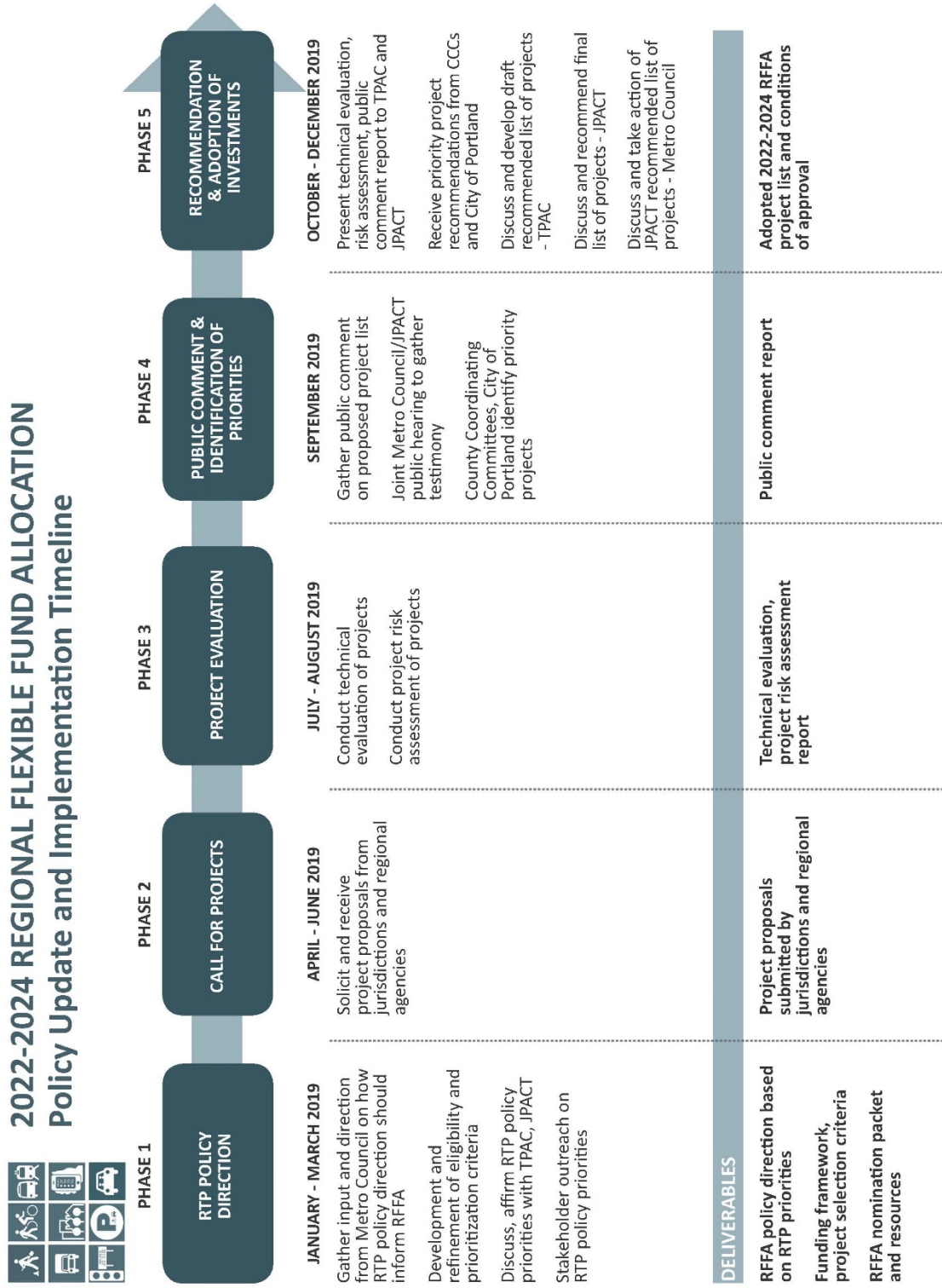
Next steps

Metro Council is scheduled to take action on Resolution 19-1959, adoption of JPACT's approved RFFA policy report, at their April 4 meeting. Assuming Metro Council adopts the JPACT-approved policy report, Metro staff will issue a call for projects, tentatively scheduled for April 8, 2019, to be funded through the Step 2 categories.

Project proposals are to be submitted no later than June 21. The project evaluation and public comment phases take place during the summer of 2019, with a joint public hearing of JPACT and Metro Council scheduled for September to take input on the proposed projects. Following that, TPAC and JPACT discussions are scheduled for fall, and Metro Council action scheduled for January 2020. Adherence to this timeline is critical in order to maintain coordination with the 2021-2024 STIP adoption schedule. See attached timeline for further details on these next steps.

Action requested

Staff requests JPACT to approve the draft 2022-2024 RFFA policy report.



2/26/19

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 19-1959, FOR THE PURPOSE OF ADOPTING THE 2022-2024 REGIONAL FLEXIBLE FUNDS ALLOCATION POLICY REPORT FOR THE PORTLAND METROPOLITAN AREA

Date: March 5, 2019
Department: Planning and Development
Meeting Date: April 4, 2019

Prepared by: Dan Kaempff, 503-813-7559,
daniel.kaempff@oregonmetro.gov

Presenter(s): Margi Bradway, Ted Leybold,
Dan Kaempff
Length: 25 minutes

ISSUE STATEMENT

Every three years, the JPACT and Metro Council, in their role as the federally designated Metropolitan Planning Organization (MPO) board, conduct a process to select transportation investments to be made with the MPO's allocation of federal surface transportation funds, known as the Regional Flexible Funds Allocation (RFFA). These funds are required to be used for projects and programs which advance the policy set forth in the Regional Transportation Plan (RTP).

This resolution codifies the specific policy direction for how the region is to invest these flexible funds in the federal fiscal years 2022 through 2024 in accordance with the regional investment priorities established in the recently adopted 2018 RTP.

ACTION REQUESTED

Approve Resolution No. 19-1959.

IDENTIFIED POLICY OUTCOMES

Resolution No. 19-1959 supports investments in the region's transportation system that advance four priorities; Equity, Safety, Climate Change, and Congestion. Through the RTP development and adoption process, these priorities were identified by stakeholders and elected officials as the most critical system needs, and they form the foundation for the RTP investment strategy. The RFFA policy report focuses this funding on investments that address and show improvement in these four priority areas.

POLICY QUESTION(S)

The Regional Flexible Funds provide the opportunity for the region to both leverage other sources of funding, and to focus investment on areas of the system which are critical but do not have other dedicated sources of funding. Through this resolution, the RFFA policy identifies which of these important needs are to receive funding, in order to fulfill RTP policy direction.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

At the January 8, 2019 Metro Council work session, Council agreed upon four principles to be followed in development of the RFFA policy direction.

1. The 2018 Regional Transportation Plan priorities are to serve as the RFFA policy framework. An extensive public engagement process went into the creation of the RTP, as well as numerous meetings and interactive forums with the region’s elected officials, business and community leaders. Metro’s public outreach efforts resulted in over 19,000 individual communications during the RTP process. From these discussions, an agreement on the region’s priorities relative to the transportation has emerged.

2. The four primary RTP priorities are to be carried out through RFFA project selection. The RTP contains a broad vision statement, and subsequent supporting goals and objectives that define a transportation system that aligns with the Council-adopted Six Desired Outcomes. Included in this policy direction are four priorities for transportation that JPACT and Metro Council said were the most critical and should be emphasized through our subsequent funding and policy-making activities.

- a. Equity – reduce disparities and barriers faced by communities of color and other historically marginalized communities
- b. Safety – reduce fatal and severe injury crashes, particularly focusing on the High Crash Corridor network
- c. Climate Change – expand transit and active transportation networks, and leverage emerging technology to meet Climate Smart Strategy goals
- d. Congestion Relief – manage congestion and travel demand through low-cost, high value solutions

3. Maintain the existing two-step framework. Using the regional dollars strategically has been an underlying goal of previous RFFA processes. Over the past three allocation cycles, the region has allocated funding in two steps. The first step continues our investments in building out the regional high-capacity transit network, and creating a pipeline of sufficiently developed capital projects that are ready for future funding opportunities. Step 1 also supports region-wide investments that make the entire system work more effectively and efficiently, and funds the region’s planning efforts.

Step 2 targets project development and construction funding towards capital projects in local jurisdictions that advance RTP policy priorities and that have regional significance.

Council indicated they wished to continue this two-step process, and that the four RTP priorities should be applied to both steps.

4. Better align Step 2 project outcomes with four RTP priorities. Council wished to consider and discuss potential ways that Step 2 could be adjusted in order to ensure alignment with the RTP priorities described above. Step 2 projects must result in outcomes consistent with these priorities. As the RFFA financial forecast is finalized, consideration should be given to how any potential funding increase can be used to better enable the region to accomplish these four policy priorities.

The 2022-2024 RFFA policy report to be adopted by Resolution No. 19-1959 follows this direction previously provided by Council.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Resolution No. 19-1959 supports Metro’s goals to address racial equity and climate change, as well as making safety and congestion improvements to the region’s transportation system. It continues the development of active transportation and high-capacity transit networks that support the

region's 2040 growth strategy and provide people with travel options. And it invests in projects that help provide jobs and support important economic sectors.

These outcomes were widely discussed in the three-year process leading to the development of the 2018 RTP. Over 19,000 individual points of contact with stakeholders led to the identification of the RTP investment priorities, and the RFFA policy was built around advancing these priorities.

Specifically, the RFFA policy follows RTP prioritization for investments to:

- advance **Equity** through transportation investments that reduce disparities and barriers faced by communities of color and other historically marginalized communities, with a focus on race and income
 - improve **Safety** where the most serious crashes occur, particularly focusing on the High Crash Corridor network and equity focus areas identified in the RTP
 - implement the region's **Climate Smart Strategy** with a focus on expanding transit, completing gaps in the regional active transportation network and leveraging emerging technology to meet Climate Smart Strategy policies
 - manage **Congestion** and travel demand through cost-effective measures
1. **Known Opposition:** None known at this time
 2. **Policy Development Stakeholders:** TPAC and JPACT developed the 2022-2024 Regional Flexible Funds Allocation Policy Report. The RFFA policy framework directly supports and implements the 2018 investment priorities, which were determined through an extensive public process as noted above
 3. **Legal Antecedents:** Updates the 2019-2021 Regional Flexible Funds Allocation Policy Report, adopted by Metro Council Resolution 16-4702 on June 16, 2016
 4. **Anticipated Effects:** Adoption of this resolution will provide the policy direction, program objectives and procedures that will be used during the 2022-2024 Regional Flexible Fund Allocation process to nominate, evaluate and select projects to receive federal transportation funds as detailed in Table 6 of the policy direction document
 5. **Financial Implications:** There are no impacts for Metro's current budget. This resolution proposes policy for determining future allocations. The amounts are illustrative and rely on a continuation of funding at historic levels with modest inflationary increases. The proposal maintains Step 1 funding for MPO functions on the same proportion and requires the same 10.27 percent match from local participants. Final allocations will depend on available federal funding.

BACKGROUND

The 2022-2024 RFFA Policy Report builds upon previous RFFA policy established by JPACT and Metro Council. It has been updated to align with new regional policy from the 2018 RTP and the supportive modal and topical strategies, specifically focusing on the four investment priorities noted above. It continues the two-step funding approach adopted for the 2014-2015 allocation cycle, which directs funding towards region-wide investments and supports construction of capital projects in specific focus areas. Unlike previous cycles, the RFFA policy document is now a stand-alone document, separate from the 2021-2024 MTIP Policy Report.

Through previous RFFA investments made under this two-step approach, the region has helped expand the MAX light rail and Portland Streetcar systems with planning and construction funding. It has provided funding to develop a pipeline of active transportation projects to be ready for future funding opportunities. It has supported highway bottleneck projects by targeting funding to

associated arterial improvements. It has supported funding for system and demand management strategies, and improving transit usage through housing and commercial investments. It has helped freight more reliably with improved safety for all users. And it has helped construct dozens of projects that help people walk, bicycle or access transit more safely and easier.

The 2022-2024 RFFA policy continues investments in these key regional system needs with a greater focus on the four RTP investment priorities. Adoption of Resolution No. 19-1959 enables staff to proceed with the next steps in the RFFA process and maintain a timeline which is keyed on having a final list of investments recommended by JPACT at the end of calendar year 2019. Council is scheduled to consider and take action on a JPACT-approved project list in January 2020. Maintaining this schedule is critical in order for the region to stay coordinated with the state's preparation of the Statewide Transportation Improvement Program (STIP), which is scheduled to be submitted to the federal Department of Transportation in the summer of 2020.

If the RFFA projects are not selected and approved for inclusion in the STIP in a timely manner, the region's ability to spend federal transportation funds could be negatively impacted.

ATTACHMENTS

Resolution No. 19-1959

2022-2024 Regional Flexible Funds Allocation Policy Report



DRAFT - JPACT 3/21/19

2022 – 2024 Regional Flexible Funds Allocation (RFFA) policy report

(Attachment 1 to Resolution 19-1959)

March 2019

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Metro is the federally mandated metropolitan planning organization designated by the governor to develop an overall transportation plan and to allocate federal funds for the region.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council. The established decision-making process assures a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating transportation funds.

The preparation of this policy was financed in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration. The opinions, findings and conclusions expressed in this policy are not necessarily those of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration.

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INTRODUCTION

As the federally designated Metropolitan Planning Organization (MPO) for the greater Portland, Oregon area, Metro is responsible for administering federal transportation dollars over which the region has allocation authority. Every three years, Metro conducts a process to select specific investments in the region's transportation system to be funded with these dollars. This process is known as the Regional Flexible Funds Allocation (RFFA). The RFFA is one of several activities required of MPOs, others being the development of the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP), and the Unified Planning Work Plan (UPWP).

Through the RFFA process, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council consider how the available funding can be used strategically to address needs identified through the RTP. The RTP establishes the vision, goals and objectives for the Portland region's transportation system, as well as defining performance measures and an investment strategy to ensure progress is made towards creating the envisioned system. In particular, it provides the policy framework to guide how specific sources of transportation funds should be coordinated in order to invest in all parts of the planned system. (This coordination approach is defined through the MTIP Policy Report.)

At the outset of each RFFA cycle, Metro leads a discussion with the region's stakeholders to consider the system's needs, and to develop a policy direction that reflects a consensus on how these funds can best be used strategically to advance important regional priorities. The 2022-2024 RFFA policy framework has now been used for four funding cycles. As such, it is recognized that a more comprehensive review of the RFFA policy should occur in the 2025-2027 cycle.

The policy development phase of the 2022-2024 RFFA cycle occurs directly after a three-year process to develop the 2018 RTP, adopted by JPACT and Metro Council at the end of 2018. In developing the updated RTP, an extensive outreach process resulted in nearly 19,000 individual points of contact with residents, community organizations, businesses, and elected officials.

Through this work with the community, several investment priorities emerged, as defined in Chapter 6.2 of the 2018 RTP. These priorities implement the 2040 Growth Concept by focusing on "moving people and goods, providing access, and helping to create and connect places."¹ Of these priorities, Metro Council determined that the following four were to be the main near-term capital and program investment priorities of the RTP:²

- advancing **Equity**
- improving **Safety**
- implementing the region's **Climate Smart Strategy**
- managing **Congestion**

Along with the adoption of the 2018 RTP, JPACT and Metro Council also adopted updated and new modal and topical strategies for Transportation Safety, Freight, Transit and Emerging Technology in 2018. These strategies more fully articulate the integrated multi-modal regional transportation system and investments needed to improve the existing system, complementing the Regional

¹ 2018 Regional Transportation Plan – Chapter 6.2

² Metro Ordinance 18-1421

Travel Options Strategy (2018), Regional Active Transportation Plan (2014), Climate Smart Strategy (2014) and Regional Transportation System Management and Operations Action Plan (2010). They provide guidance for how the region can thoughtfully direct funding through the RFFA process to advance these four near-term investment priorities.

The 2022-2024 RFFA policy direction builds upon previous RFFA policy established by JPACT and Metro Council. It has been updated to align with new regional policy from the 2018 RTP and the supportive modal and topical strategies, specifically focusing on the four investment priorities noted above. It continues the two-step funding approach adopted for the 2014-2015 allocation cycle, which directs funding towards region-wide investments and supports construction of capital projects in specific focus areas. Unlike previous cycles, the RFFA policy document is now a stand-alone document, separate from the 2021-2024 MTIP Policy Report.³

REGIONAL SIX DESIRED OUTCOMES

In 2008, Metro Council and MPAC adopted the Six Desired Outcomes to form the framework of a performance-based approach for policy and investment decisions. Those outcomes are:

- **Equity:** The benefits and burdens of growth and change are distributed equitably.
- **Vibrant communities:** People live and work in vibrant communities where their everyday needs are easily accessible.
- **Economic prosperity:** Current and future residents benefit from the region's sustained economic competitiveness and prosperity.
- **Safe and reliable transportation:** People have safe and reliable transportation choices that enhance their quality of life.
- **Clean air and water:** Current and future generations enjoy clean air, clean water and healthy ecosystems.
- **Climate Leadership:** The region is a leader in minimizing contributions to global warming.

The Six Desired Outcomes shape the way in which all regional plans and policies reflect and orient towards achieving the desired outcomes. The 2018 RTP identifies needed next steps to achieve each of the Six Desired Outcomes for the region's transportation system.

2018 REGIONAL TRANSPORTATION PLAN INVESTMENT PRIORITIES

The 2018 RTP serves as the blueprint for the regional transportation system for the next 25 years. It includes specific goals, objectives and priorities for how the region is to invest to develop the system and performance targets to measure progress towards the goals. Projects funded through the 2022-2024 RFFA are to align with the four primary RTP investment priorities, as detailed in RTP Chapter 6.2. The four priorities are:

- **Equity** – reduce disparities and barriers faced by communities of color, people in poverty, and people with low English proficiency
- **Safety** – reduce fatal and severe injury crashes, particularly focusing on the High Crash Corridor network and equity focus areas identified in the RTP
- **Climate** – expand transit, complete regional active transportation networks, and leverage emerging technology to meet Climate Smart Strategy policies
- **Congestion** – manage congestion and travel demand through low-cost, high value solutions

³ Scheduled for JPACT and Metro Council action in 2019

These near-term investment priorities emerged from a three-year discussion and identification of the region’s most urgent transportation needs. They guided the development and refinement of the 2018 RTP projects and programs list, and reflect direction from JPACT and Metro Council to prioritize near-term investments to address these priorities.

The 2018 RTP also resulted in updates to the plan’s aspirational performance targets. The performance targets are quantitative benchmarks used to assess the region’s progress in carrying out the RTP vision through its investment priorities. These performance targets are the highest order evaluation measures in the RTP performance-based policy framework – providing key criteria by which progress towards the plan goals can be assessed. The targets are listed below in Table 1. A complete description of the performance targets is found in Chapter 2 of the 2018 RTP.

Table 1: Regional Transportation Plan Performance Targets⁴

- 1  **AFFORDABILITY** Reduce the combined housing and transportation expenditure for lower-income households by 25%, compared to 2015
- 2  **SAFETY** Eliminate transportation fatalities and serious injuries for all users by 2035, with a 50% reduction by 2025 and a 16% reduction by 2020, compared to 2015
- 3  **MULTIMODAL TRAVEL** Reduce vehicle miles traveled per person by 10%, compared to 2015
- 4  **MODE SHARE** Triple walking, biking and transit mode shares, compared to 2015
- 5  **SYSTEM COMPLETION** Complete 100% of the regional network of sidewalks, bikeways and trails
- 6  **CONGESTION** Meet the Interim Regional Mobility Policy for throughways, arterials and the regional freight network
- 7  **FREIGHT DELAY** Reduce vehicle hours of delay per truck trip by 10%, compared to 2040 No Build
- 8  **CLIMATE CHANGE** Reduce per capita greenhouse gas emissions from cars and small trucks by 20% by 2035 and 25% by 2040, compared to 2005
- 9  **CLEAN AIR** Maintain or reduce air pollution from mobile sources, compared to 2015

⁴ 2018 Regional Transportation Plan, Chapter 2

REGIONAL TRANSPORTATION FINANCE APPROACH (MTIP POLICY 3)

In May 2009, JPACT developed a regional finance approach to direct how the transportation needs of the region are to be addressed by existing or potential transportation funding sources. This regional finance approach provides a starting point for the various funding programs or sources that are addressed in the MTIP and State Transportation Improvement Program (STIP).

The approach identifies funding mechanisms agencies use and a regional strategy for sources to be pursued to address unmet needs of the different elements of transportation system in the region. The approach has been utilized in the development of RFFA policies since the 2010-2013 MTIP cycle and updated as needed to reflect current planning policy and available funding opportunities. The 2022-2024 RFFA policy follows the most recent regional finance approach adopted as part of the 2021-2024 MTIP.⁵

Uses for regional flexible funds, as defined in the 2021-2024 MTIP policy include:⁶

- Active Transportation
- Arterial Expansion, Improvements, and Reconstruction⁷
- Throughway Expansion⁸
- High-capacity Transit Expansion
- Transportation System Management and Operations
- Regional Travel Options
- Transit Oriented Development

REGIONAL FLEXIBLE FUND ALLOCATION OBJECTIVES

The following objectives define how the RFFA process should be conducted and what outcomes should be achieved with the overall allocation process.

