

## **ORDINANCE No. 185208**

Amend the Transportation System Plan, part of the Portland Comprehensive Plan, to include updated street segment classifications, project list descriptions and project alignments on transportation system improvement maps to implement the Land Use Final Order for the Portland-Milwaukie Light Rail Project (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

### **General Findings**

1. The City of Portland adopted its Comprehensive Plan on October 16, 1980 (Ordinance 150580, effective date January 1, 1981). The Plan was acknowledged as being in conformance with Statewide Land Use Planning Goals by the Land Conservation and Development Commission (LCDC).
2. The Portland Milwaukee Light Rail is a project identified in the City's Transportation System Plan and in the Regional Transportation Plan. In order to implement the project, modifications to projects and streets were identified.
3. The Council approved the realignment of Water Ave in January, 2011 by Resolution 36841.
4. The Council approved the Clinton-to-the-River Multi-Use Path in January, 2011 by Resolution 36842.
5. The Council approved the North Macadam Transportation Development Strategy in April, 2009 by Resolution 36696.
6. The Council approved the South Waterfront District Street Plan in November, 2009 by Resolution 36753).
7. The Realignment of Water Ave, Clinton-to-the-River Multi-Use Path, North Macadam Transportation Development Strategy, and South Waterfront District Street Plan are all projects that will be implemented as part of the PMLRT. The Land Use Final Order (LUFO) adopted by Metro authorized the uses, routes, stations and infrastructure improvements as identified and required local TSPs to be amended to be consistent with the LUFO.
8. The projects listed above are projects that were added or modified in order to meet the requirements of the LUFO. This ordinance incorporates these changes into the City's Transportation System Plan.

9. The Federal Transit Administration approved the PMLRT's Final Environmental Impact Statement (FEIS) and approved the project to move forward into final design. Final design, as well as initial construction of the PMLRT and its components (Willamette River Bridge, stations, alignments, infrastructure improvements) have begun.
10. Because these amendments to the TSP are implementing the FTA's federal action and a regional action, the LUFO, a land use action is not necessarily required. Nevertheless, findings are provided against State, Regional and City Policies.
11. On September 9, 2011 notice of the proposed action was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process as required by OAR 660-18-020.
12. On September 23, 2011 a notice of the proposal and the Planning and Sustainability Commission hearing scheduled for October 25, 2011 was sent to the City's Legislative Notification List consisting of citizens, neighborhood organizations and other interested persons who requested to be notified of legislative amendments to the comprehensive plan, such as the proposed TSP amendments.
13. On September 27, 2011 a public open house was held at Portland City Hall for interested citizens.
14. December 13, 2011 the Planning and Sustainability Commission held a public hearing on the proposed Amendments and recommended the Council approve them.

### **Findings on Statewide Planning Goals**

15. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the statewide planning goals. Only the state goals addressed below apply.
16. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement, including:
  - a. As part of the previous actions described in findings 2-5 above, PBOT staff periodically met with and engaged in telephone and email exchanges with property owners, developers, members of the business community and other interested parties in regards to project goals and provisions.
  - b. As part of the previous actions described in findings 2-5 above, PBOT staff maintained and updated as needed a project website(s) that included basic project information, announcements of public events, project documents and staff contact information.
  - c. On September 23, 2011 PBOT issued a draft document outlining proposed text and map changes. The document was made available to the public and posted on the PBOT web site.
  - d. On September 27, 2011 PBOT hosted a public open house on the amendments. Staff provided background information, text and map changes, summary materials and staff contact information. Staff explained the amendments, answered questions and accepted public comments and suggestions.

- c. On September 23, 2011 PBOT issued a draft document outlining proposed text and map changes. The document was made available to the public and posted on the PBOT web site.
  - d. On September 27, 2011 PBOT hosted a public open house on the amendments. Staff provided background information, text and map changes, summary materials and staff contact information. Staff explained the amendments, answered questions and accepted public comments and suggestions.
  - e. On December 13, 2011, the PSC held a public hearing on the Amendments at which interested members of the public had an opportunity to testify and submit comments.
17. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The policy framework is the City's Comprehensive Plan, and the amendments support this goal by making the Comprehensive Plan consistent with the more recently adopted actions described in findings 2-5 above.
18. **Goal 9, Economic Development**, requires provision of adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. The amendments support this goal because the amendments support the implementation of transportation improvements in two of the city's and region's industrial and employment districts. These transportation projects improve or add public facilities supportive of economic activity in these districts.
19. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The amendments support this goal because amendments that help implement the PMLRT and the provisions of the LUFO promote a balanced multi-modal transportation system that is consistent with the City's Transportation System Plan and the land use vision for the City. There are numerous implementing actions addressing enhancements to the pedestrian environment, vehicle circulation, transit use, parking, and bicycle circulation.
- a. The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996, 2005 and 2012 to implement State Goal 12. The TPR requires jurisdictions to determine if the proposed Comprehensive Plan Map amendment will significantly affect an existing or planned transportation facility.
  - b. This proposal will not have a significant effect on existing or planned transportation facilities because the proposed amendments will not result in increases in housing units or additional jobs that will increase motor vehicle trips in the area.

#### **Findings on Metro Urban Growth Management Functional Plan**

20. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity

of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations.

21. **Title 2, Regional Parking Policy**, regulates the amount of parking permitted by use for jurisdictions in the region.
22. **Title 4, Industrial and Other Employment Areas**, limits retail and office development in Employment and Industrial areas to those that are most likely to serve the needs of the area and not draw customers from a larger market area.
23. **Title 7, Affordable Housing**, ensures opportunities for affordable housing at all income levels, and calls for a choice of housing types.
24. The proposed amendments are consistent with all of the Metro Titles listed above because they do not significantly alter the development capacity of the city and there are no proposed changes to land uses, nor any changes to jobs, housing, parking or impacts to water quality, flood management or fish and wildlife.

#### **Findings on Metro Regional Transportation Plan and the Regional Transportation Functional Plan**

25. The Portland-Milwaukee Light Rail Project and the projects outlined in the general findings are identified in the Regional Transportation Plan in a number of different projects. Amending the TSP to include the changes outlined in Exhibits A-D will bring the TSP into compliance with the FTA EIS and the LUFO. The City's TSP addresses and meets the requirements outlined in Titles 1- 7 of the Regional Transportation Functional Plan.

#### **Findings on Portland's Comprehensive Plan Goals**

26. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. The amendments support this goal because these amendments implement the LUFO, which established the alignment of a regional priority project, the PMLRT, and the amendments implement the decision by the FTA that approves construction of the PMLRT.
27. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include ODOT, TriMet, Metro, DLCD and other agencies on the City's Legislative Update List. No comments were received. In addition, these

amendments comply with the decision by the FTA to approve construction of a regional priority project, the PMLRT.

28. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers. The amendments support this goal because these amendments increase