1. Select projects from throughout the region; however, consistent with federal rules, there is no sub-allocation formula or commitment to a particular distribution of funds to any sub-area of the region.
2. Honor previous funding commitments made by JPACT and the Metro Council.
3. Address air quality requirements by ensuring State Implementation Plan for air quality requirements are met and that an adequate pool of CMAQ-eligible projects is available for funding.
4. Achieve multiple transportation policy objectives.

⁵ See Metro Council Resolution 16-4702

⁶ MTIP policy pending adoption by JPACT in April 2019. RFFA policy will be adjusted to mirror final adopted MTIP policy.

⁷ Limited to arterial freight facilities for ITS, small capital projects, and project development.

⁸ Limited to project development with large discretionary funding leverage opportunities to address multiple transportation issues around the mainline facilities, focusing on the multi-modal portions of these projects that are on the regional arterial network adjacent to the freeway interchange.

5. Allow use of funding for project development and local match of large-scale projects (greater than \$10 million) that compete well in addressing policy objectives when there is a strong potential to leverage other sources of discretionary funding.
6. Encourage the application of projects that efficiently and cost-effectively make use of federal funds.
7. Recognize the difference in transportation infrastructure investment needs relative to an areas stage of development (developed, developing, undeveloped) consistent with RTP Table 2.2.
8. Identify project delivery performance issues that may impact ability to complete a project on time and on budget.
9. Ensure agencies have qualifications for leading federal aid transportation projects.
10. Identify opportunities for leveraging, coordinating, and collaboration.

2022-2024 REGIONAL FLEXIBLE FUNDS STRUCTURE

The 2022-2024 RFFA follows the two-step framework the region has followed starting with the 2014-2015 allocation. This framework was adopted to ensure the region is investing in the system in accordance with RTP direction and the RFFA objectives.

Step 1 – Regional Commitments

a. Bond commitments for regional high capacity transit and project development

Regional flexible funds have been used to help construct the region’s high-capacity transit system. Since 1998, TriMet has issued bonds to pay for project development and capital construction costs of high-capacity transit line construction, based on a regional commitment of flexible funds to repay the bonded debt. The region’s current obligation to repay bond debt extends to 2034. This bond obligation covers investments in Green, Orange, and Southwest Corridor MAX lines, Division Transit Project, and the Eastside Streetcar Loop.

In the 2019-2021 RFFA process, JPACT and Metro Council directed regional funding to be used to develop a selected package of improvements to address regional active transportation needs, and freeway interchanges or arterials that were identified as significant system deficiencies, particularly in the areas of safety and freight delay.

Regional flexible funds were used in a manner consistent with the Regional Transportation Finance Approach that targets these funds to the connecting arterial portions of freeway interchange projects and Active Transportation projects. For projects coordinated with freeway mainline and associated interchange elements, flexible funds were invested as a part of a multi-agency approach to addressing multiple transportation issues around the mainline facilities, and focused on the multi-modal portions of these projects that are on the regional arterial network adjacent to the freeway interchange.

The regional bond commitments through 2034 for transit and project development are shown below in Table 3.

Table 3: Regional bond commitment repayment schedule (millions)

	Transit bond commitment	Project development bond commitment	Total bond commitment
2022	\$21.62	\$1.26	\$22.88
2023	\$21.62	\$1.26	\$22.88
2024	\$21.62	\$1.26	\$22.88
2025	\$21.62	\$1.26	\$22.88
2026	\$21.62	\$1.26	\$22.88
2027	\$21.62	\$1.26	\$22.88
2028	\$17.56	\$1.26	\$18.82
2029	\$17.56	\$1.26	\$18.82
2030	\$17.56	\$1.26	\$18.82
2031	\$17.56	\$1.26	\$18.82
2032	\$17.56	\$1.26	\$18.82
2033	\$17.56	\$1.26	\$18.82
2034	\$17.56	\$1.26	\$18.82

Bond repayment commitments for the 2022-2024 RFFA cycle are:

Transit and Project Development Bond Commitment **\$68.64 million**

b. Region-wide program investments

Three region-wide programs have been defined over time by their regional scope, program administration, and policy coordination, and a consistent allocation of regional flexible funds to support them. The three programs are:

- **Regional Travel Options** – Grants to local partners that support public outreach and encouragement, to help people reduce automobile use and travel by transit, ridesharing, bicycling or walking, and to build a coordinated regional Safe Routes to School program
- **Transit Oriented Development** – Investments to help develop higher-density, affordable and mixed-use projects near transit, to increase the use of the region’s transit system and advance the Region 2040 Growth Concept
- **Transportation System Management and Operations** – Capital funding focused on improving the region’s transportation data, traffic signals, traveler information and other technological solutions to help move people and goods more safely, reliably, and efficiently

Funding targets are set for the existing region-wide programs in this cycle based on their historical allocation levels which includes an annual increase to address increasing program costs and maintain purchasing power. The region-wide programs will be reviewed prior to the final funding decision scheduled for the fall of 2019. The review will provide the following information about each program:

- Program description – description of the program purpose and its major activities

- Regional Funding Strategy Context – description of why the program is appropriate for regional flexible funding, per the Regional Finance Approach
- Directly related RTP performance targets – description of how the program helps the region meet performance targets in the RTP
- Connection to other plans or strategies – description of how program investments are linked to addressing other planning requirements (for example, the State Implementation Plan for air quality)
- Program strategic plan or recent planning work completed to date – description of how the strategic plan helps set priorities for implementation
- Program performance to date – description of specific accomplishments of the program
- Additional opportunities – description of priorities or activities the program would pursue given additional resources

Region-wide program investments for the 2022-2024 RFFA cycle are:

Regional Travel Options (RTO)	\$10.16 Million
Transit Oriented Development (TOD)	\$10.80 Million
Transportation System Management and Operations (TSMO)	\$ 5.74 Million

c. MPO, and Corridor and System Planning

Regional funds have been used to support planning, analysis and management work required of a MPO. JPACT and Metro Council have directed these funds to be spent instead of collecting dues from each partner jurisdiction in the region as was done prior to 1992. Regional funds have also been directed towards continued planning work to further develop regional corridors, transit and freight networks, and to better understand the economic impacts of our transportation investments.

Planning commitments for the 2022-2024 RFFA cycle are:

MPO Planning (in lieu of dues)	\$ 4.33 Million
Corridor and System Planning	\$ 2.05 Million

d. One-Time Strategic Investments

Periodically the region uses regional funds to pay for transportation needs that are not ongoing, but reflect a strategic investment that helps support the goals and objectives of the RTP. In this cycle, funding is directed towards the region’s contribution to the Oregon 2020 Travel and Activity Survey. This statewide survey provides MPOs with updated information on travel behaviors occurring within their metropolitan areas. This, in turn, updates the data used in the region’s travel demand model and provides decision-makers with analytically valid information to be used in policy and investment decisions.

One-Time Strategic Investments	\$ 0.35 Million
---------------------------------------	------------------------

Step 2 – Capital Investments

The 2014-2015 RFFA policy direction established two Step 2 funding categories which best reflected the region’s needs and were guided by the Regional Finance Approach as defined in the MTIP policy. The Step 2 categories are:

- **Active Transportation and Complete Streets**
- **Regional Freight and Economic Development Initiatives**

75 percent of the funding available in Step 2 is directed to the Active Transportation and Complete Streets category, the other 25 percent is directed to the Regional Freight and Economic Development Initiatives category.

JPACT and Metro Council are continuing support for these project focus areas to create a more strategic approach to allocating funds, including:

- A topically or geographically focused impact rather than an array of disconnected projects
- Achieves appreciable impacts on implementing a regional scale strategy given funding amount available
- Addresses specific outcomes utilizing the 2018 Regional Transportation Plan Performance Targets
- Prioritizes catalytic investments (leveraging large benefits or new funding)
- Positions the region to take advantage of federal and state funding opportunities as they arise

In the development of the 2014-15 RFFA, a task force was created to advise JPACT and TPAC on project focus area needs, priorities and project prioritization factors and developed direction for the specific project focus areas. This policy construct will continue in the 2022-2024 RFFA but with adjustments which respond to the 2018 RTP investment policy direction and input received as a part of this policy update process.

While projects funded through the Step 2 categories are to be designed and scoped in a manner reflective of the relevant category's focus area and intended purpose, it is recognized that well-designed projects may result in multiple outcomes. Consideration will be given in the technical evaluation for projects that demonstrate significant outcomes and benefits beyond the primary project purpose.

Example: A project funded through the Freight category that improves freight access to a certain area will likely also include active transportation elements. Preferred project design will incorporate a higher level of active transportation improvements than the minimum required project elements (protected bikeways, wider than standard sidewalks, traffic calming, crosswalks with flashing beacons, etc.

Similarly, an Active Transportation project on a facility that has significant freight traffic will likely include elements to improve the reliability of freight movement and elements to address the safe interface between active transportation and freight movements.

Per RTP Equity Policy 7, projects and programs funded through the RFFA should demonstrate support of family-wage job opportunities and a diverse construction workforce through inclusive hiring practices and contracting opportunities for investments in the transportation system.

ACTIVE TRANSPORTATION AND COMPLETE STREETS

Recommended approach for developing projects

For this project focus area, the task force recommended an approach of selecting travel corridor/areas and identifying project elements that would address the most critical barriers to completing non-auto trips in the corridor/area or a concentrated portion of the corridor/area. Examples of barriers could be the lack of direct pedestrian or bicycle facilities to key destinations in the corridor, inability to safely cross streets to access destinations, or lack of access to transit stop improvements.

To implement this approach with available funding, the following parameters will be utilized:

- improvements will be concentrated geographically in a travel corridor/area or portion thereof,
- project design will consider guidance found in Chapter 9 of the Regional Active Transportation Plan,
- potentially merge portions of several planned projects and several project types (bicycle, trail, pedestrian, transit stops) into a unified corridor/area wide project,
- project development will be allowed as an eligible activity for funding to address project readiness issues or as part of a strategy to phase implementation of projects.

Table 4: Active Transportation and Complete Streets Criteria

RTP investment priorities for RFFA	Criteria
Equity	<p>Purpose: Helps eliminate transportation-related disparities and barriers within RTP Equity Focus Areas⁹</p> <p>Improves access by completing active transportation network gaps in RTP Equity Focus Areas¹⁰</p> <p>And/Or</p> <p>Improves access (whether by service/travel time reliability or through physical infrastructure) to and from the following community assets:</p> <ul style="list-style-type: none"> • Affordable housing • Community places • Employment areas • Title 1 schools (or equivalent)¹¹
Safety	<p>Purpose: Eliminate fatal and severe injury crashes among pedestrians, cyclists and transit users on a Regional High Injury corridor, or at a designated “hotspot”¹²</p> <p>Improves safety with one or more effective safety countermeasure(s) or other technical solutions that:</p> <ul style="list-style-type: none"> • Reduce vehicle speeds • Separate modes • Reduce conflicts between freight and vulnerable users • Implement ADA accessibility • Implement recommendations from documented safety problem/plan

⁹ Equity Focus Areas are defined as communities where the rate of people of color, people in poverty and people with low English proficiency is greater than the regional average and double the density of one or more of these populations. 2018 RTP, Chapter 3.2.2

¹⁰ This can include first/last mile network gaps to transit, infill gaps in an equity focus area co-located on the regional active transportation network, increased connectivity, etc.

¹¹ A school may meet all of the qualification criteria for Title 1 status, but not have that designation due to funding constraints or other considerations.

¹² Identified by Safety Priority Index System (SPIS) or similar method of identifying crash frequency, rate and severity.

RTP investment priorities for RFFA	Criteria
Climate	<p>Purpose: Complete a regional active transportation network gap(s)</p> <p>Project demonstrates how it will reduce transportation-related greenhouse gas emissions through:</p> <ul style="list-style-type: none"> • Reducing or eliminating VMT • Improving transit reliability and travel times/reduces transit delay on Regional Transit Network frequent bus and ETC corridors • Including green infrastructure element in project design
Congestion	<p>Purpose: Incorporate congestion management strategies to provide or improve alternatives to drive-alone trips</p> <p>Project removes barriers or creating access to transit and/or active transportation through:</p> <ul style="list-style-type: none"> • Improving network connectivity • Actively managing and optimizing arterial network to support biking and walking and reducing transit delay • Serving Region 2040 Centers, or high density/projected high growth areas

REGIONAL FREIGHT AND ECONOMIC DEVELOPMENT INITIATIVES

Recommended approach for developing projects

For this project focus area, the task force recommended an approach of allocating funds for two components: construction type projects and planning/strategy development type projects. Eligible project types and criteria that will be utilized to scope and prioritize potential projects are described below.

Construction focus

Capital improvement proposals will focus on:

- System management, such as Intelligent Transportation Systems (ITS), on arterial freight routes. This could include upgrading traffic signal equipment and timing or provide travel information to inform freight trip decisions.
- Small capital projects (e.g. spot widening, installation of mountable curbs to accommodate large truck turning movements, etc.).

Technical measures should be developed that assess the regional impacts of nominated projects such as improving access to regionally significant industrial land or safe movements to/on the regional freight network to ensure a regional interest is served by the project.

Project proposals should demonstrate how the project supports job and economic growth in one or more traded sector industry clusters, as defined in the 2018 RTP.¹³

Planning/strategy development focus

Planning and strategy development proposals will focus on:

- Project development for specific arterial freight routes would evaluate key transportation barriers to the development of traded sector industry clusters, and recommend operations and design improvements to address those barriers.
- Consideration and development of regional strategies to invest in transportation improvements, focused on freight movement and increased job growth in traded sector industries

¹³ 2018 RTP, Chapter 4.5.1

Table 5: Regional Freight and Economic Development Initiatives Criteria

RTP investment priorities for RFFA	Criteria
Equity	<p>Purpose: Supports economic development in traded sector industries by creating jobs, and improving access to job centers¹⁴ and Title 4 industrial employment areas, particularly for RTP Equity Focus Areas¹⁵</p> <p>Reduces impacts to RTP Equity Focus Areas (e.g., reduced noise, land use conflict, air toxics and/or particulate matter emissions)</p>
Safety	<p>Purpose: Eliminate fatal and severe injury crashes by:</p> <ul style="list-style-type: none"> • Removing and mitigating conflicts with <ul style="list-style-type: none"> ○ active transportation ○ railroad crossings ○ turn movements ○ other identified safety issues • Improving safety with one or more effective safety countermeasure(s) or other technical solutions that <ul style="list-style-type: none"> ○ reduce vehicle speeds ○ separate modes ○ reduce conflicts between freight and vulnerable users ○ implement ADA accessibility ○ implement recommendations from documented safety problem/plan
Climate	<p>Purpose: Reduces greenhouse gas emissions</p> <ul style="list-style-type: none"> • Includes ITS or other technological elements to improve efficiency and hot-spot emissions from idling • Uses Complete Streets design; green infrastructure, closing active transportation network gap, etc. • Geometric designs and other operational elements to improve truck flow and bottlenecks on regional freight network¹⁶

¹⁴ Mixed-use areas, and designated 2040 Growth Concept industrial areas.

¹⁵ As defined in 2018 RTP Chapter 3.2.2

¹⁶ Without degrading pedestrian and bicycle safety and comfort.

RTP investment priorities for RFFA	Criteria
Congestion	Purpose: Reduces freight vehicle delay at industrial centers and freight sites (intermodal hubs, terminals, distribution centers, et al) <ul style="list-style-type: none"> • Improves network connectivity for all modes • Improves reliability and access to regional freight network • Reduces need for roadway expansion

Step 2 project funding targets for the 2022-2024 RFFA cycle are:

Active Transportation and Complete Streets:	\$29.74 Million
Regional Freight Initiatives:	\$9.91 Million
TOTAL Step 2:	\$39.65 Million

Table 6: Total Available 2022-2024 Regional Flexible Funds

Step 1	
Transit & Project Development Bond Commitment	\$68.64 million
Region-wide Program Investments, Planning	\$33.08 million
One-Time Strategic Investments	\$0.35 million
Step 2	
Active Transportation & Complete Streets	\$29.74 million
Regional Freight & Economic Development Initiatives	\$9.91 million
Total 2022-2024 RFFA	\$141.72 million

STEP 2 PROJECT SELECTION PROCESS

All project funding proposals submitted through the Step 2 Call for Projects will be considered for selection using the following process:

Call for Projects – Metro will issue a call for project proposals within the two Step 2 funding categories in early April, 2019. Proposals will be due in early June. A workshop will be held early in the project call timeframe to provide direction to applicants and respond to questions.

Technical Evaluation – Proposals will receive a technical score reflecting how well the project addresses the relevant category criteria. In addition to this quantitative analysis, the technical report will also include qualitative information to reflect attributes about each project that may not be reflected in a strict numerical score.

By presenting both quantitative and qualitative information, decision-makers and the public can better understand the technical merits of projects, which will help to better inform the regional decision making process.

Risk Assessment – To ensure that RFFA-funded projects can be delivered as proposed, on time, and within budget, Metro will conduct a risk assessment process on each proposal, and issue a report documenting the findings of the process. Proposals will be evaluated on how completely the project has been planned, developed and scoped, and measure the risk of project completion within the 2022-2024 timeframe.

This report will be made publically available and used as a part of the regional decision-making process.

The Technical Evaluation and Risk Assessment processes will occur concurrently in June-August.

Public Comment – Following issuance of the Technical Evaluation and Risk Assessment reports, Metro will conduct a 30-day public comment period in September, focusing on outreach to community and neighborhood organizations, county coordinating committees and other stakeholders. A joint public meeting of JPACT and Metro Council is planned to give decision-makers the opportunity to hear public testimony on project proposals. A summary of input received through the public comment period will be made available along with the Technical Evaluation and Risk Assessment reports to inform the final RFFA decision making process.

County Coordinating Committee/City of Portland Recommendations – Each county coordinating committee and the City of Portland will have the opportunity to provide recommendations to decision-makers on which projects submitted from their jurisdictions best reflect their local priorities. Recommendations are to be provided to TPAC and JPACT in advance of the JPACT meeting on November 21, 2019.

TPAC/JPACT Discussion and Action – Following the above information gathering steps, TPAC will be asked to consider and discuss all of the input received, and to provide a recommendation to JPACT on a package of projects to be funded, including both Step 1 and Step 2 investments.

JPACT will consider and discuss the TPAC recommendation, and will be requested to take action to refer a package of projects to Metro Council. JPACT action is scheduled for December 19, 2019.

Council Action – Metro Council will consider and take action on the JPACT-referred package in January 2020.

DRAFT

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

So, hello. We’re Metro – nice to meet you.

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

Metro Council President

Lynn Peterson

Metro Councilors

Shirley Craddick, District 1

Christine Lewis, District 2

Craig Dirksen, District 3

Juan Carlos Gonzalez, District 4

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March 21, 2019

7.1 Regional Street Design Guidelines

Information/Discussion Items

Joint Policy Advisory Committee on Transportation
Thursday, March 21, 2019
Metro Regional Center, Council Chamber

Policymakers' forum | Transportation design for community outcomes

9 a.m. to noon, Monday, April 22

"This is an opportunity for us to deepen our shared understanding of the benefits and importance of using a performance-driven design framework to create a more equitable and safe greater Portland with regional transportation investments."

– Metro Council President
Lynn Peterson

oregonmetro.gov



Lynn Peterson
Metro Council President



Beth Osborne
Transportation for America



Policymakers' forum | Transportation design for community outcomes

Join Metro Council President Lynn Peterson and fellow policymakers in a conversation about designing regional transportation projects to achieve desired outcomes. Guest speaker Beth Osborne, director of Transportation for America, and transportation professionals from Kittleson and Associates will provide a national perspective, case studies and a facilitated discussion to support shared understanding of best practices in transportation design decision making.

This forum is a special event for members of the Joint Policy Advisory Committee on Transportation, the Metro Policy Advisory Committee, the Transportation Funding Task Force and other elected and appointed transportation policymakers.

Save the date!
9 a.m. to noon
Monday, April 22

The policymakers' forum will be followed by an afternoon technical workshop (1 to 4:30 p.m.) for professional staff and community members to apply the performance-based design framework and discuss challenges and opportunities.

Lunch will be provided for participants of the forum and workshop.



Designing livable streets and trails

Healthy communities through better design

Livable streets support the economic, social and environmental health of our region. Metro is working with local, regional and state partners to update regional transportation design guidance that supports performance-based design.

We all have a stake in how our transportation network is designed. From the delivery truck driver to the high school student bicycling to class, the mother driving her kids to swim lessons and the office worker running to catch the bus, how we get there matters.

As the region continues to grow, designing a transportation system that is livable will help us grow in a healthy, prosperous and equitable way. Livable streets and trails:

- improve safety for all modes of travel and reduce fatal and severe crashes
- provide efficient and reliable travel options to make it easier to drive less, reduce greenhouse gas emissions and protect clean air and water
- support economic prosperity
- enhance personal security and support healthy, active lifestyles
- support regional equity goals
- support efficient urban landscapes and vibrant communities
- provide a sense of place and identity
- protect and enhance the natural environment and habitat
- promote resiliency.

What are “livable streets?”

Livability in transportation is designing our transportation system to help achieve broader regional and community goals. Livable streets trails are “context sensitive” integrating with nearby land uses to minimize congestion, encourage walking, biking and transit and ensure the wellbeing of wildlife.



Creating livable streets and trails is a way to achieve safer and healthier communities, improve access to jobs, school, nature and services, cleaner air and water, economic prosperity and reduce greenhouse gas emissions.

What is included in the update?

Metro’s designing livable streets and trails project updates and develops new design guidelines and resources for our regional transportation network:

- Current guidelines – *Creating Livable Streets, Green Streets, and Trees for Green Streets* –are being updated and combined into one resource.
- New regional multi-use path and trail design guidelines are being developed.
- Current guidelines on *Wildlife Crossings* and *Green Trails* will not be updated, but are referenced in the updated guidelines.
- Resources such as a visual library and case studies will be available on an updated webpage.
- Forums and workshops will highlight key topics in street, stormwater and multi-use path design in the region and throughout the world.

The final design guidance will provide a performance-based policy framework, a toolbox of design elements, visualizations and schematics illustrating design elements in context.

Why now?

The current design guideline handbooks to build safe and healthy streets were last updated in 2002. Since that time, many transportation policies have been updated and our understanding of transportation design has evolved through practice and research:

- Regional transportation policy has evolved with the adoption of an outcomes-based planning framework.
- Regional freight, safety and active transportation plans and the 2014 Climate Smart Strategy include recommended changes and updates.
- The role of livable streets to help address traffic congestion and improve safety and mobility options for all modes is better understood.
- National research and efforts related to street design have continued to expand, especially for bikeway, roundabout and intersection designs.
- Addressing regional challenges, such as a growing aging population, increasing diversity, demand for safe routes to school, the high rate of fatal pedestrian crashes, climate change and decreasing mobility for buses require creative and up-to-date street design solutions.

After 15 years, it is time to update these guidelines to reflect changes in policy, priorities and best practices.

Next steps

A regional work group comprising agency staff, technical experts, practitioners, community members, public health representatives and advocates is guiding the update of the design guidelines. Metro technical and advisory committees will also provide input. Ultimately, the project will recommend additional policy updates in the Regional Transportation Plan.

Phase 1 of the project has been completed, resulting in an annotated outline that describes what will be included in the updated design guidelines. Currently underway, phase 2 of the project will develop the content. The final design guidelines are anticipated to be completed by summer 2019.

Find out how to be involved – and more – at oregonmetro.gov/public-projects/ updating-street-design-guidance



Materials following this page were distributed at the meeting.



2018 Compliance Report

February 28, 2019

Public service

*We are here to serve the public
with the highest level of
integrity.*

Excellence

*We aspire to achieve exceptional
results*

Teamwork

*We engage others in ways that foster
respect and trust.*

Respect

*We encourage and appreciate
diversity in people and ideas.*

Innovation

*We take pride in coming up with
innovative solutions.*

Sustainability

*We are leaders in demonstrating
resource use and protection.*

Metro's values and purpose

We inspire, engage, teach and invite people to preserve and enhance the quality of life and the environment for current and future generations.

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

So, hello. We’re Metro – nice to meet you.

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

Stay in touch with news, stories and things to do.

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Executive Summary

Metro's Urban Growth Management Functional Plan provides tools and guidance for local jurisdictions to implement regional policies and achieve the goals set out in the region's 2040 Growth Concept. The 2018 Compliance Report summarizes the status of compliance for each city and county in the region with the Metro Code requirements included in the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan. Every city and county in the region is required if necessary to change their comprehensive plans or land use regulations to come into compliance with Metro Code requirements within two years of acknowledgement by the Oregon Land Conservation and Development Commission and to remain in compliance. The information in this report confirms the strong partnerships at work in this region to implement regional and local plans.

In 2018, there were no requests for extensions of existing compliance dates for the Urban Growth Management Functional Plan.

Metro Code Chapter 3.07 Urban Growth Management Functional Plan and Metro Code Chapter 3.08 Regional Transportation Functional Plan – March 2018

Introduction

Metro Code 3.07.870 requires the Chief Operating Officer to submit the status of compliance by cities and counties with the requirements of the Metro Code Chapter 3.07 (Urban Growth Management Functional Plan) annually to the Metro Council. In an effort to better integrate land use and transportation requirements, this compliance report includes information on local government compliance with the Regional Transportation Functional Plan (Metro Code Chapter 3.08) as well as the Urban Growth Management Functional Plan (Metro Code Chapter 3.07).

Overview

Per the Metro Code, the Chief Operating Officer (COO) may grant an extension request if a local government meets one of two criteria: 1) the city or county is making progress towards compliance; or 2) there is good cause for failure to meet the deadline for compliance.

By statute, cities and counties had two years following the date of acknowledgement of Metro's Regional Transportation Plan (RTP) in Summer 2014 to bring their Transportation System Plans (TSPs) into compliance with any new or changed regional requirements. However, Metro exercised its authority under the state's Transportation Planning Rule to extend city and county deadlines beyond the two-year statutory deadline. Metro consulted with each city and county to determine a reasonable timeline for this work and adopted a schedule that is available on Metro's website at www.oregonmetro.gov/tsp. The deadlines are phased to take advantage of funding opportunities and the availability of local and Metro staff resources.

Appendix A summarizes the compliance status for all local governments with the requirements of the Urban Growth Management Functional Plan (UGMFP) by the end of 2018.

Appendix B shows the status of Title 11 new urban area planning for areas added to the Urban Growth Boundary (UGB) since 1998.

Appendix C summarizes the compliance dates for each UGMFP title.

Appendix D summarizes the compliance dates for the Regional Transportation Functional Plan (RTFP) in effect as of December 31, 2018.

Appendix E is the Annual Report on Amendments to the Title 4 Employment and Industrial Areas Map dated January 8, 2018.

Appendix F is Exhibit C to Ordinance No. 18-1427.

Appendix G is the Accessory Dwelling Unit (ADU) Zoning Code Audit Report dated September 2018.

Urban Growth Management Functional Plan Compliance Status

All jurisdictions are in compliance with the Urban Growth Management Functional Plan.

2018 Urban Growth Management Decision

In December 2018, the Metro Council made an urban growth management decision (Ordinance No. 18-1427). The decision included four urban growth boundary expansions into urban reserves. The four cities responsible for planning these expansions – Beaverton, Hillsboro, King City, and Wilsonville – are now required to complete a comprehensive plan that complies with Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan. Additionally, the Metro Council adopted conditions of approval (attached to this report as Appendix F) that will guide the planning that the four cities conduct both for the expansion areas and for existing urban areas in their jurisdiction. Metro Planning and Development staff will participate in those planning efforts to ensure compliance with applicable regulations and conditions.

Title 1 (Housing Capacity)

Since 1997, Metro code section 3.07.120g has stated “a city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwelling. The authorization may be subject to reasonable regulation for siting and design purposes.” A number of years ago, all cities and counties in the region were found to be in compliance with this requirement.

Barring subsequent amendments to city or county codes, it is not the practice of Metro staff to review codes that were previously found to be in compliance with Metro regulations. However, in an effort to encourage the development of accessory dwelling units (ADU), Metro completed the September 2018 ADU Zoning Code Audit, which is attached to this

report as Appendix G. The audit presents a snapshot of city and county codes as of spring 2018. That audit indicates that a number of cities and counties in the region have codes that do not follow a literal reading of Metro code section 3.07.120g. In particular, most codes authorize one ADU on each lot rather than for each dwelling.

Although current Metro staff are not familiar with previous staff's reasoning when determining earlier compliance, it is likely that these local codes were deemed to substantially comply with Metro code. This would be consistent with the reasoning of the 2018 ADU Code Audit, which asserts that the reference to "lots" instead of "dwellings" "...likely has a limited impact on actual ADU feasibility..."

In 2017, the Oregon legislature passed SB 1051, which mirrors Metro code section 3.07.120g. In response to this as well as the Metro ADU code audit, a number of cities and counties in the region have been updating relevant code sections. Metro staff will continue to monitor city and county plan amendments to ensure compliance. It also appears possible that the 2019 legislature will adopt additional laws that clarify what constitutes "reasonable siting and design standards" for ADUs.

Regional Transportation Functional Plan Compliance Status

All (non-exempt) jurisdictions are in compliance with the Regional Transportation Functional Plan, with the exception of the City of Hillsboro. Hillsboro is scheduled to adopt its TSP update in late 2019, which will allow the city to be in compliance with the Regional Transportation Functional Plan.

APPENDIX A
Summary of Compliance Status as of December 31, 2018
(Functional Plan effective 1/18/12)

City/ County	Title 1 Housing Capacity	Title 3 Water Quality & Flood Management	Title 4 Industrial and other Employment Land	Title 6¹ Centers, Corridors, Station Communities & Main Streets	Title 7 Housing Choice	Title 11 Planning for New Urban Areas <small>(see Appendix B for detailed information)</small>	Title 13 Nature in Neighborhoods
Beaverton	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Cornelius	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Durham	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Fairview	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Forest Grove	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Gladstone	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Gresham	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Happy Valley	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Hillsboro	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Johnson City	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
King City	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Lake Oswego	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Maywood Park	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Milwaukie	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Oregon City	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance

¹ Title 6 is an incentive approach and only those local governments wanting a regional investment (currently defined as a new high-capacity transit line) will need to comply.

City/ County	Title 1 Housing Capacity	Title 3 Water Quality & Flood Management	Title 4 Industrial and other Employment Land	Title 6¹ Centers, Corridors, Station Communities & Main Streets	Title 7 Housing Choice	Title 11 Planning for New Urban Areas (see Appendix B for detailed information)	Title 13 Nature in Neighborhoods
Portland	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Rivergrove	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Sherwood	In compliance	In compliance	In compliance	See footnote	In compliance	Area 61 extended to 12/31/21*	In compliance
Tigard	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance.	In compliance
Troutdale	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Tualatin	In compliance	In compliance	In compliance	See footnote	In compliance	Basalt Creek extended to 9/1/2019	In compliance
West Linn	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Wilsonville	In compliance	In compliance	In compliance	See footnote	In compliance	Basalt Creek extended to 9/1/2019 not in compliance	In compliance
Wood Village	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Clackamas County	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Multnomah County	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Washington County	In compliance	In compliance	In compliance	See footnote	In compliance	North Cooper Mountain not in compliance	In compliance

*The City of Tualatin requested that the City of Sherwood take over concept planning for Area 61 Title 11 planning in 2012.

¹ Title 6 is an incentive approach and only those local governments wanting a regional investment (currently defined as a new high-capacity transit line) will need to comply.

**APPENDIX B
TITLE 11 NEW AREA PLANNING COMPLIANCE
(As of December 31, 2018)**

Project	Lead Government(s)	Compliance	Status
1998 UGB Expansion			
Rock Creek Concept Plan	Happy Valley	Yes	Concept plan and implementation measures completed; development on-going.
Pleasant Valley Concept Plan	Gresham and Portland	Yes	Concept plan and implementation measures completed; city annexed 524 acres and development to begin in eastern section.
1999 UGB Expansion			
Witch Hazel Community Plan	Hillsboro	Yes	Concept plan and implementation measures completed; development on-going.
2000 UGB Expansion			
Villebois Village	Wilsonville	Yes	Concept plan and implementation measures completed; development on-going.
2002 UGB Expansion			
Springwater Community Plan	Gresham	Yes	Concept plan and implementation measures completed for this mostly industrial area; waiting annexation & development.
Damascus/Boring Concept Plan	Happy Valley	Yes	HV portion: Concept plan and implementation measures completed; waiting annexation and development.
	Happy Valley/ Clackamas County	No	The former City of Damascus land area. Happy Valley currently completing comprehensive planning for additional portions of the area.
	Gresham	Yes	Gresham portion, called Kelley Creek Headwaters Plan, was adopted by city in 2009.
Park Place Master Plan	Oregon City	Yes	Concept plan and implementation measures completed; waiting annexation & development.
Beavercreek Road	Oregon City	Yes	Concept plan completed and accepted by Metro.
South End Road	Oregon City	Yes	Concept plan and implementation measures completed.
East Wilsonville (Frog Pond area)	Wilsonville	Yes	Comprehensive plan adopted; development on-going.
NW Tualatin Concept Plan (Cipole Rd & 99W)	Tualatin	Yes	Concept plan and implementation measures completed for this small industrial area.
SW Tualatin Concept Plan	Tualatin	Yes	Concept plan and implementation measures completed for this industrial area.
Brookman Concept Plan	Sherwood	Yes	Concept plan completed. Refinement plan underway
West Bull Mountain (River Terrace)	Tigard	Yes	Concept plan completed.
Study Area 59	Sherwood	Yes	Concept plan and implementation measures completed; school constructed.
Study Area 61 (Cipole Rd)	Sherwood	Extension to 12/31/2021	Extension agreement – planning shall be completed when Urban Reserve 5A is completed, or by 12/31/2021, whichever is sooner.
99W Area (near Tualatin-Sherwood Rd)	Sherwood	Yes	Concept plan and implementation measures completed.

Project	Lead Government(s)	Compliance	Status
Cooper Mountain area	Washington County	No	Preliminary planning completed by City of Beaverton. Community plan pending Washington County work program.
Study Area 64 (14 acres north of Scholls Ferry Rd)	Beaverton	Yes	Concept plan and implementation measures completed; annexed to City.
Study Area 69 & 71	Hillsboro	Yes	Areas are included in South Hillsboro Area Plan. City has adopted these areas into its comprehensive plan; upon annexation, they will be zoned to comply with comp plan.
Study Area 77	Cornelius	Yes	Concept plan and implementation measures completed; annexed to City.
Forest Grove Swap	Forest Grove	Yes	Concept plan and implementation measures completed; annexed to City.
Shute Road Concept Plan	Hillsboro	Yes	Concept plan and implementation measures completed; annexed to City and portion developed with Genentech.
North Bethany Subarea Plan	Washington County	Yes	Concept plan and implementation measures completed; annexations underway with development occurring.
Bonny Slope West Concept Plan (Area 93)	Multnomah County	Yes	Planning completed; development on-going.
2004/2005 UGB Expansion			
Damascus area	Damascus	See under 2002 above	Included with Damascus comprehensive plan (see notes above).
Tonquin Employment Area	Sherwood	Yes	Concept plan and implementation measures completed.
Basalt Creek/West RR Area Concept Plan	Tualatin and Wilsonville	IGA extension to 10/2019; CET extension to 6/30/18	Basalt Creek Concept Plan adopted by both jurisdictions. Comprehensive plan adoption expected by mid-2019.
N. Holladay Concept Plan	Cornelius	Yes	Concept plan completed; implementation to be finalized after annexation to City.
Evergreen Concept Plan	Hillsboro	Yes	Concept plan and implementation measures completed.
Helvetia Concept Plan	Hillsboro	Yes	Concept plan and implementation measures completed.
2011 UGB Expansion			
North Hillsboro	Hillsboro	Yes	Concept planning completed. Development on-going.
South Hillsboro	Hillsboro	Yes	Concept planning completed. Development on-going.
South Cooper Mountain	Beaverton	Yes	Concept planning completed.
Roy Rogers West (River Terrace)	Tigard	Yes	See West Bull Mountain.

2014 UGB Expansion (HB 4078)	Lead Government(s)	Compliance	Status
Cornelius North	Cornelius	Yes	Comprehensive planning completed. Awaits annexation to city.
Cornelius South	Cornelius	Yes	Comprehensive planning completed. Partially annexed to city.
Forest Grove (Purdin Road)	Forest Grove	Yes	Comprehensive planning completed. Awaits annexation to city.
Forest Grove (Elm Street)	Forest Grove	Yes	Comprehensive planning completed. Awaits annexation to city.
Hillsboro (Jackson School)	Hillsboro	No	Comprehensive plan work in progress.
2018 UGB Expansion			
Cooper Mountain	Beaverton	No	Added to the UGB in December 2018
Witch Hazel Village South	Hillsboro	No	Added to the UGB in December 2018
Beef Bend South	King City	No	Added to the UGB in December 2018
Advance Road	Wilsonville	No	Added to the UGB in December 2018

APPENDIX C
COMPLIANCE DATES FOR THE
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Functional Plan Requirement	When Local Decisions Must Comply		
	Plan/Code Amendment 3.07.810(C) ¹	Land Use Decision 3.07.810(D) ²	Adoption 3.07.810(B) ³
Title 1: Adopt minimum dwelling unit density (3.07.120.B)	12/21/2013	12/21/2013	12/21/2014
Title 1: Allow accessory dwelling unit in SFD zones (3.07.120.G) <i>(provision included in previous version of Metro Code as 3.07.140.C)</i>	12/8/2000		12/8/2002
Title 3: Adopt model ordinance or equivalent and map or equivalent (3.07.330.A)	12/8/2000		12/8/2002
Title 3: Floodplain management performance standards (3.07.340.A)	12/8/2000	12/8/2001	12/8/2002
Title 3: Water quality performance standards (3.07.340.B)	12/8/2000	12/8/2001	12/8/2002
Title 3: Erosion control performance standards (3.07.340.C)	12/8/2000	12/8/2001	12/8/2002

¹ After one year following acknowledgment of a UGMFP requirement, cities and counties that amend their plans and land use regulations shall make such amendments in compliance with the new functional plan requirement.

² A city or county that has not yet amended its plan to comply with a UGMFP requirement must, following one year after acknowledgement of the requirement (the date noted), apply the requirement directly to land use decisions

³ Cities and counties must amend their plans to comply with a new UGMFP requirement within two years after acknowledgement of the requirement (the date noted)

Functional Plan Requirement	When Local Decisions Must Comply		
	Plan/Code Amendment 3.07.810(C) ¹	Land Use Decision 3.07.810(D) ²	Adoption 3.07.810(B) ³
Title 4: Limit uses in Regionally Significant Industrial Areas (3.07.420)	7/22/2005	7/22/2006	7/22/2007
Title 4: Prohibit schools, places of assembly larger than 20,000 square feet, or parks intended to serve people other than those working or residing in the area in Regional Significant Industrial Areas (3.07.420D)	12/21/2013	12/21/2013	12/21/2014
Title 4: Limit uses in Industrial Areas (3.07.430)	7/22/2005	7/22/2006	7/22/2007
Title 4: Limit uses in Employment Areas (3.07.440)	7/22/2005	7/22/2006	7/22/2007
Title 6: (Title 6 applies only to those local governments seeking a regional investment or seeking eligibility for lower mobility standards and trip generation rates)	12/21/12	12/21/13	12/21/14
Title 7: Adopt strategies and measures to increase housing opportunities (3.07.730)			6/30/2004
Title 8: Compliance Procedures (45-day notice to Metro for amendments to a comprehensive plan or land use regulation) (3.07.820)	2/14/2003		
Title 11: Develop a concept plan for urban reserve prior to its addition to the UGB (3.07.1110)	N/A	N/A	N/A

Functional Plan Requirement	When Local Decisions Must Comply		
	Plan/Code Amendment 3.07.810(C) ¹	Land Use Decision 3.07.810(D) ²	Adoption 3.07.810(B) ³
Title 11: Prepare a comprehensive plan and zoning provisions for territory added to the UGB (3.07.1120)	12/8/2000	12/8/2001	2 years after the effective date of the ordinance adding land to the UGB unless the ordinance provides a later date
Title 11: Interim protection for areas added to the UGB (3.07.1130) <i>(provision included in previous version of Metro Code as 3.07.1110)</i>	12/8/2000	12/8/2001	12/8/2002
Title 12: Provide access to parks by walking, bicycling, and transit (3.07.1240.B)			7/7/2005
Title 13: Adopt local maps of Habitat Conservation Areas consistent with Metro-identified HCAs (3.07.1330.B)	12/28/2005	1/5/2008	1/5/2009
Title 13: Develop a two-step review process (Clear & Objective and Discretionary) for development proposals in protected HCAs (3.07.1330.C & D)	12/28/2005	1/5/2008	1/5/2009
Title 13: Adopt provisions to remove barriers to, and encourage the use of, habitat-friendly development practices (3.07.1330.E)	12/28/2005	1/5/2008	1/5/2009

APPENDIX D
Summary of Compliance Status for 2018
(Regional Transportation Functional Plan in effect as of 12/31/2014)

Jurisdiction	Title 1 Transportation System Design	Title 2 Development and Update of Transportation System Plans	Title 3 Transportation Project Development	Title 4 Regional Parking Management	Title 5 Amendment of Comprehensive Plans
Beaverton	In compliance	In compliance	In compliance	In compliance	In compliance
Cornelius	In compliance	In compliance	In compliance	In compliance	In compliance
Durham	Exempt	Exempt	Exempt	Exempt	Exempt
Fairview	In compliance	In compliance	In compliance	In compliance	In compliance
Forest Grove	In compliance	In compliance	In compliance	In compliance	In compliance
Gladstone	In compliance	In compliance	In compliance	In compliance	In compliance
Gresham	In compliance	In compliance	In compliance	In compliance	In compliance
Happy Valley	In compliance	In compliance	In compliance	In compliance	In compliance
Hillsboro	12/31/17*	12/31/17*	12/31/17*	12/31/17*	12/31/17*
Johnson City	Exempt	Exempt	Exempt	Exempt	Exempt
King City	Exempt	Exempt	Exempt	Exempt	Exempt
Lake Oswego	In compliance	In compliance	In compliance	In compliance	In compliance
Maywood Park	Recommending exemption	Recommending exemption	Recommending exemption	Recommending exemption	Recommending exemption
Milwaukie	In compliance	In compliance	In compliance	In compliance	In compliance
Oregon City	In compliance	In compliance	In compliance	In compliance	In compliance
Portland	In compliance	In compliance	In compliance	In compliance	In compliance
Rivergrove	Exempt	Exempt	Exempt	Exempt	Exempt
Sherwood	In compliance	In compliance	In compliance	In compliance	In compliance
Tigard	In compliance	In compliance	In compliance	In compliance	In compliance
Troutdale	In compliance	In compliance	In compliance	Exception	In compliance
Tualatin	In compliance	In compliance	In compliance	In compliance	In compliance
West Linn	In compliance	In compliance	In compliance	In compliance	In compliance
Wilsonville	In compliance	In compliance	In compliance	In compliance	In compliance
Wood Village	In compliance	In compliance	In compliance	In compliance	In compliance
Clackamas County	In compliance	In compliance	In compliance	In compliance	In compliance
Multnomah County	12/31/17	12/31/17	12/31/17	12/31/17	12/31/17
Washington County	In compliance	In compliance	In compliance	In compliance	In compliance

Date shown in table is the deadline for compliance with the Regional Transportation Functional Plan (RTFP). Note – a city or county that has not yet amended its plan to comply with the RTFP must, following one year after RTFP acknowledgement, apply the RTFP directly to land use decisions.

**Expected completion by end of 2019.*

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: January 1, 2019
To: Metro Council and the Metro Policy Advisory Committee
From: Martha Bennett, Chief Operating Officer
Subject: Annual report on amendments to the Title 4 Employment and Industrial Areas Map

Background

Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan seeks to improve the region's economy by protecting a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas. Those areas are depicted on the Employment and Industrial Areas Map.

Title 4 sets forth several avenues for amending the map, either through a Metro Council ordinance or through an executive order, depending on the circumstances. Title 4 requires that, by January 31 of each year, Metro's Chief Operating Officer submit a written report to the Council and MPAC on the cumulative effects on employment land in the region of amendments to the Employment and Industrial Areas Map during the preceding year. This memo constitutes the report for 2018.

Title 4 map amendments in 2018

There were no amendments made to the Title 4 Map in 2018 either by the Council or through executive order.

Chief Operating Officer recommendations

I do not, at this time, recommend changes to Title 4 policies. However, the intended refresh of the 2040 Growth Concept and its work program on changes in the economy may eventually lead to policy and regulatory updates for Metro Council consideration.

Conditions of Approval on Land Added to UGB

A. Comprehensive planning in the four UGB expansion areas:

1. Within four years after the date of this ordinance, the four cities shall complete comprehensive planning consistent with Metro code section 3.07.1120 (Planning for Areas Added to the UGB).
2. The four cities shall allow, at a minimum, single-family attached housing, including townhomes, duplexes, triplexes, and fourplexes, on all lots on which single family housing is allowed in the expansion areas; however, cities may adopt standards that limit housing types on particular lots if necessary due to site constraints or in order to comply with environmental protections under the Metro Code or state law.
3. The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.
4. As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding: (a) concentrating mixed-use and higher density development in existing or planned centers; (b) increasing use of transit; and (c) increasing active transportation options. The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.
5. As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.
6. At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.

B. Citywide requirements (for the four cities):

1. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code

section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.

2. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with ORS 197.309 regarding clear and objective standards for affordable housing.
3. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.
4. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.
5. The four cities shall continue making progress toward the actions described in Metro Code section 3.07.620 (Actions and Investments in Centers, Corridors, Station Communities, and Main Streets).
6. Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.
7. For at least six years after this UGB expansion, the four cities shall provide Metro with a written annual update on compliance with these conditions as well as planning and development progress in the expansion areas. These reports will be due to the Metro Chief Operating Officer by December 31 of each year, beginning December 31, 2019.

C. Beaverton:

1. Beaverton shall plan for at least 3,760 homes in the Cooper Mountain expansion area.
2. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.
3. The city may propose the addition of Corridors for depiction on the 2040 Growth Concept map as an outcome of comprehensive planning for the area.

D. Hillsboro:

1. Hillsboro shall plan for at least 850 homes in the Witch Hazel Village South expansion area.
2. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.
3. The city may propose the addition of Corridors for depiction on the 2040 Growth Concept map as an outcome of comprehensive planning for the area.

E. King City:

1. King City shall coordinate with Washington County and the City of Tigard as it engages in its work on a Transportation System Plan, other infrastructure planning, and comprehensive planning.
2. Before amending the King City comprehensive plan to include the expansion area, King City shall conduct additional market analysis to better understand the feasibility of creating a new mixed-use town center.
3. Pending the results of the market analysis of a new town center, King City shall plan for at least 3,300 homes in the Beef Bend South expansion area. If the market analysis indicates that this housing target is infeasible, King City shall work with Metro to determine an appropriate housing target for the expansion area.
4. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.
5. Pending the results of the market analysis of a new town center, Metro will work with King City to make necessary changes to the 2040 Growth Concept map.
6. Prior to amending the King City comprehensive plan to include the expansion area, King City shall complete a Transportation System Plan for the city.
7. Prior to amending the King City comprehensive plan to include the expansion area, King City shall amend its code to remove barriers to the construction of accessory dwelling units, including:
 - a. Remove the requirement that accessory dwelling units can only be built on lots that are at least 7,500 square feet, which effectively prohibits construction of accessory dwelling units in the city.

- b. Remove or increase the requirement that accessory dwelling units be no bigger than 33 percent of the square footage of the primary home so that an accessory dwelling unit of at least 800 square feet would be allowable.
8. The Columbia Land Trust holds a conservation easement over portions of the Bankston property, which King City's concept plan identifies as the intended location for a key transportation facility serving the expansion area. King City shall work with the Columbia Land Trust to protect, to the maximum extent possible, the portion of the Bankston property covered by the conservation easement.
9. To reduce housing costs, King City shall, in its comprehensive planning, explore ways to encourage the use of manufactured housing in the expansion area.

F. Wilsonville:

1. Wilsonville shall plan for at least 1,325 homes in the Advance Road expansion area.
2. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.
3. The city may propose the addition of Corridors for depiction on the 2040 Growth Concept map as an outcome of comprehensive planning for the area.

G. West Union Village Property:

1. There shall be no change of use or intensification of individual uses on any portion of the 4.88-acre property until Urban Reserve Area 8F has been brought into the UGB and the City of Hillsboro has adopted comprehensive plan amendments for the surrounding urban reserve land.



BUILD SMALL COALITION

Accessory dwelling unit (ADU) zoning code audit report

September 2018

oregonmetro.gov/buildsmall

Acknowledgements

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Executive summary

Accessory Dwelling Units (ADUs) are self-contained homes located on the same property as a larger, principal home and can be detached, attached or internal to the primary home. ADUs have gained interest across the nation as an opportunity to diversify the housing market and use urban land more efficiently, increasing the number of new homes in an area while not changing the look or feel of the existing neighborhood.

They also provide options that can match peoples' needs at different life stages and income levels. For example, young homeowners may rent out their ADU to help pay their new mortgage; a retired senior may rent an ADU to supplement their pension; or an aging parent can live with their child, allowing families to stay connected while still enjoying a degree of independence.

Almost all cities and counties across greater Portland adopted regulations in 1997 to allow one ADU per single-family dwelling in single-family zones, subject to reasonable siting and design standards.

The construction of ADUs, however, has not been widespread. Nearly 2,700 ADUs have been permitted in the City of Portland alone since 1997; only about 250 units have been permitted in all other Metro-area jurisdictions combined. Simply allowing ADUs in the zoning code has not been enough to foster their widespread production.

Emerging best practices from across the country suggest that other factors such as regulations, building requirements, fees and other issues also play a significant role in supporting - or deterring - ADU development.



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In 2018, Metro's Build Small Coalition conducted a code audit to better understand the regulatory conditions across the region and their relationship to ADU production.

This audit consisted of three primary efforts:

- a review of zoning codes and public documents related to ADU regulations;
- select stakeholder interviews to gain insight into how those regulations function in practice;
- and collection of data on the number of ADUs in the region.



While regulations and practices varied widely, the coalition found opportunities for every jurisdiction to reduce barriers to ADU production. The most significant regulatory barriers to ADUs identified through the audit were:

- owner-occupancy requirements;
 - design standards;
 - off-street parking requirements; and
 - significant dimensional restrictions such as ADU height limits, size limits or property line setback requirements.
- System Development Charges (SDCs) were also identified as a significant financial barrier, though generally not the sole deterrent in places where ADU production was limited.



Based on these findings, the coalition recommended ADU code provisions and regulations that incorporate observed best practices in the greater Portland region, advice from ADU developers and best practices from across the country.



The findings of this audit and related technical assistance are intended to support jurisdictions as they continue to innovate through subsequent code updates, with the ultimate goal of removing barriers to ADU development across the region.

The audit comes at a time of great opportunity for jurisdictions as many are working to update or have recently updated their regulations to meet specific SB 1051 state requirements.

Metro offered technical assistance to local jurisdictions for reviewing or developing code language, navigating the adoption process and coordinating with the Department of Land Conservation and Development (DLCDC).

These updates are an opportunity to set direction for the next 20 years of ADU regulations - and in doing so, to take a meaningful step in supporting housing choice and affordability for the region.

Photo credit: accessorydwellings.org

Introduction

The Accessory Dwelling Unit (ADU) code audit is an initiative of Metro’s Build Small Coalition intended to understand ADU development trends and the regulatory environment, and to support greater ADU development throughout the greater Portland region.

The Build Small Coalition is a group of public, private and non-profit small home and housing affordability advocates who work together to increase development of and equitable access to smaller housing options across the region.

The coalition was previously led by the Oregon Department of Environmental Quality and was known as the Space-Efficient Housing Work Group. In general, the coalition is working to encourage a greater variety of housing to match people’s needs at different life stages and income levels.

One of the focus areas in the coalition’s work plan for the year is catalyzing ADU development beyond the city of Portland. By understanding existing development ADU regulations and development patterns, this report will support greater ADU development by providing distilled best practices and recommendations to reduce regulatory barriers in Metro jurisdictions.

The work also overlaps with existing Metro code requirements and the broader Equitable Housing Initiative, an effort to work with partners across the region to find opportunities for innovative approaches and policies that result in more people being able to find a home that meets their needs and income levels.

Since 1997, Metro has required jurisdictions to permit one ADU per single-family dwelling in single-family zones subject to reasonable siting and design standards. However, ADU development and interest has varied across the region over the past 20 years, with the majority of ADU activity centered in Portland and little ADU development in most other jurisdictions around the region.

ADU development supports two of the four Equitable Housing Initiative strategies: increasing and diversifying market-rate housing, and stabilizing homeowners and expanding access to home ownership.

ADU code audit project goals

- Summarize existing ADU regulations across all Metro cities and counties and compare against Metro code requirements, state SB 1051 requirements and emerging best practices.
- Understand how regulations are dynamically applied in practice through discussion with ADU developers, practitioners and regulators.
- Understand ADU development trends in all Metro cities and counties, and any correlations between regulations and development, particularly those that highlight potential regulatory barriers.
- Share regional trends, best practices, and recommendations with Metro jurisdictions to support code updates to catalyze ADU development beyond the City of Portland.

With existing interest and increasing conversations around ADUs and affordable housing, as evidenced by the Equitable Housing Initiative, the coalition wanted to better understand the existing scope of ADU regulations across the region, understand their relationship to resulting ADU production and feasibility and promote innovative practices emerging locally.

The audit scope includes review and analysis of ADU zoning regulations across all 27 Metro cities and counties.

The audit is intended to describe existing regulatory conditions for ADUs both as codified and as applied, in order to generate insight into aspects of ADU regulatory and practical approaches that best support ADU development.

Though zoning and regulatory approaches alone may not catalyze ADU development, understanding regulatory barriers is central to recommending updated regulatory approaches that better support ADU development.

The audit also comes at a time of great opportunity for jurisdictions as many are working to update or have recently updated their regulations to meet specific SB 1051 state requirements and to better support affordable housing development.

The findings and related technical assistance are intended to support jurisdictions as they continue to innovate through subsequent code updates, with the ultimate goal of removing barriers to ADU development across the region.



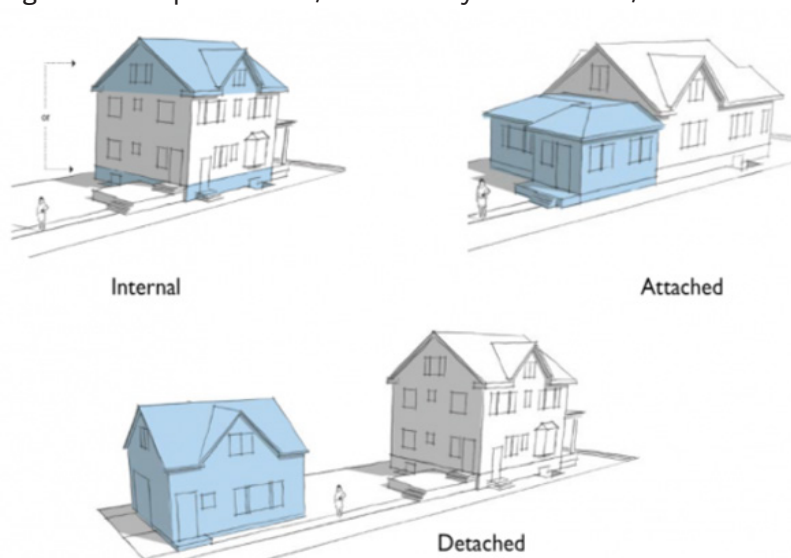
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ADU background

ADUs have existed historically in a variety of forms, dating back at least as far as the late 18th century. ADUs are smaller, secondary dwellings built in a variety of forms, including:

- Detached: New or converted detached structures such as garages.
- Attached: New or converted attached addition to the existing home.
- Internal: Conversion of existing space such as a basement or attic.

Figure 1: Example of ADUs, Source: City of Saint Paul, MN



ADUs are often built by the owners of the primary dwelling as a space for family, friends or caretakers, as a rental unit to generate income, or as a space for the homeowner to live while renting the primary dwelling. A common pattern is for ADU use to change over time, providing particular flexibility to support new homeowners, multigenerational households, and aging in place. For example, an older homeowner may construct an ADU initially for additional rental income to pay the mortgage, may use it to accommodate a live-in caretaker, or may subsequently move into the ADU to downsize while renting the primary house.

What is an ADU?

Accessory dwelling units (ADUs) are small, self-contained homes located on the same property as a larger, principal home with their own kitchen, bathroom and sleeping area.

ADUs can be attached or detached, can be converted from existing structures or new construction.

They are also known by other names that reflect their various potential uses, including granny flats, in-law units, studio apartments and secondary dwellings.



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Since 1997, Metro has required jurisdictions to permit one ADU per single-family dwelling in single-family zones subject to reasonable siting and design standards. Almost all cities adopted ADU regulations immediately following, but interest among both jurisdictions and homeowners has varied over the past 20 years. Some codes have remained unchanged and unused, while others have undergone successive rounds of improvement as ADU development has expanded.

Portland is the most notable example in the region, where ADU growth has taken off concurrent with regulatory changes that expand ADU allowances and system development charge (SDC) waivers to reduce up-front costs for homeowner developers.

Other greater Portland cities have not seen similar rates of ADU construction despite adopting some measure of ADU regulations to meet Metro requirements. Since 2000, ADU development in jurisdictions outside of Portland ranges from 0 to 60 total ADUs (see Table 3).

Examples across the West Coast also add to the understanding of ADU regulations and development potential. Vancouver, BC is notable for allowing two ADUs per lot, with approximately 35 percent of existing single-family homes estimated to be ADUs. Research by Sightline Institute mapped ADU regulations across Washington, Oregon and Idaho, concluding that many cities allow ADUs but make it difficult for ADUs to be built at scale.

California passed a new statewide requirement for all cities to permit ADUs in an effort to jumpstart development and ease the housing crisis. These developments highlight increasing national interest in how ADUs can be integrated into communities to expand housing opportunities, strengthen neighborhoods, provide flexibility for homeowners and changing family dynamics and generate financial benefits for homeowners and renters.

In Oregon, Senate Bill (SB) 1051, which passed in 2017, is intended to support more affordable housing development across the state, and includes a requirement for virtually all cities and counties to allow ADUs with all single-family detached dwellings in single-family zones, subject to “reasonable local regulations relating to siting and design.”

The statutory provisions also require that ADU regulations be “clear and objective.” The Oregon Department of Land Conservation and Development (DLCD) has issued guidance on implementing SB 1051 requirements in local jurisdictions.

The DLCD guidance on ADUs supports a number of innovative practices, including permitting two ADUs per lot, removing off-street parking requirements and removing owner-occupancy requirements. This guidance goes beyond what many jurisdictions would have considered in the late 1990s when first drafting their ADU regulations.

Although the actual language of the SB 1051 ADU requirements is remarkably similar to the language from the 1997 Metro requirement, the requirement and deadline come at a time when there is increasing interest in ADUs and in affordable and varied housing options.

There is also 20 years of experience of ADU development to draw upon from the greater Portland region, the state and nationally, reflected in the DLCD implementation guidance and emerging recommendations about best practices for ADUs from think tanks such as Sightline Institute.

Meeting state requirements in 2018 is thus an opportunity for Metro jurisdictions to refresh existing regulations and innovate to better support ADU development.



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ADU requirements timeline

1997: Portland allows ADUs by right

1997: Metro code requirement for all cities to permit one ADU per single-family dwelling in single-family residential zones

2000: Majority of Metro cities have adopted ADU regulations

2010: Portland SDC waiver for ADUs first passed, permits markedly increase

2017: State SB 1051 passes, requires majority of cities and counties to permit ADUs subject to “clear and objective” standards

July 1, 2018: SB 1051 effective date, deadline for cities to adopt or update ADU regulations

Project approach and methodology

The code audit combined several layers of analysis of ADU regulations and development patterns to understand regulations as written and as applied. Audit findings across key issue areas are summarized in the *Code Audit Findings* section, incorporating insights from the regulatory code review and stakeholder interviews.

The first step of the code audit examined the published zoning codes, supplemented with review of land use application forms, fee schedules, and any other documents publicly available related to ADUs and SDCs for the 24 Metro cities and three Metro counties.

The code audit is based on regulations current as of March 31, 2018 when the audit was completed, however, many codes were already under review at the time of the audit to meet the SB 1051 effective date of July 1, with rolling adoption of new codes over summer 2018. Rather than making the audit a moving target, the audit matrix reflects the ADU regulations as they existed at the time; future work will include monitoring and evaluating new codes as they are adopted.

The evaluation matrix describes existing regulations across multiple categories for easy comparison between cities, and is intended to be both descriptive of the existing regulations as well as evaluative of whether the regulations support or inhibit ADU development, based on emerging best practices. Audit review categories were based on the requirements of state and Metro ADU mandates, and emerging best regulatory practices to support ADU development.



Photo credit: accessorydwellings.org

Categories were derived from noted regulatory barriers to ADU development including off-street parking requirements, owner-occupancy requirements of the ADU or primary dwelling, total occupancy limits, restrictive dimensional standards including total square footage, and design compatibility requirements with the primary dwelling.

Additional review categories capture non-code related elements such as System Development Charges (SDCs) for ADUs, land use application materials, and availability of information materials for prospective ADU developers.

Basic demographic data including city size, average home price, and prevalence of single-family dwellings, from the 2016 American Community Survey, is provided for a quick snapshot of the conditions in which ADUs may or may not perform well.

The matrix incorporates both descriptive summaries of applicable regulations, as well as an evaluative component using a tri-color-coding system to evaluate the status of each aspect of the regulations, relative to emerging best practices and regulatory requirements, rather than attempting to score or rank jurisdictions. Green indicates compliance with a specific regulatory aspect, yellow indicates mostly in compliance with opportunities to reduce barriers, and orange indicates the greatest opportunities to remove barriers.

For example, any regulation that allows one ADU per lot rather than per single-family detached dwelling was flagged as orange, because of the SB 1051 legal requirement to permit ADUs on a per dwelling rather than per lot basis, but regulations that permit one ADU per dwelling rather than the recommended two per dwelling consistent with DLCDC guidance were flagged as yellow to indicate additional opportunity rather than lack of compliance.

Given the emerging consensus that off-street parking and owner-occupancy requirements are significant barriers to ADU development, both types of regulations were flagged as orange, as were any design standards requiring “similar” materials and character as the primary dwelling, which is contrary to the state requirement for clear and objective standards.

Code audit matrix intended to be:

Descriptive: capture the extent of ADU regulations that exist as of March 31, 2018.

Evaluative: compare existing regulations against state and Metro ADU requirements, and emerging best practices, in order to highlight opportunities for code updates that better support future ADU development.



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accessorydwellings.org

Stakeholder interviews were conducted with selected city and county planners and local ADU development professionals for additional insight into how the regulations function in practice.

The six representative jurisdictions were selected to include a variety of sizes, geographies, demographics, and ADU development trends; the six included City of Beaverton, City of Gresham, City of Lake Oswego, City of Wilsonville, Washington County, and City of Vancouver, WA.

ADU professionals interviewed were selected based on their experience developing or knowledge of ADU development around the greater Portland region beyond Portland, and included Dave Spitzer, with DMS Architects, Joe Robertson of Shelter Solutions, and Kol Peterson, author of “Backdoor Revolution: The Definitive Guide to ADU Development.”

Interviews were used for insight and general understanding, rather than for verbatim quotes.

A quantitative element of the project includes gathering data on ADU construction trends and SDC levels across jurisdictions to better understand the ADU development context and outcomes. Data on permitted ADU construction, estimated unpermitted ADUs and estimated level of interest was collected from multiple sources.

Data compiled by Metro’s Research Center as of February 27, 2018, was used as initial data for permitted ADUs built since 2000, and was supplemented with self-reported data from jurisdictions; individual jurisdictions relied on a range of permit data and other internal tracking metrics to provide estimates.

Results are shown in Table 3; in the event of conflicting totals, the higher figure was used provided it was deemed reliable. Jurisdictional estimates were also gathered for unpermitted ADUs and number of ADU inquiries to understand ADU interest beyond finalized permits; for example, a jurisdiction with a high level of interest but no or few final ADUs might indicate significant regulatory barriers. While anecdotal and impressionistic, the self-reported observations are summarized in Table 2.

Finally, SDC rates applied to ADUs were calculated based on published fee schedules where available, or through inquiries to jurisdictional staff in the planning or engineering departments. Because of the uneven availability of SDC rates, data is provided for a subset of Metro jurisdictions to illustrate the general range of SDC variation rather than fully catalogue SDC rates; see Table 1.

Given the relevance of the ADU code audit findings for jurisdictions currently amending their codes to address housing opportunities generally and the SB 1051 requirements specifically, the audit approach was also expanded midway through the project to incorporate outreach and technical assistance for Metro jurisdictions.

Representatives from nearly half of Metro cities and counties attended a workshop convened April 23, 2018, to share preliminary audit findings, and code audit advice from both the Metro and state perspective intended to inform code update efforts. Metro will offer continuing technical assistance with code amendment and implementation issues over the rest of the year, as detailed in Section 7 on next steps, and monitor ADU code updates to identify emerging trends and issues.

Code audit findings

Comprehensive ADU regulations have been adopted in nearly every Metro jurisdiction, with limited exceptions, and address a similar suite of issues including dimensional standards, design standards, occupancy standards and permitting requirements.

Adopted regulations and practices are less consistent in addressing infrastructure requirements, including SDCs, and in providing application and informational materials for would-be ADU builders.

The most significant regulatory barriers to ADUs identified through the audit were owner-occupancy requirements, off-street parking requirements, and significant dimensional restrictions such as 20-foot rear-yard setbacks, one-story ADU height limits, or ADU size limits below 600 SF.

SDCs for ADUs were reported to have an outsize effect on discouraging ADU construction, however, even cities with reduced or eliminated SDCs did not report a significant boost in ADU permits, except for Portland. Conditional use review requirements are generally considered a barrier to ADUs, but none were observed in the greater Portland region.

One overarching trend is that cities appear to be learning from and copying each other, with certain code provisions repeated among neighboring cities, or even across the larger metropolitan area. For example, Tigard and Tualatin have similar provisions limiting ADUs to internal and attached ADUs, as do Gresham and Troutdale.

Many cities have nearly identical code language on required design elements. There may be a feeling of “safety in numbers,” with one city feeling more



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comfortable with certain provisions because they are already being used in a neighboring city with few apparent ill effects.

Another takeaway is the diversity of regulatory combinations and the resulting cumulative impact on ADU development feasibility. Codes generally fell along a spectrum from less supportive to more supportive depending on the exact mix of code provisions, rather than a dichotomy of prohibitive and permissive: jurisdictions do not seem to have taken an “all or nothing” approach but rather crafted codes to respond to local priorities.

Many codes excluded some of the most significant barriers but included one or more “poison pills” (such as those listed on page 12) that could nevertheless make it difficult to develop.

For example, West Linn has no owner-occupancy requirement but does have one minimum off-street parking space required and design compatibility standards. King City has no owner occupancy requirement and many sites are exempt from providing off-street parking, but the high minimum lot size to develop an ADU disqualifies many potential ADUs.

Significant ADU regulatory barriers

- Off-street parking requirements, particularly if separate access is required and tandem parking is not permitted.
- Owner-occupancy requirements.
- Significant dimensional restrictions such as 20-foot rear-yard setbacks, one-story ADU height limits, or ADU size limits below 600 SF.
- Limiting types of ADUs, such as prohibiting detached ADUs.
- Design compatibility requirements with main dwelling.
- System development charges (SDCs).



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accessorydwellings.org

Portland is unique for having removed all of the most significant barriers, coupled with the current SDC waiver.

Among the codes outside of Portland, fewer barriers generally seem to support ADU development, such as examples in West Linn, Hillsboro and Wilsonville, compared to jurisdictions with several significant barriers that have seen limited ADU development.

A. Existence of Regulations

The vast majority of jurisdictions have code provisions to permit some type of ADU development. Of the 27 jurisdictions audited, only two jurisdictions did not have ADU codes: Multnomah County and Johnson City, both of which have unique factors limiting ADU development potential.

Multnomah County staff reports only 600 homes in urban areas of the UGB that could be eligible for ADU development. However, to comply with SB 1051 requirements, the County adopted ADU regulations on June 7, 2018, after the audit was completed, to permit ADUs within those urban areas.

No records were found for ADU regulations in Johnson City, home to approximately 500 residents where 90 percent of dwellings are manufactured homes, which are less likely to have flexibility for addition of an ADU, particularly those within manufactured home parks.

The majority of ADU codes were initially developed around 2000, and many have not been updated since. It seems likely that the frequency of updates and the number of ADUs built are directly related.

That is, the more ADUs are built, the more the code is examined and revised, whereas jurisdictions with no ADU development leave the code unchanged, potentially perpetuating barriers to development.

B. Number and Type of ADUs

The prevailing code approach is to permit one ADU per residential lot, including all types of ADUs. The majority of codes audited permit one ADU per lot, rather than per single-family dwelling as required by SB 1051.

This likely has a limited impact on actual ADU feasibility, given that most single-family houses are built on individual lots, but such language does not comply with state requirements. Only three jurisdictions clearly permit ADUs on a per dwelling basis rather than per lot. No codes permit more than one ADU per dwelling or per lot, however, several cities, such as Tigard and Portland, are considering whether to permit two ADUs per dwelling.

Most codes permit detached, attached, and internal ADUs, but a notable minority limit detached ADUs, potentially to encourage retention of garages for off-street parking or to minimize impact of ADUs by confining them within the existing dwelling.

Gresham and Rivergrove do not allow any detached ADUs unless over a garage. Tigard does not permit new detached ADUs, and prohibits garage conversions unless the garage is replaced. Troutdale and Tualatin prohibit all new or converted detached ADUs, and Troutdale further prohibits conversion of an attached garage for use as an ADU.

C. Where Allowed

All codes allow ADUs in all or almost all single-family detached residential districts, and most allow ADUs in all zones where single-family detached residences are permitted even if it is not a primary use.

The limited exceptions tend to be zones with narrow applicability, such as overlay zones or subdistricts, or unique situations such as an overwater zone in Lake Oswego where homes are only allowed on pilings over water and ADUs are not permitted.

Additional borderline situations included ADU limitations in zones where existing homes are explicitly permitted but no new ones are allowed, in mixed-use zones where single-family detached dwellings are permitted as part of a larger mix of uses, and for lots with attached single-family dwellings.

The majority of jurisdictions prohibit ADUs in these situations, which fall outside of state and Metro requirements to allow ADUs in zones where single-family detached dwellings are permitted. A small minority of jurisdictions has explicitly permitted ADUs in such situations to expand ADU development potential.

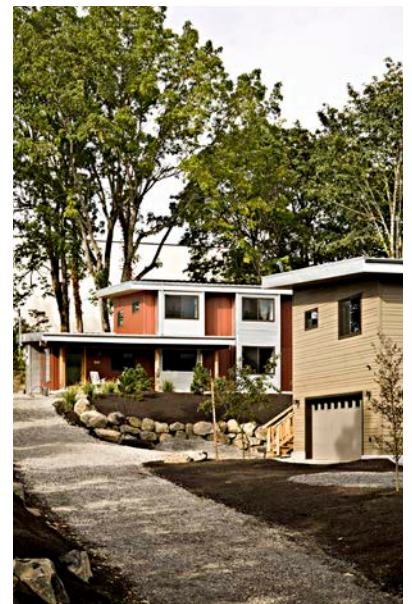
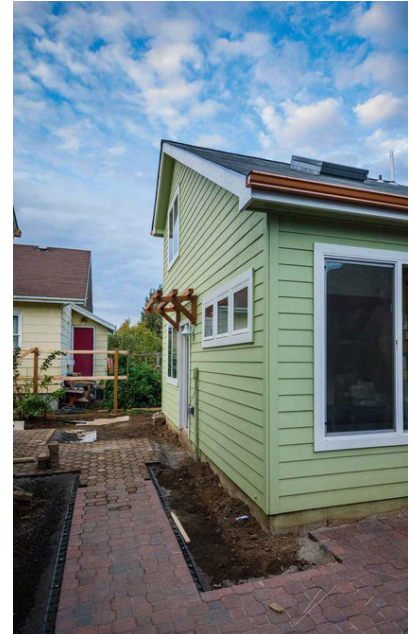


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For example, Wilsonville, Clackamas County and Hillsboro permit ADUs with attached single-family dwellings as well as detached dwellings. Washington County is unique in permitting ADUs as part of some cottage housing developments.

Caution: Some regulations intentionally or inadvertently disqualify many existing lots from developing ADUs, even if ADUs are a permitted use, through minimum lot size requirements or nonconforming lot limitations, and this may not be fully captured in the code audit matrix in Appendix A.

An example of the former is King City. ADUs are permitted in all zones where single-family detached dwellings are permitted, but ADUs are only permitted on lots 7,500 SF or larger while minimum lot sizes for the residential zones range from 2,400 to 5,000 SF. Thus, few existing lots are likely to meet the minimum lot size requirements for ADUs.

Codes were mostly silent on whether nonconforming lots, that is, legally created lots that are smaller than the minimum lot size under current zoning, could be developed with an ADU. Hillsboro directly addressed the issue by limiting ADUs to lots that meet the minimum lot size, and many other jurisdictions may interpret their nonconforming standards to similarly prohibit ADUs on nonconforming lots.

As a practical matter, smaller lots may not have room to add ADUs regardless of the zoning; Wilsonville noted that many new, master planned developments with intentionally smaller lots and higher lot coverage were not conducive to adding ADUs because of lack of available lot area.

D. Dimensional Standards

Dimensional standards apply to the size of the ADU and to where on the lot ADUs may be placed. ADU dimensional standards were evaluated for impacts to ADU development feasibility, and compared to dimensions for the primary dwelling and other accessory structures to understand the relative flexibility of ADU standards. Many codes default to the same dimensional standards as the primary dwelling, or to the standards for other detached accessory structures. Though using similar standards may seem reasonable, in practice they can be difficult to interpret or inappropriately scaled for ADU construction.

Setbacks

Setbacks generally default to those for the primary dwelling or for similarly sized accessory structures. A quarter of jurisdictions has an additional standard requiring detached ADUs to be set back relative to the primary dwelling, measured in a variety of ways including minimum setback from the front property line, from the rear of the primary dwelling, or from the front façade of the primary dwelling.

No jurisdictions differentiate rear and side setbacks for ADUs, instead using standards for primary dwelling or accessory structures. Base zone setbacks were not fully audited as part of this project, but merit further review by individual jurisdictions to ensure they are not overly restrictive for ADU development.

A limited survey of setbacks showed that 20 to 25-foot rear setbacks apply in many single-family dwelling zones, which ADU developers report can be a significant obstacle to fitting a detached ADU on a standard lot. Some cities tie detached ADU setbacks to those for accessory structures, which generally require a greater setback for larger and taller structures; ADUs are typically larger than garden sheds or greenhouses, however, and few would likely qualify for the reduced setbacks.

One unique approach to ensure adequate yard space without a uniform rear setback is a minimum outdoor space standard, used by Washington County and Portland, which requires a yard meeting a minimum total size and minimum dimensions, but with the flexibility to locate the yard anywhere in the side and rear setbacks which frees up portions of the remaining side and rear setbacks for siting an ADU.



Photo credit: accessorydwellings.org

Height

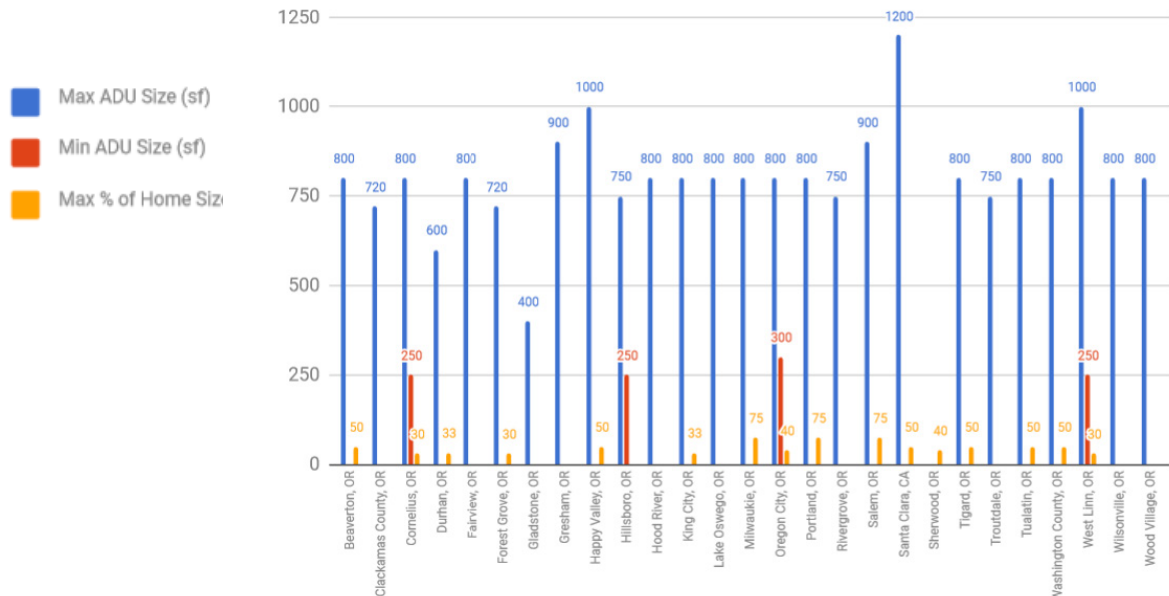
For detached ADUs, the most common height standard is 20 to 25 feet, in line with best practices to permit two-story and over-garage units. There are a few outliers limiting height to 12 to 15 feet or one story, which is not recommended. ADU developers report that two-story ADU construction is a desirable option for some lots in order to minimize the ADU footprint.

A few cities have tiered height standards, with taller heights allowed through a more detailed review process (Milwaukie) or outside of setbacks (Portland). Almost all codes limit height for attached and internal ADUs to the same height as the primary dwelling, typically meaning the maximum height permitted in the underlying zone but a few codes, such as West Linn's, specifically limit ADU height to the height of the existing primary dwelling.

Unit size

The large majority of jurisdictions uses a maximum building size limit of 720 to 1,000 square feet for ADUs, with 800 square feet the most common maximum size. About half of the jurisdictions also ties the maximum size to a percentage of the primary dwelling's size ranging from 30-75 percent; this is generally intended to keep ADUs in proportion to existing development.

Figure 2: ADU size regulations. Source: Multnomah County Department of Community Services Land Use Planning Division



In practice this limitation has equity implications because it disproportionately limits ADU development on lots with smaller dwellings, typically owned by lower-income households, with no impact on larger homes owned by higher-income households. A few codes included size restrictions by type of ADU (attached or detached) or zone where the ADU is built, or maximum number of bedrooms.

Lot Coverage

All cities default to the maximum lot coverage standards allowed in the base zones, to include the total coverage of the primary dwelling, ADU and any accessory structures, except Portland which specifically limits ADUs and all detached accessory structures to a combined 15 percent lot coverage.

A representative sample of base standards indicated that many jurisdictions limit lot coverage to 30-40 percent, which may be a tight fit for a home and ADU. For example, West Linn limits lots in the R-7 zone to combined 35 percent lot coverage and 0.45 FAR, which would translate to 2,450 SF lot coverage and 3,150 total SF for the primary dwelling and ADU. While not overly restrictive, some sites potentially near these limits could benefit from additional flexibility. For example, Milwaukie permits a 5 percent increase in lot coverage for detached ADUs.

E. Occupancy Quotas

Over two-thirds of jurisdictions have no stated limit on ADU occupants and treat an ADU as a dwelling – similar to any other dwelling such as a house or apartment – that may be occupied by a ‘family’ or ‘household’, typically defined as any number of related individuals or up to five unrelated individuals. While most jurisdictions thus allow two ‘families’ to occupy the lot where the ADU is located, Portland, Sherwood and Wood Village limit occupancy to one family/household quota shared between the ADU and primary dwelling.

This limitation is likely intended to keep total site occupancy at a level comparable to other properties in the neighborhood developed with a single-family dwelling. The remaining handful of jurisdictions use a variety of regulations to limit occupancy, either an overall limit of two to three occupants or an allowed ratio of one occupant per 250 SF.

Unique ADU regulations

- Yurts may be used as an ADU, exempt from design standards. (Milwaukie)
- 15 percent size bonus for ADA-accessible ADUs. (Washington County)
- Six total off-street parking spaces required to serve primary dwelling and ADU, including three covered, enclosed spaces. (Rivergrove)
- 7,500 SF minimum lot size to develop ADUs, when minimum lot sizes for affected zones range from 2,000 to 5,000 SF. (King City)
- Windows must be arranged above ground level when located within 20 feet of the property line. (Milwaukie)

These regulations may have a cascading impact, exemplified by West Linn: occupancy is limited to one person per 250 SF, and a maximum permitted ADU size of 1,000 SF could accommodate four occupants, except that detached ADUs are limited to 30 percent of the primary dwelling size, such that only a 3,333 SF primary dwelling would qualify for a 1,000-SF, four-person ADU. With a maximum of 0.45 FAR permitted, only lots close to 10,000 SF could accommodate the combined dwelling and ADU, and smaller lots would be effectively limited to fewer ADU occupants.

In practice, few cities actively enforce occupancy limits for any type of dwelling, including ADUs, and ADU occupancy rates are not likely to exceed occupancy limits due to their small size. There were no reported code enforcement concerns around occupancy limits among the jurisdictions interviewed.

F. Design

The large majority of codes require some degree of design compatibility between the ADU and the primary dwelling. Most of those list specific elements, from siding materials, eave depth, colors, roof form and materials to window treatments and proportions, that must be compatible; this specificity about elements helps make the code more objective, but many codes still use vague, discretionary language requiring those elements to be consistent with the primary dwelling.



Photo credit: accessorydwellings.org

Though the approach is similar, the precise code wording varies across jurisdictions: design elements are required to be “similar,” “consistent,” “same or similar,” “the same or visually similar,” “match,” “generally match,” “match or be the same as,” “compatible,” “same or visually match,” “substantially the same,” “conform to the degree reasonably feasible,” or be “architecturally consistent.”

Only five jurisdictions have no design compatibility standards, and an additional three only apply compatibility standards to attached ADUs. One specific design element required by many codes is to restrict any new street-facing entrances for the ADU, presumably to preserve the single-family ‘character’ of homes.

While design compatibility is generally identified as important for maintaining neighborhood character, both ADU developers and regulators noted that it can limit design options, particularly in cases where the primary dwelling design may not be high quality, and it can be difficult to demonstrate whether a particular design does or does not satisfy the standard. Design standards will be under heightened scrutiny to meet new state requirements for “clear and objective” standards.

G. Comparison to ADU alternatives

To understand the relative complexity of standards and processes for ADUs, the audit reviewed requirements for similar projects including home additions, new detached accessory structures such as garages and guest houses. There is potential concern that non-ADU standards that are significantly more permissive than ADU standards may incentivize construction of illegal ADUs in accessory structures as an easier work-around.

The main points of comparison were dimensional standards, design requirements, permitting requirements, and SDCs. Dimensional standards for accessory structures are largely similar to those for ADUs of comparable size; many accessory structure standards include reduced setbacks proportionate to the size of the structure, such as a 3-foot setback for a 200-SF structure, but no relative reduction for larger accessory structures compared to ADUs.



*Photo credit:
accessorydwellings.org*

In some instances the ADU standards are more generous, with ADU standards notably allowing detached structures closer to 800 SF and accessory structures often limited to 400-500 SF. However, there are almost no design standards for accessory structures compared to ADUs, and no land use permitting required, which could make the accessory structures relatively easier to construct.

SDCs associated with ADUs were reported as a primary deterrent to submitting a project as an ADU rather than an accessory structure or addition. In interviews, many jurisdictional staff were familiar with this type of project – one called such projects the “everything but” meaning “everything but” a stove and oven, since adding a stove meets the definition of a permanent cooking facility, thus meeting the definition of a dwelling unit and an ADU. Other jurisdictional staff described a surprising number of homeowners submitting permits for pottery studios, complete with a 220V plug needed for the pottery kiln, which coincidentally is the same plug needed for an oven.

Jurisdictions were asked to estimate the number or ratio of unpermitted ADUs to permitted ADUs to better understand the relative temptation of “everything but.” Nearly every jurisdiction had an example of one or two that were addressed through code enforcement, but no jurisdictions reported a wide-spread, prevalent trend of unpermitted ADUs masquerading as accessory structures or home additions.



Photo credit: accessorydwelling.org

Several cities also permit guest houses, similar to ADUs but without permanent cooking facilities and sometimes with occupancy time limits. Of the five cities and counties that permit guest houses, the guest houses are typically allowed under similar situations as ADUs, but would be exempt from SDCs.

However, none of these jurisdictions reported significant numbers of known guest houses, either because they are less understood or less desirable without a kitchen. Guest house standards are evenly split on whether a guest house is permitted in addition to an ADU or not.

H. Occupancy limits

Just over half of jurisdictions require owner occupancy of either the primary dwelling or the ADU, and half of those jurisdictions require a recorded deed restriction to that effect. No owner-occupancy limits were identified for other types of dwellings.

A few jurisdictions permit minor permutations of the owner-occupancy requirements to permit a family member to occupy the owner unit, or to limit required residency to seven months of the year provided the owner-occupied unit is not rented out during the remainder of the year.

Washington County has a unique provision requiring owner occupancy unless the property is owned by a nonprofit serving persons with a developmental disability; staff explained that the provision was developed for a local nonprofit to facilitate a specific project that has since been built and is operating successfully.

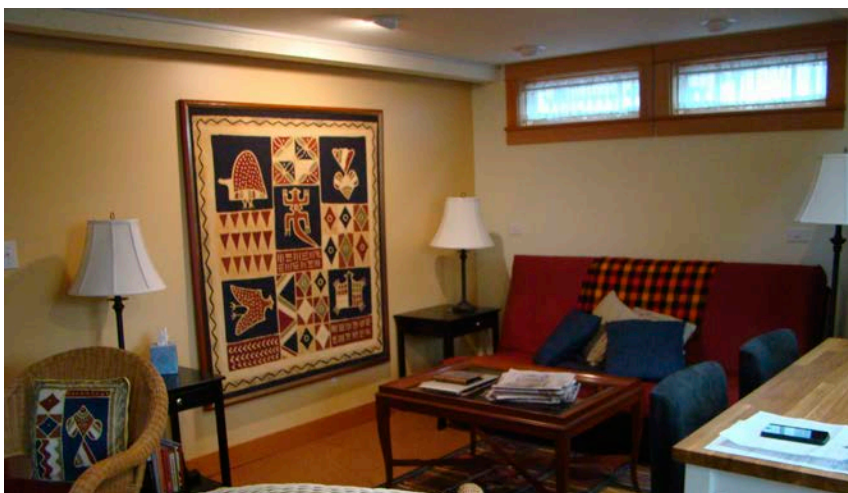


Photo credit: accessorydwellings.org



Photo credit:
buildinganadu.org



Photo credit:
accessorydwellings.org

Owner-occupancy requirements are unique in that they create an ongoing use restriction rather than a standard that can be evaluated at a single point in time, requiring ongoing monitoring and potential code enforcement actions. Jurisdictions reported that owner occupancy enforcement rarely came up for ADUs, except in individual code enforcement cases.

Owner-occupancy regulations have a mix of potential impacts on ADU development feasibility. In the initial stage, many homeowners may not have any concerns about the owner-occupancy requirements because many do intend to continue living in their homes, though some express reservations or concerns about the limitations or the deed restriction requirements.

More significantly, however, the restrictions can reduce the assessed value of the ADU under many financing and assessment methodologies, making it more difficult to obtain financing for initial ADU construction and limiting property resale value in the long-term.

Owner-occupancy restrictions are often promoted as a tool to limit short-term rentals of ADUs. Only Portland and Milwaukie have developed specific short-term rental regulations to specifically address concerns around short-term rentals, and they regulate ADUs the same as other dwellings.

Concern about ADUs being used a short-term rentals, and desire for ADUs to be reserved for long-term housing, informed the recent Portland measure to permanently waive SDCs for ADUs—provided that homeowners sign a deed restriction prohibiting short-term rentals.

ADU developers report that some of their clients have in fact use their ADUs for short-term rentals for a limited time, primarily as a way to recoup some of costs associated with building the ADU, but that many then transition to long-term rentals or use by family members.

I. Off-street parking

The large majority of jurisdictions require off-street parking for ADUs, with additional parking locational standards that can significantly affect the overall impact of the off-street parking requirements.

The most common requirement is one off-street parking space for an ADU, reported in three-quarters of jurisdictions, though over one-third of those had an option to waive the off-street requirement if on-street parking was available adjacent to the site. Three jurisdictions had no off-street parking requirement for ADUs: Portland, Durham and King City.

When considering the total impact of off-street parking requirements for the site, just over half of jurisdictions require a total of two off-street parking spaces for the ADU and primary dwelling, while nearly a third of jurisdictions require more than two total off-street parking spaces. More than two spaces may have greater impacts on feasibility of ADU development because of the greater site area required for parking.

Rivergrove had the highest total parking requirement, six spaces total for a primary dwelling and for an ADU with one bedroom, including three covered, enclosed parking spaces, and even more parking for larger ADUs.

There is significant diversity and complexity of parking-related regulations, some that lessen and others that increase the impact of off-street requirements. Supportive regulations include allowing the portion of the driveway in the yard setbacks to count towards required parking spaces, allowing tandem parking to count multiple parking spaces in the driveway, and most significantly allowing adjacent on-street parking to fulfill ADU parking requirements, effectively eliminating the off-street parking requirements for many sites.

Problematic regulations include requiring covered, enclosed parking spaces, requiring replacement of any garages converted to an ADU, requiring separate driveway access for the ADU and primary dwelling parking, and prohibiting parking in the first 10 to 20 feet of the driveway. Parking standards that require a range of parking spaces for dwellings are also concerning as they create uncertainty and could be used to effectively block ADU development.

An example is Gresham's requirement for one space for the ADU and two to three spaces for the primary dwelling, or "as many spaces deemed necessary by reviewer to accommodate the actual number of vehicles" for the ADU and primary dwelling.



Photo credit:
buildinganadu.org



Photo credit:
buildinganadu.org

Off-street parking requirements were identified by ADU developers as one of the top barriers to ADU site development feasibility, though jurisdictional staff had mixed reports about the perceived impact of parking requirements for homeowners in their jurisdictions depending on prevalent lot sizes and common expectations of car usage and parking availability.

J. Other zoning standards

There were a limited number of special concerns outside of the main categories and there was general convergence on the topics included in ADU regulations. The most common issue addressed is privacy and screening between an ADU and neighboring single-family properties, including either minimum 4 to 6-foot tall fencing or landscaping requirements or more discretionary standards for an “appropriate” level of screening, included in regulations in Happy Valley, Lake Oswego and Milwaukie. One-off regulations, addressed in only one or two jurisdictions, included:

- Limiting types of home occupations permitted with ADUs (Portland, Tigard)
- Explicitly permitting simultaneous construction of ADUs and primary dwellings (Sherwood)
- Prohibiting occupation of an ADU before the primary dwelling (Gresham)
- Limiting ADUs to 50 percent of the lots per block face (Fairview)
- Prohibiting land division or separate ownership of ADU and primary dwelling (Sherwood, Tualatin)

Few of these concepts emerged as either critical needs or concerns for jurisdictional staff or ADU developers, and were likely developed in response to specific local issues. ADU developers did identify permitting simultaneous construction and occupation of ADU prior to the primary dwelling as supportive practices, particularly in communities with significant new construction, but acknowledged these as “extra” rather than central requirements.

K. Application requirements

Three-quarters of jurisdictions require some type of land use review in addition to building permit review; a handful either have a combined land use and building permit review option or simply require building permit review.

Of those requiring land use review, jurisdictions are split nearly evenly between requiring Type I – an administrative review with no discretion applied by the staff reviewer – and Type II land use review, which requires the staff reviewer to apply limited discretion to interpret standards and allows for a written public comment period.

Slightly more than half of jurisdictions required a Type I review, with the other half requiring a Type II or higher level review for some or all ADUs. Some triggers for higher-level review include larger ADUs, taller ADUs, detached ADUs, or ADUs located in specific zoning districts. Cities requiring Type II review generally had more discretionary or onerous ADU regulations, such as design compatibility requirements.

No jurisdictions uniformly require conditional use review, the most onerous review type involving a public hearing and documentation of how the ADU would not impact neighboring properties, though Cornelius requires it in limited circumstances and Rivergrove requires Planning Commission review of all ADU applications.

L. Infrastructure requirements

The code audit examined jurisdictional regulations on infrastructure improvements required with ADUs including any separate water and sewer connection requirements, stormwater treatment requirements for additional impervious surface, or street improvements if lot frontage is currently substandard.

Over two-thirds of ADU regulations do not specifically address these infrastructure requirements, and those regulations that were identified generally state that infrastructure improvements are required on a case-by-case basis to ensure adequate capacity to serve the site.



Photo credit:
buildinganadu.org



Photo credit:
buildinganadu.org

In part this highlights the different regulatory approaches for land use and public works issues. Sewer and water capacity, stormwater treatment requirements, and street improvement requirements are generally site-specific, or may be addressed through more general policies rather than ADU-specific policies.

For example, Portland ADU standards include a cross-reference to stormwater treatment requirements for any development creating 500 SF or more of new impervious surface, for all development types not just ADUs.

More commonly, utility requirements and thresholds triggering improvements are included in separate code chapters and not explicitly referenced in ADU standards; those thresholds typically apply to total size or value of new construction, and as such are not ADU-specific, making it more difficult to identify such standards.

For example, Oregon City's code chapter on street and sidewalk improvements requires that new construction or additions to single-family homes that exceed 50 percent of the existing square footage trigger street and sidewalk improvements, if needed; ADUs will likely not trigger such improvements because ADU size is limited to 40 percent of the existing square footage, but the policy does not clearly exempt ADUs. Milwaukie staff noted that new frontage improvements can be triggered by ADU construction, and are a significant obstacle to ADU development.

Another complication in determining infrastructure requirements is that many jurisdictions, particularly smaller suburban districts, are served by a combination of city and district utility providers, such as Clean Water Services which provides sewer and stormwater services to many cities and unincorporated areas in Washington County, so district standards for utility improvements are not regulated at the local level.

Unfortunately, the application of non-ADU specific engineering standards, sometimes administered by utility providers unaware of ADU-specific issues, means that utility improvement requirements for ADUs generally boil down to "it depends," and could not be fully captured in this audit.

M. System development charges

SDCs are one-time fees assessed on new development intended to support expanded infrastructure capacity needed to serve said development. SDCs or similar one-time development fees for residential development including ADUs are typically assessed for water, sewer, transportation, parks, schools, and sometimes for stormwater. ADU developers and jurisdictional staff repeatedly identified high SDC rates as a barrier to ADU development, citing concern that adding \$10-20,000 in fees to ADU projects overran many project budgets and homeowners' willingness to pay.

Table 1: Total SDCs applied to new ADUs for selected Metro jurisdictions

	SDCs	Notes
Hillsboro	\$0	City practice is to not apply SDCs at this time
Portland	\$0	Temporary waivers since 2010, made permanent in 2018 for ADUs not used as short-term rentals
Rivergrove	\$0	No SDCs assessed for individual dwellings, only for subdivisions
Tigard	\$0	City practice is to not apply SDCs at this time
Tualatin	\$0	City practice is to not apply SDCs at this time
Wilsonville	\$0	Permanent waiver since 2010
Wood Village	\$0	For sole permitted ADU to date, a converted space above a garage. SDCs for single-family dwellings would be applied to ADUs in new structures.
Fairview	\$2,417.43	Includes parks and stormwater.
Gresham	\$4,729 - 7,823	Includes parks, transportation and stormwater. Higher fees associated with detached ADU
Happy Valley	\$5,512	Includes transportation and parks.
Beaverton	\$10,823 - 11,831	Higher fees associated with detached ADU
Oregon City	\$14,547	Includes sewer, transportation, and parks. Water may be additional depending on meter size.
Forest Grove	\$15,143 - 22,171	Higher fees assessed for detached ADUs.
Washington County	\$15,600	Average, can range from \$6,000 to 25,000. Estimate includes transportation, parks, and schools. Water and sewer possible but rarely triggered.
Lake Oswego	\$21,324	Includes water, sewer, parks and transportation.

Source: Self-reported by jurisdictions in response to audit inquiry May 2018.



Photo credit:
accessorydwellings.org

SDCs are typically due at the time a building permit is issued, meaning that would-be ADU developers must write a check for the full amount before even beginning the project. For infrastructure services, that can be difficult to appreciate, particularly in developed neighborhoods where fees are not immediately translated into additional infrastructure.

SDC price sensitivity is compounded by relative difficulty determining SDC rates. Almost no cities have developed ADU-specific SDC rates, and few offer clarification on which of the existing residential SDC rates apply to an ADU. SDC rates are typically found outside of land use standards, in master fee schedules, info sheets, or fee calculators.

ADU-specific rates or clear explanation of which SDC rates applied to ADUs were identified in the audit for a handful of cities, but the majority of cities did not have clear information available about which category of rates (single-family, multifamily, townhouse or other) to apply to ADUs without specific guidance from jurisdictional staff.

Often planning staff needed to refer to public works departments to provide estimates. There were many variables that may influence the total SDCs for a given ADU even within the same city. Similar to infrastructure improvements noted above, SDCs can be a combination of charges assessed by city and utility service providers, each using different methodologies and adding additional complexity to determining ADU rates.

A representative sample of SDC rates for ADUs reveals a wide range of rates applied to ADUs, from zero to over \$20,000, and the details behind the totals capture a variety of methodologies used to develop those totals.

Only two cities, Portland and Wilsonville, explicitly offer an SDC waiver for ADUs, and an additional five cities reported assessing no SDCs for ADUs as a matter of practice. To add nuance to the common perception that SDCs are a significant barrier to ADU construction, ADU development trends in Portland and Wilsonville under similar SDC waivers have produced differing results. SDC waivers are largely credited with spurring ADU development in Portland: development increased from approximately 50 to 500 ADUs permitted annually after SDCs were waived in 2010.

However in Wilsonville, only seven total ADUs have been permitted since 2000 with no noticeable uptick in permits after the SDC waiver took effect in 2010. In addition to significant real estate market differences between the two cities, another difference that may relate to these divergent outcomes is that Portland’s waiver was heavily publicized and was intended to be temporary – though was in fact extended multiple times – fueling a “beat the deadline” mentality.

In comparison, city practices to not assess SDCs in cities from Hillsboro to Tualatin have not been publicized and were only identified in audit research through discussion with cities, perhaps limiting their efficacy as an ADU development incentive.

N. Information and incentives

The availability of online information varied greatly between jurisdictions, but generally was minimal. All jurisdictions with adopted ADU regulations made those regulations available online, though some were harder to find than others and all required navigating through the municipal code to locate relevant sections. The audit specifically identified information written for prospective developers explaining the ADU regulations and permitting requirements.

ADU developers cited Portland’s ADU website as the best local example, providing centralized, ADU-specific information including an overview of requirements, worksheets, application forms, and explanation of the permitting and inspection process.

Informational materials available online, specific to ADUs, were identified in slightly less than half of local jurisdictions; the



Photo credit: accessorydwellings.org

breadth and depth varied widely from a one-page info sheet summarizing land use code requirements for accessory structures generally with a few lines about ADUs, to a comprehensive packet with diagrams and checklists.

The most comprehensive materials detailed site requirements, ADU regulations, permitting procedures including any necessary application forms, and fees including SDCs. Of the information available, nearly all was specific to land use regulations with little available on engineering or building-related requirements.

Related issue: CC&Rs' Impact on ADU Feasibility



Photo credit:
accessorydwellings.org

Codes, covenants and restrictions (CC&Rs) are a set of rules and limits imposed on a residential development by the Homeowners Association (HOA), in which all homeowners agree to abide by certain standards for the neighborhood. CC&Rs are a private contract between homeowners and HOAs, separate from local zoning regulations, meaning that the jurisdiction cannot override CC&Rs nor can they enforce them. Generally CC&Rs can be more restrictive than local zoning regulations, but not less. Only HOAs have the power to amend CC&Rs.

Existing CC&Rs may prevent ADU development. A small sampling of Metro-area CC&Rs indicated that CC&Rs have moderate variation over time, depending on the era and place when they were recorded, and there was no single format. Generally the sampled CC&Rs included residential use and structure restrictions, which could be interpreted to restrict additional dwelling units such as an ADU, though none addressed ADUs explicitly.

Identified standards included:

- Properties limited to residential use only.
- Structures limited to one residential dwelling and accessory structures, restricted in the most limited version to “One single-family dwelling...designed for occupancy by not more than one family, together with a private garage.” Even without the one family restriction, such structural restrictions would make it difficult to build a detached ADU.
- Garage use limited to vehicle parking only, or other restrictions on parking in driveways or on the street that would compel use of garages for vehicles and effectively prohibiting conversion into an ADU.
- Architectural review required for any site improvements, which is inherently discretionary and could be used by the review board to deny any ADUs. For example, review intended to “assume quality of workmanship and materials and harmony between exterior design and the existing improvements and landscaping.”

There has been significant interest in whether CC&Rs generally prohibit ADUs, whether jurisdictions can override any such restrictions, and how widespread any such limitations on ADUs may be. Jurisdictions could consider an educational effort to engage interested homeowners to amend the CC&Rs for their neighborhood, but it would be an individual rather than comprehensive strategy outside of the jurisdiction's typical activities.

Jurisdictions may have the opportunity to limit any CC&Rs provisions for new development that interfere with ADU development. For example, the City of Medford requires that:

“A development’s Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.” (MMC 10.821(9).)

There is no simple measurement of the effect of CC&Rs on potential ADU development feasibility. Generally suburban jurisdictions with high growth rates over the past 30 to 40 years fueled by greenfield development of large parcels are estimated to have a higher percentage of homes subject to CC&Rs that might inhibit ADU development compared to older, more urban communities with development limited to smaller infill sites, notably Portland.

The first challenge would be to determine how many single-family detached homes in a jurisdiction, or the Metro UGB more broadly, are subject to CC&Rs, which could be estimated based on the ratio of overall residential permit data and recorded subdivision plats, with the assumption that all subdivisions were subject to CC&Rs.



Photo credit: accessorydwellings.org

The second step would be to estimate how many of those CC&Rs might be interpreted to restrict ADUs, possibly by making assumptions about prevailing practices specific to the era in which the CC&Rs were recorded.

A related consideration should be whether there are significant differences between typically development patterns of CC&R-restricted communities, compared to those of non-CC&R-restricted communities that might make it less likely or feasible for an ADU to be built in those communities regardless of any CC&R restrictions.

For example, city staff in Wilsonville reported that they see most ADU permits in the Old Town area because homes were built on lots with enough remaining area capable of accommodating an ADU.

In contrast, many of the homes such as those in the recent 2,700-unit Villebois development, are built on smaller lots with reduced setbacks, such that an ADU could only be added by converting a portion of the existing home rather than adding a detached or attached structure.

Regional ADU development trends

A comparison of data on permitted ADUs, unpermitted ADUs, and inquiries around ADUs provides additional insight into the ADU development climate, and any potential impacts of ADU regulations to support or restrict development.

Table 2: Over-the-counter inquiries related to ADUs for selected jurisdictions

Jurisdiction	Estimated ADU Inquiries	Notes
Beaverton	One per week	Approximately one in 50 inquiries lead to permitted ADUs
Fairview	One per 1-2 months	
Forest Grove	A couple per month	Very few are permitted due to the required SDCs
Gresham	5% of counter inquiries related to ADUs	Approximately 10-20% of inquiries lead to permitted ADUs
Happy Valley	Unknown	One in 10 inquiries may lead to permitted ADUs
Hillsboro	10 inquiries per month	One in three inquiries may submit an ADU application
King City	No interest	
Lake Oswego	Unknown	7 out of 22 projects that completed pre-application conference have resulted in permitted ADUs since 2012.
Milwaukie	High level of interest	Many choose not construct ADUs due to SDCs, owner-occupancy requirements, frontage improvements.
Oregon City	A few per week	Vast majority do not go on to construct ADUs, often choose an accessory structure without a full kitchen instead.
Rivergrove	2-3 in the last year	
Troutdale	Greater interest in tiny homes than ADUs	
West Linn	Increase in the past year, but not a lot	
Wilsonville	Limited interest	
Wood Village	Increased interest over the past two years	
Washington County	1-2 inquiries per day	

Source: Self-reported by jurisdictions in response to audit inquiry May 2018; not all jurisdictions provided estimates.

Table 3: Total permitted ADUs by jurisdiction ranked by ADU adoption rates, approximately 2000 to 2018

Jurisdiction	Total Permitted ADUs	Adoption Rate (ADUs per 1,000 population)	Notes
Forest Grove, OR	0	0	Metro data; local permit data does not differentiate ADUs
Gladstone, OR	0	0	
Johnson City, OR	0	0	ADUs are not permitted
King City, OR	0	0	
Maywood Park, OR	0	0	
Rivergrove, OR	0	0	
Tualatin, OR	0	0	
Gresham, OR	7	0.06	
Troutdale, OR	1	0.06	
Cornelius, OR	1	0.08	
Lake Oswego, OR	7	0.18	From 2012-2017
Beaverton, OR	19	0.2	
Sherwood, OR	5	0.26	
Wilsonville, OR	7	0.32	
Milwaukie, OR	9	0.44	
Hillsboro, OR	47	0.47	
Wood Village, OR	2	0.5	
Tigard, OR	26	0.51	
Happy Valley, OR	10	0.57	
West Linn, OR	15	0.57	From 2012 to 2018
Oregon City, OR	23	0.66	
Durham, OR	1	0.71	
Fairview, OR	7	0.76	
Portland, OR	2,686	4.33	
Clackamas County	Not available	0	
Multnomah County	0	0	Not permitted
Washington County	60	Not available; population estimate of non-urban population within Metro limits not available.	Includes 6 guesthouses, similar to ADUs. May include ADUs outside of Metro UGB.

Source: Metro and self-reported by jurisdictions in response to audit inquiry May 2018; in the case of differing estimates, the higher was used. Population data from 2016 American Community Survey.



Photo credit:
accessorydwellings.org



Photo credit:
buildinganadu.org

Jurisdictions self-reported estimated levels of ADU interest described by many as relatively high, though with significant variation, and relatively low rates of permitted ADUs resulting from those inquiries.

Some of the reported interest levels are significantly higher than actual ADU production to date, as shown in Table 3, but should be understood as general estimates intended to capture broader trends.

Total permitted ADUs around the region remains relatively low outside of Portland. Portland ADUs total an estimated 2,686 permitted since 2000, with 247 permitted ADUs in all other Metro-area jurisdictions combined. Though total numbers would be expected to vary based on the different sizes of respective cities, ADU rates relative to population are also proportionally high for Portland compared to all other jurisdictions, with 4.33 ADUs per 1,000 residents in Portland compared to 0 to 0.76 ADUs per 1,000 residents outside of Portland.

Variation between cities is difficult to parse, and more difficult still to associate with ADU regulatory practices. Conclusions are further limited by potential limits of the self-reported data; though deemed the best available data source, quality varied widely from cities with spreadsheets tracking ADU permits to looser estimates, making significant comparisons between cities on the basis of ADU development rates less reliable.

One predominating trend is that one-third of cities have no permitted ADUs at all. It is unclear how much of the variation among non-Portland jurisdictions with at least one permitted ADU since 2000 can be attributed to presence of supporting ADU regulations, or absence of regulatory barriers.

Higher rates of ADU development might be expected for jurisdictions notably lacking in barriers, such as Wilsonville and Hillsboro that do not charge SDCs for ADUs. Both cities report middle-of-the-pack ADU permits and ADUs per 1,000 residents, lending some support to the theory, but the data is simply too limited to draw such conclusions.

West Linn has generally more restrictive ADU regulations on paper, but a higher ADU adoption rate than either city.

In several jurisdictions including Tigard and Oregon City, a relatively high percentage of the total ADUs are attributable to one new development that elected to construct ADUs simultaneously with new homes.

Research also explored the estimated number of unpermitted ADUs in each jurisdiction. Relatively low numbers of reported unpermitted ADUs – those that function as ADUs but were not permitted as such – may indicate limited regulatory barriers to legal ADU development, or lower levels of ADU interest.

Relatively high numbers of unpermitted ADUs might indicate a desire for ADU development but significant regulatory barriers to permitting them; until recently Los Angeles was the best-known example of this, estimated to have up to 50,000 unpermitted ADUs due to byzantine permitting restrictions. However, low numbers of unpermitted ADUs could indicate the permitting process is relatively free of barriers, there is little demand for ADUs, or both.

Jurisdictional estimates of unpermitted ADUs were relatively low, though that is data that jurisdictions explicitly do not track unless they receive a code enforcement complaint. Anecdotally, jurisdictions reported learning of one to two unpermitted ADUs through code enforcement complaints. Alternative data sources or investigation may be needed to fully answer this question, however, it is unlikely that local jurisdictions with such low numbers of permitted ADUs would have a large “black market” for unpermitted ADUs.

A more useful comparison might be to understand how many “everything but” – that is, a home addition with all the same

features as an ADU except for a stove triggering the definition of a “dwelling unit” and the related permitting and fees – are built in place of an ADU. Such home additions would be difficult to track with most cities’ permitting records because they would be undifferentiated from home additions for other purposes, but anecdotal observations from Washington County, for example, estimated as many as three “everything but” for every one ADU.

Generally, the observed rarity of unpermitted ADUs suggests that demand for ADUs is not yet strong enough in many Metro-area jurisdictions to incentivize such development. Future ADU demand may expose regulatory barriers, such as high SDC fees, that could drive more unpermitted ADU or alternative home expansion projects as a work-around.



Photo credit: accessorydwellings.org



Photo credit:
accessorydwellings.org

Vancouver, WA Case Study

Vancouver, WA, right across the river from the audited Metro jurisdictions, recently completed a significant ADU regulatory update that provides a lens for understanding the possibilities for liberalizing ADU regulations and some lessons on how to get there.

Although operating outside of Metro and Oregon state requirements to permit ADUs, city planning staff, community advocates, and interested homeowners worked together to significantly overhaul the existing ADU regulations to respond to increasing community interest in ADUs.

The city was experiencing a lot of interest around ADUs, but off-street parking requirements and an ADU size limitation of 40 percent of the existing dwelling were significant deterrents. Simultaneously, a city-led affordable housing task force came out with a recommendation to update the ADU regulations.

Significant changes with the 2017 amendments included:

- Increasing allowed size from 40 percent to 50 percent of the main dwelling, or 800 SF, whichever was less. The 40 percent limitation had emerged as a concern for homeowners converting one story or a basement of a two-story house, and not being able to use the full floor for the ADU.
- Removing off-street parking requirements, which had emerged as a significant obstacle when trying to fit a parking space on a standard 50 by 100-foot lot.
- Removing owner-occupancy requirements for greater use flexibility, though this was the most debated provision among both staff and elected officials.
- Retaining SDC practices of not assessing impact fees or SDCs for ADUs.

The update process benefited from targeted public outreach and positive local stories that illustrated the benefits of ADUs, culminating in a close vote in favor of the update. Planning department staff drafted the updates in-house relying on local experience, comparative research and internal debate to shape the recommendations.

Public outreach included an early open house and presentations to local neighborhood groups.

Staff focused their messaging on familial ADU benefits, such as opportunities to house older relatives or kids returning home after college, as well as messages about how ADUs can add value to single-family homes and help with mortgage costs.

Staff also reported success framing the discussion in terms of the city's own ADU history, pointing at the modest trend of 60 ADUs permitted in the past decade and limited short-term rental usage across the city to calm any fears about future growth.

The mayor, while not the main proponent, was a literal poster child for the ADU update because she had built an ADU herself; a timely newspaper story about an ADU built for a homeowner's adult child with disabilities also helped make ADUs a personal, relatable issue. The vote was close at both the Planning Commission and the City Council, but the council narrowly voted in favor of all the provisions.

ADU development trends are just starting to respond to the regulatory changes. The city permitted a total of 60 ADUs in the previous decade, averaging six per year, and has now seen a modest increase of eight permits in the first nine months under the updated regulations, but it is still too soon to assess impacts of the new regulations or predict future trends with this limited data.

Staff reports a marked increase in interest around ADUs, as well as the number of inquiries that continue moving forward to ADU permitting and development; the most common concerns now voiced by potential ADU developers are problems outside of the city's control related to building costs and financing.



Photo credit: accessorydwellings.org

Recommended ADU regulatory practices



These recommended ADU code provisions and regulations incorporate observed best practices in the greater Portland region, advice from ADU developers and best practices from across the country.

Recommendations are intended to fulfill state and Metro minimum requirements, with the caveat that the interpretation of “reasonable siting and design standards” for ADUs required under SB 1051 is still an open question. These recommendations deliberately avoid any regulations that could be seen as “unreasonable” as a cautionary approach.



Many recommendations are as simple as discouraging any regulation around a particular area, based on audit findings that such regulations were either a barrier to ADU development without a concurrent benefit, or over-regulation in anticipation of negative impacts that were not in fact observed. A code audit checklist incorporating these recommendations is included in Appendix B.

Photo credit:
accessorydwellings.org



Photo credit:
buildinganadu.org

Type and number of ADUs: At a minimum, permit one ADU per detached single-family dwelling, not per lot, to meet specific SB 1051 requirements. Consider allowing two ADUs per dwelling, possibly one attached and one detached. Permit all types of ADUs: attached or detached, through new construction or conversion of an existing space or garage.

Where allowed: Permit ADUs in all zones where single-family detached dwellings are permitted, and consider whether to permit ADUs in special situations such as in mixed-use zones where single-family detached dwellings are allowed on a limited basis, zones where existing dwellings are permitted but new dwellings are not.

Consider whether to permit ADUs with attached dwellings for additional flexibility, even if they are not likely to be as popular given smaller average lots. Address nonconforming situations by allowing ADUs on nonconforming lots that may not meet dimensional standards such as minimum lot size, and in converted, existing nonconforming accessory structures such as a garage that is within setbacks, provided it does not increase the degree of nonconformity.

Consider whether to allow ADUs in nonconforming use situations, where the single-family detached dwelling is located in a zoning district that does not allow the use and is intended for future redevelopment, where the interface between residential and nonresidential uses may be a concern.

Dimensional standards: Make clear which dimensional standards apply to ADUs, whether they are ADU-specific standards, accessory structure standards, or primary dwelling standards.

Size: Approximately 800 SF size limit provides sufficient space for ADU development at a scale consistent with most single-family dwellings and surrounding neighborhoods.

Decouple size limit from the size of the primary dwelling in favor of a straight square footage limit for all dwellings, to avoid penalizing smaller dwellings that by definition already have a small footprint and visual presence.

Promote equity by utilizing a uniform size limit in lieu of a percentage to avoid disproportionately restricting ADU potential of smaller homes typically owned by lower-income and disadvantaged households. If a percentage limit is desired, allow ADUs to be at least 50 percent and preferably 75 percent of the size of the primary dwelling.

Setbacks: Reduce side and rear setbacks for detached ADUs to 5 to 10 feet, either by reducing standards specific for ADUs and accessory structures or reducing setbacks for the base zones.

Consider additional tools to minimize impacts of ADUs on adjoining properties if warranted, such as: height stepbacks that reduce height closer to the property line, landscape buffering within the setback, or minimum outdoor yard space to ensure open space somewhere in the side and rear yards, such as 400 SF minimum area with no dimension less than 10 feet, in lieu of a uniform 20-foot-wide backyard guaranteed by a rear setback.

Height: Allow at least 20 to 25-foot maximum height for detached ADUs depending on whether height is measured as the average or the top of a sloped roof, and up to 35 feet or the base zone maximum height for attached ADUs, to permit two-story ADUs for additional flexibility, such as ADUs over a garage.



Photo credit:
buildinganadu.org



Coverage: Allow 40 to 50 percent lot coverage, and at least 0.5 FAR if used, preferably higher, to provide greater flexibility for adding ADUs to existing developed lots. Alternatively, consider a small lot coverage and/or FAR bonus for ADUs such as 5-10 percent to mitigate concerns about large primary dwellings.



Design standards: Require no or minimal design standards for ADUs, and do not require design compatibility for ADUs and primary dwellings. Homeowners developing ADUs have a vested interest in the design and visual impact of the ADU, at least after accounting for matters of taste.



Standards about compatibility are vague and difficult to apply, many do not meet the state requirements for “clear and objective” standards, and may increase costs associated with custom designing an ADU to match a particular house. In some cases, the primary dwelling’s design may be undesirable and not worthy of repeating.

Absence of discretionary design standards should also simplify the land use review process. If minimum design standards are desired, use clear and objective standards such as minimum window trim requirements, roof pitch, or eave projections.

Accessory structure standards: Align dimensional, design and required review standards for accessory structures and ADUs for parity and to reduce incentives for unpermitted residential use of accessory structures.

Focus particularly on dimensional standards for similarly sized structures, such as a detached garage and detached ADU. Review guest house standards, if they exist, to establish parity and to clarify whether both guest houses and ADUs are permitted on the same lot.

Photo credit:
buildinganadu.org

Consider the need for guest houses separate from ADUs, and potential to consolidate standards.

Owner occupancy: Avoid any owner-occupancy requirements for ADUs or primary dwellings, which limit the normalization of ADUs as a mainstream residential option and often create financing limitations for ADUs. Eliminating owner-occupancy requirements also minimizes code enforcement concerns about tenant residency status, which is not regulated for any other type of residence.

Occupancy quotas: Define an ADU as a dwelling that may be occupied by a ‘household’ or ‘family,’ same as any other dwelling ranging from studio apartments to detached single-family dwellings, which provides maximum flexibility for ADU use and requires minimum ongoing oversight by code enforcement to monitor number of occupants.

Parking requirements: Avoid requirements for off-street parking for ADUs. If parking is a significant political or neighborhood concern, consider a low parking standard of one space per ADU that can be located on-street if available or off-street.

Provide flexible off-street configuration standards including allowing tandem parking in driveways, shared access to parking spaces for both dwellings, and allowing parking within the portion of driveway that crosses required yards.

Also review requirements for off-street parking for the primary dwelling to ensure that primary dwelling parking spaces or garage requirements are limited to one or two spaces maximum and do not take up a significant portion of the site and limit ADU development feasibility.

Additional regulations: Consider any community-specific concerns and address through tailored requirements as needed, but generally limit the scope of regulations as tightly as possible to avoid over-regulation.

- If privacy between ADUs and abutting properties is a concern, provide a menu of clear and objective options including window placement, fences or vegetative buffers.
- Consider explicitly permitting simultaneous construction of primary dwellings and ADUs, and permitting occupation of the ADU earlier than the primary dwelling to better support ADU development in communities with significant new construction.

Application requirements: Review ADUs through a Type I land use process either in advance of or combined with building permit review, or simply require a building permit application similar to most single-family dwellings.

Optimize internal coordination between planning and building departments to ensure that the permitting process is “one-stop shopping” for applicants.



Photo credit:
buildinganadu.org



Photo credit:
accessorydwellings.org

Assuming that ADU standards are indeed “clear and objective” as required by state law, a nondiscretionary Type I review should be the appropriate review type and there should not be any need for a discretionary Type II process or conditional use review.

Infrastructure requirements: Coordinate with and cross-reference any existing engineering standards about thresholds for public works improvements, specifically separate sewer and water connections for ADUs, stormwater treatment triggered by new impervious surface or street improvements.



If policies can be set locally with buy-in from the Public Works department, specifically exempt ADUs from mandatory sewer and water connections, and from triggering street frontage improvements. Provide as much information on potential infrastructure improvement requirements, including resources translating engineering requirements to ADU projects and options for individualized consultation.

SDC rates: Make SDC rates for ADUs clear in a publicly available format, preferably online. List SDC-specific rates or explain which of the existing categories apply to ADUs. Provide a fee waiver or reduction for ADUs, or elect not to assess SDCs for new ADUs.



Photo credit:
buildinganadu.org

When developing any financial incentives, it is both the total amount of fee reduction and the messaging that matter: Promote any fee reductions, temporary or permanent, even if a full fee waiver is not possible. In future SDC calculations, promote alternative methodologies to calculate SDCs for ADUs that scale to ADU size and impacts.

Information: Provide clear supporting materials including info sheets, application forms, fee schedules, permitting procedures and procedural overview from project initiation through final occupancy, coordinating requirements for planning, engineering and building departments.

Consider developing educational materials such as local case studies, promotional videos and more. Ensure department staff can provide consistent information in an accessible manner to potential ADU developers.

Next Steps

ADU regulatory innovation is well underway around the region as this report is being completed, with jurisdictions around the greater Portland region and the state updating their regulations to meet state SB 1051 requirements and to generally support additional residential development opportunities in the midst of a housing crisis.

SB 1051 is effective as of July 1, 2018, though many jurisdictions are still in the process of updating their requirements. To date we are aware of updates completed, in process or under consideration in: Beaverton, Cornelius, Fairview, Gladstone, Gresham, Hillsboro, Lake Oswego, Maywood Park, Milwaukie, Oregon City, Portland, Sherwood, Tigard, Tualatin, Wilsonville, Multnomah County and Washington County, together nearly two-thirds of area jurisdictions.

Targeted technical assistance will be available through 2018 for jurisdictions interested to update their code, and to implement new code provisions. Assistance could include code audit suggestions, support during the adoption process, recommendations for educational materials to support implementation, or other expert ADU guidance. Please contact Metro staff about available services.

Metro will continue to monitor the outcomes of code update efforts through the end of 2018 to identify key updates, particularly efforts to remove significant barriers including off-street parking requirements, owner-occupancy requirements, significant dimensional limitations and SDC requirements.

Ongoing discussions with jurisdictions will also be valuable to understand the local opportunities and concerns raised around these issues, and early implementation experiences. We look forward to learning from our jurisdictional partners in this dynamic and evolving field, and sharing lessons learned through further workshops or updates as useful.

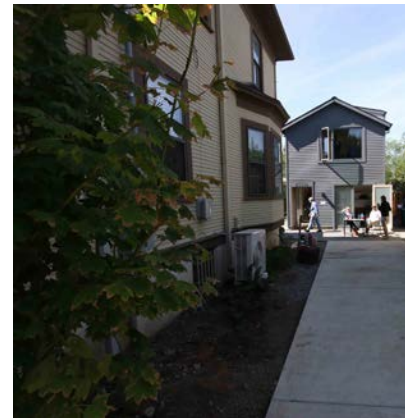


Photo credit: buildinganadu.org



Metro

DRAFT

2022-24 Regional Flexible Funds Allocation Policy

Presentation to JPACT

March 21, 2019

Today's purpose

- Review and discuss draft RFFA policy statement
- Input from TPAC
- ACTION REQUESTED: Approval of draft RFFA policy

2022-24 RFFA policy overview

- 2018 RTP Investment Priorities
 - Equity, Safety, Climate, Congestion Relief
- Continues two-step funding framework
 - Step 1: Regional bond commitments
 - Region-wide investments
 - Step 2: Active Transportation 75%
 - Freight & Econ. Dev. 25%
- Criteria adjusted to align with priorities

Council direction

- 2018 RTP priorities are RFFA policy framework
 - Equity
 - Safety
 - Climate
 - Congestion Relief
- Maintain the two-step funding framework
- Better alignment of Step 2 project outcomes with RTP priorities

Additional input proposed by TPAC

- Policy Document
 - Added one-time allocation to Oregon Household Travel Survey
- Solicitation Packet
 - Desire for fund exchange opportunities
 - Ability to apply for single project funding in both Step 2 topical categories
- Role of public input in selection process
- Request for more time in RFFA next allocation

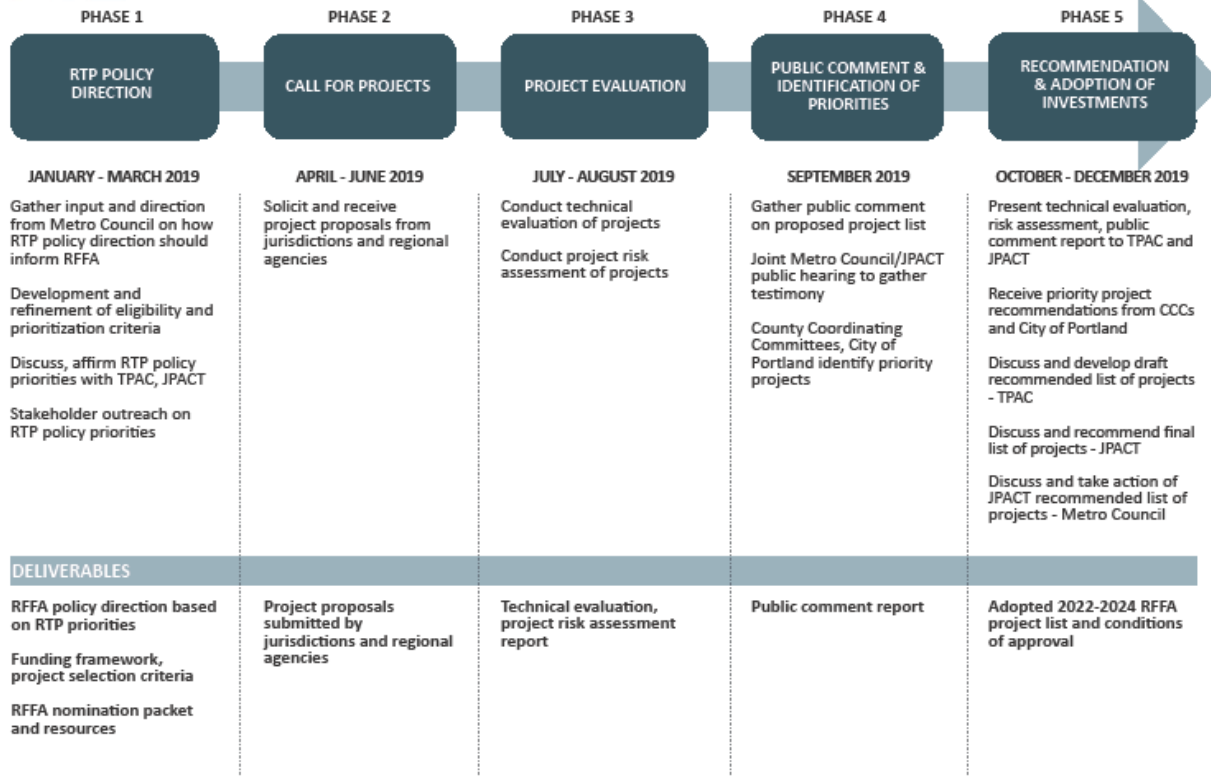
Draft 2022-2024 RFFA investments

Step 1: Transit + project development bond commitment	\$68,640,000
Step 1: Region-wide program investments	\$33,080,000
Step 1: One-time strategic investments (Oregon Household Travel Survey)	\$350,000
Step 2: Community investments:	\$39,650,000
Total 2022-2024 RFFA:	\$141,720,000

RFFA completed by December



2022-2024 REGIONAL FLEXIBLE FUND ALLOCATION Policy Update and Implementation Timeline



Policy development – next steps

- JPACT takes action on RFFA policy report – March 21
- Council consideration of JPACT action – April 4
- Call for Step 2 projects opens – April 8
- Proposals due – June 21

Action requested

- JPACT approval of the draft 2022-2024 RFFA policy direction



Designing Livable Streets and Trails

JPACT

March 21, 2019

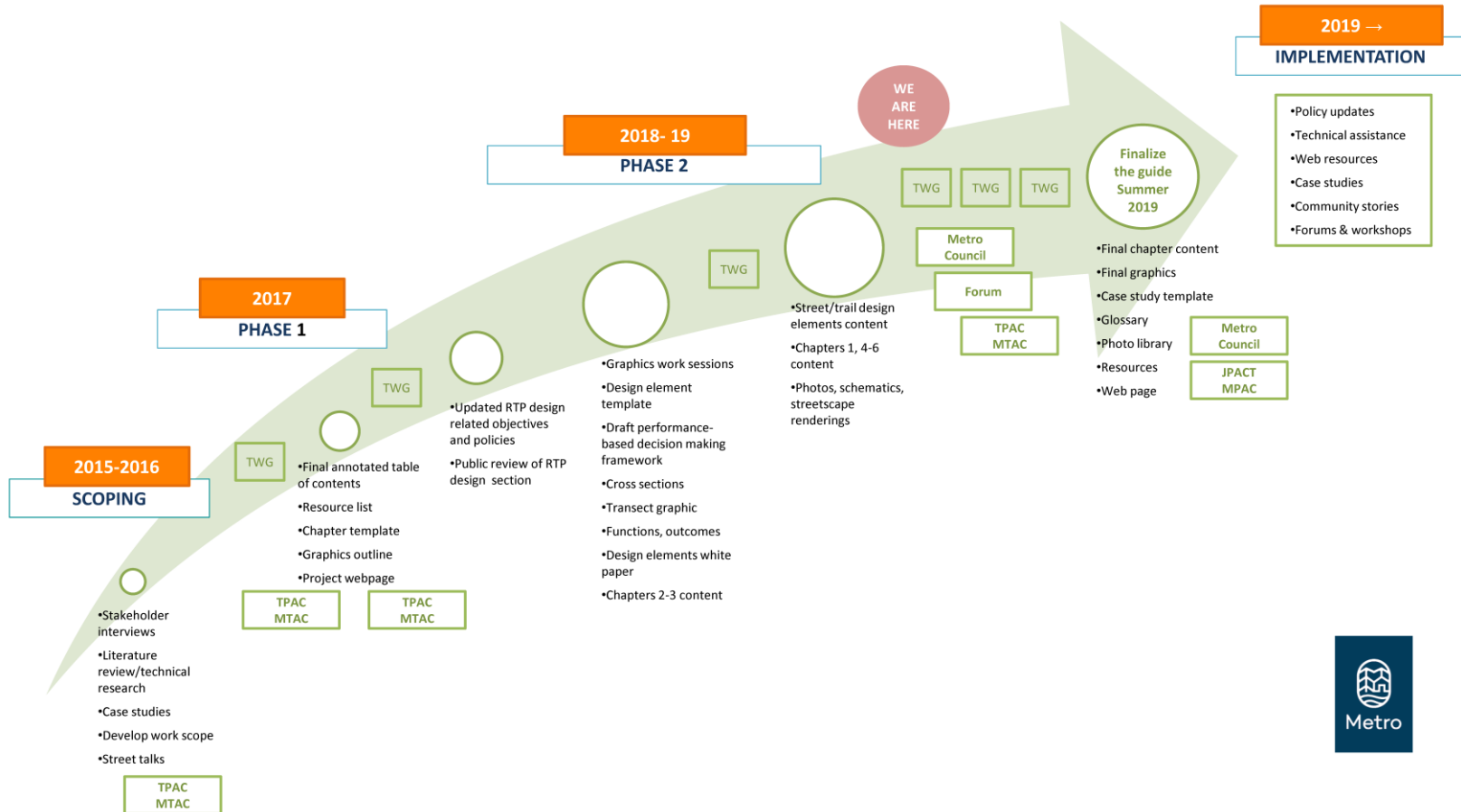
Agencies and organizations represented on the Technical Work Group

A Technical Work Group has provided review & input throughout the update

Clackamas County Planning and Engineering
Multnomah County Transportation Planning
Multnomah County - Public Health
Washington County Planning and Engineering
Metro Planning and Development
Metro Parks and Nature
Oregon Department of Transportation, Region 1
Oregon Department of Transportation, Salem
TriMet
US DOT Federal Highways Administration
Tualatin Hills Park and Recreation District
MTAC alternate
Sustainable Cities Initiative, U of O
Better Blocks PDX

City of Beaverton Transportation Planning
City of Forest Grove Engineering
City of Gresham Planning and Engineering
City of Hillsboro Planning
City of Portland Bureau of Environmental Services
City of Portland Bureau of Transportation
City of Portland Parks and Recreation
City of Sherwood Community Development
City of Tualatin Engineering and Parks
City of West Linn Public Works
City of Wilsonville Engineering
Audubon Society of Portland
Oregon Walks
Safe Routes to School National Partnership
The Street Trust
Landscape architect

Designing Livable Streets + Trails Project Timeline & Deliverables



What is in the design guidelines?

1. Purpose and how to use the guidelines
2. Policy framework and desired outcomes
3. Design functions and classifications
4. Design elements, recommendations, considerations
5. Visualizations, street illustrations
6. Performance-based decision making framework

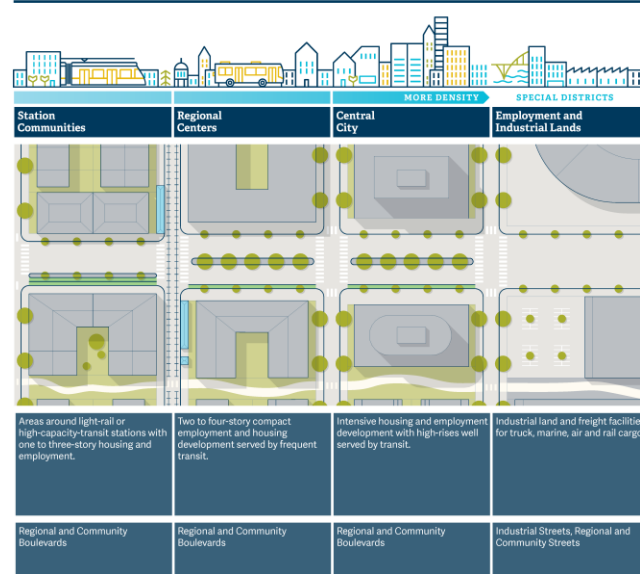
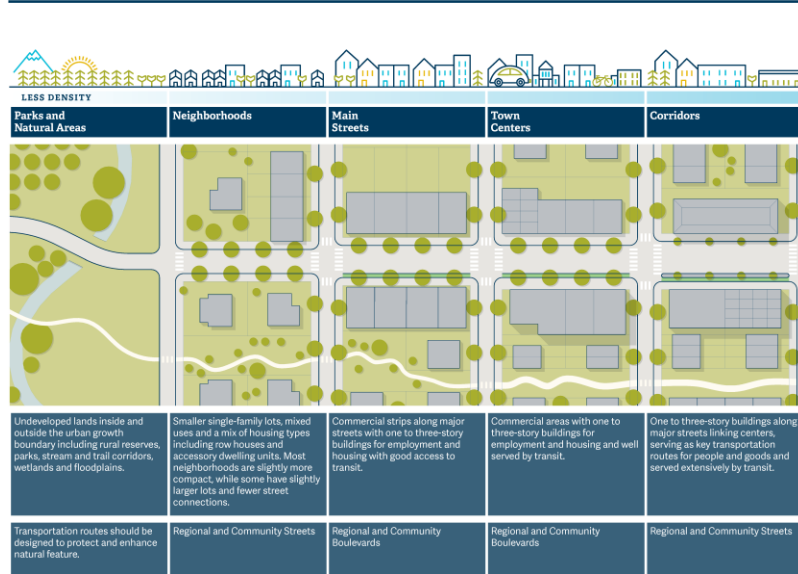


Design decisions are guided by desired policy outcomes/design principles



Street design corresponds to land use

Metro Land-Use and Transportation Transect



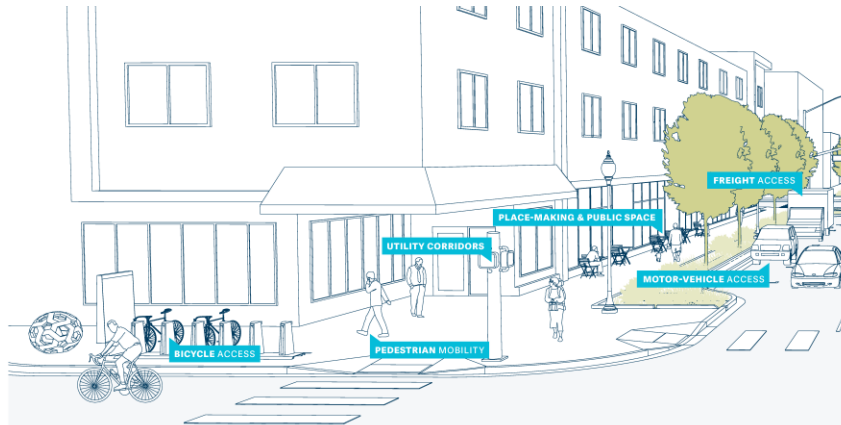
Regional street design classifications support multimodal travel and the specific transportation needs of the 2040 Growth Concept land use types. Local streets serve all land use types. Freeways and highways can traverse any type of land use.

Draft

Design serves the different functions of streets

Desired functions are identified in modal plans and adopted policies

Livable Street Functions



Pedestrian ACCESS & MOBILITY

Every street and trail has safe, comfortable space for people walking, rolling, and enjoying the place they're in.

Bicycle ACCESS & MOBILITY

Connected bicycle networks, separated from heavy vehicle traffic, ensure that bicycling is a great way to get around in our communities.

Transit ACCESS & MOBILITY

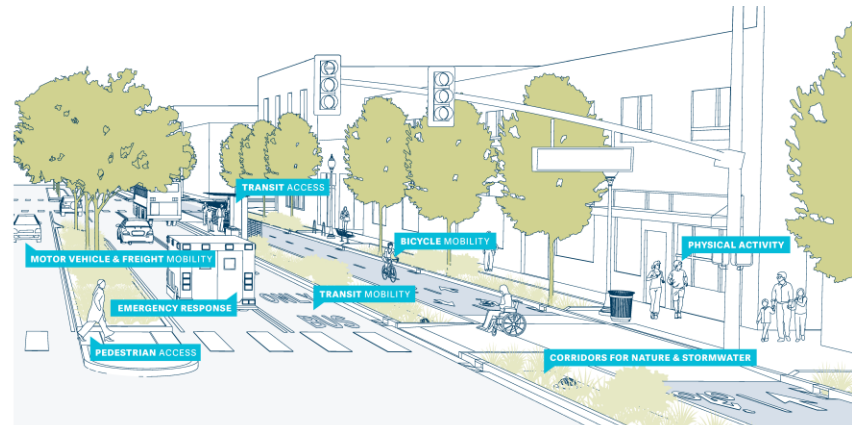
Our streets enable transit to serve the region with an efficient, reliable way to travel between and within our communities.

Freight ACCESS & MOBILITY

Key freight corridors provide reliable freight movement, and streets allow delivery access to serve both businesses and residents.

Motor-vehicle ACCESS & MOBILITY

Our transportation system provides for safe, reliable travel in motor vehicles, providing space to facilitate pooled or shared trips.



Place-making & Public Space

Our streets and trails are a canvas for our community life and daily commerce, helping to form our regional identity.

Corridors for Nature & Stormwater

Weaving nature and sustainable stormwater management into our streets and trails protects and enhances our region's natural assets.

Utility Corridors

Our transportation corridors move more than just people and goods; they also move water, power, gas, communications, and information.

Physical Activity

Our streets and trails are places where people enjoy spending time outdoors as part of an active lifestyle.

Emergency Response

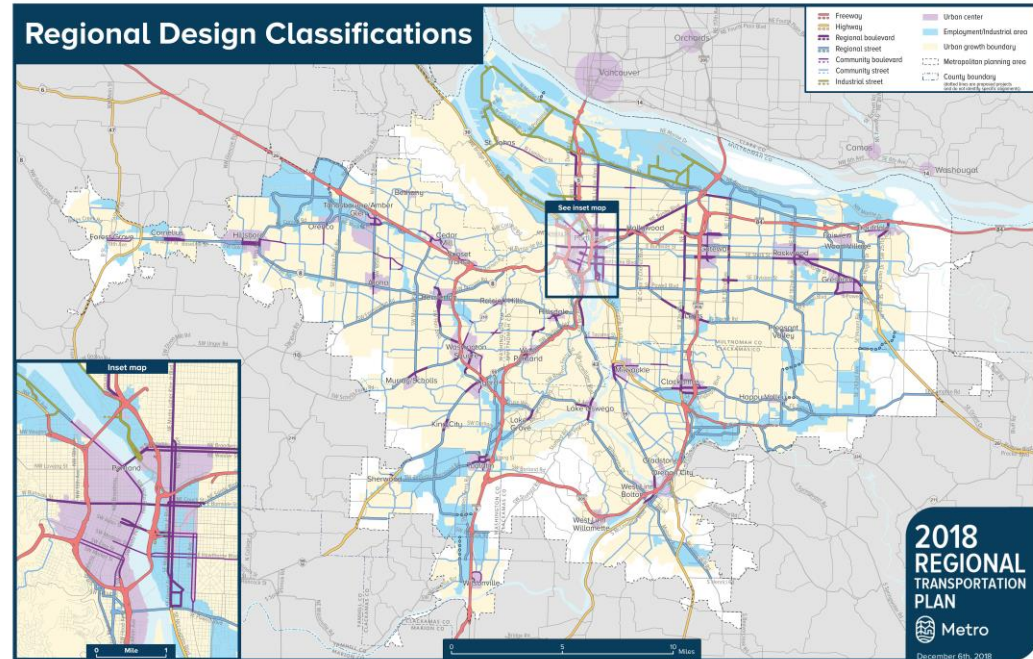
In case of a local or widespread emergency, our streets must provide access and evacuation routes to keep people safe.

Regional street design policy classifications

Different designs apply to different classifications

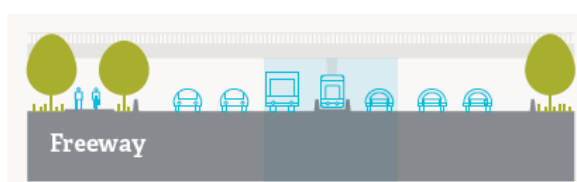
Regional street design classifications dictate how thoroughways and arterials in the RTP should be designed:

- number of lanes
- priority functions
- design speed
- separation of modes
- flex-zone uses
- place-making/public space
- green infrastructure



Regional street design classifications

Using outcomes – such as reducing greenhouse gases or increasing safety - to determine how to best allocate space and design our streets



RIGHT-OF-WAY
110'+



RIGHT-OF-WAY
100'-135'



RIGHT-OF-WAY
60'-90'



RIGHT-OF-WAY
90'-120'



RIGHT-OF-WAY
70'-100'



RIGHT-OF-WAY
60'-80'



RIGHT-OF-WAY
80'-120'

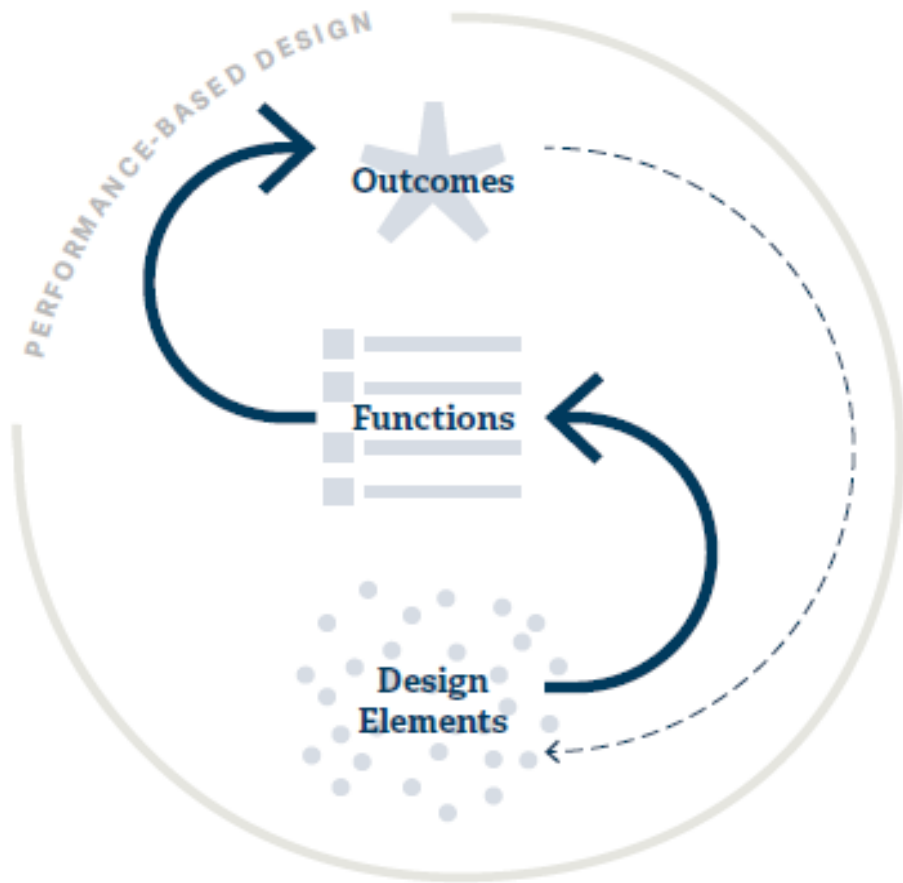


RIGHT-OF-WAY
60'-100'



RIGHT-OF-WAY
60'-80'

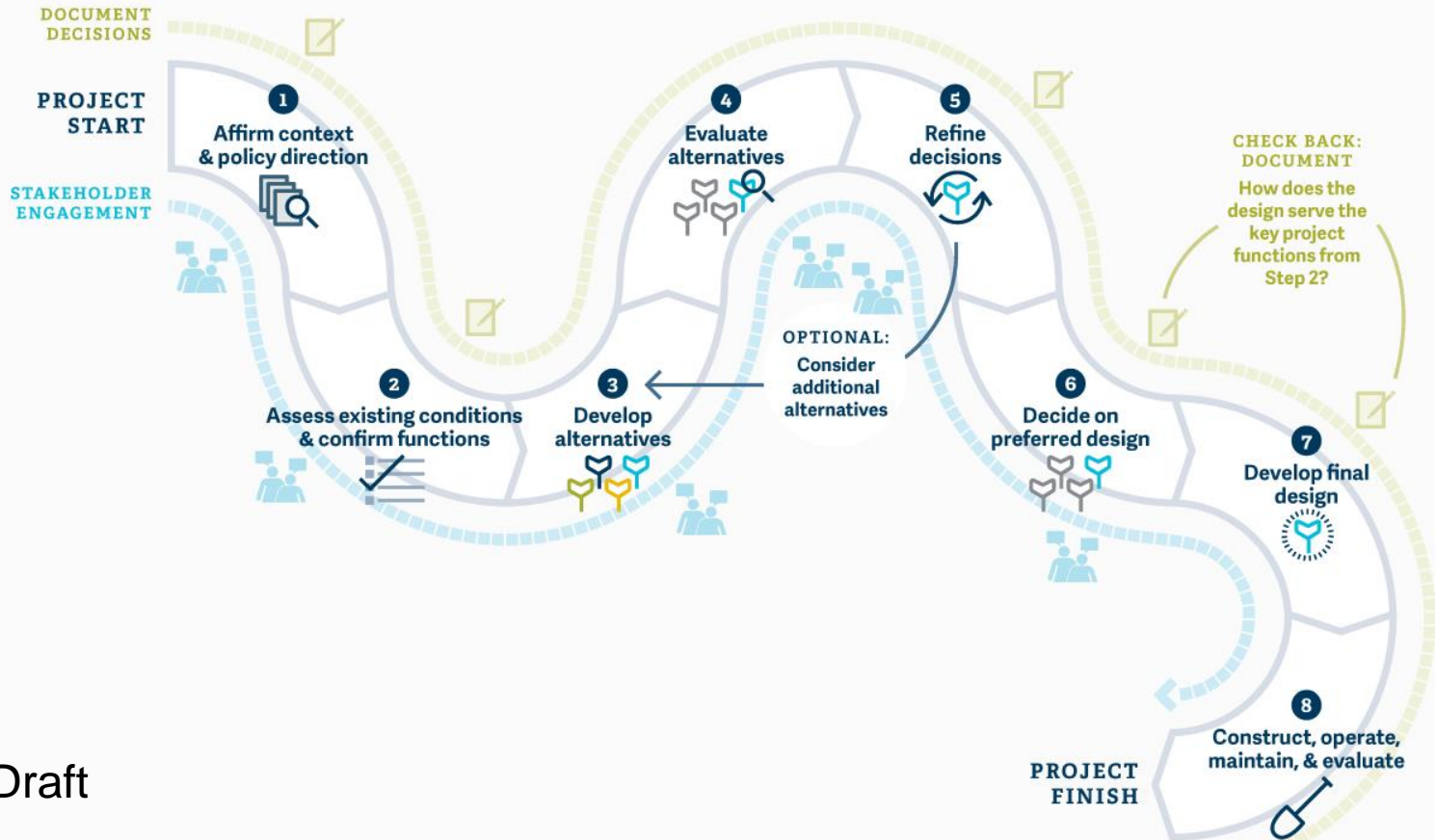
Shaded areas optional based on available width



With performance-based design, design elements support street functions to achieve desired outcomes

A performance-based design decision-making framework contributes to systemwide networks and regional outcomes.

It starts with a well-defined project need and clear objectives.



Draft

Thank you and questions



oregonmetro.gov

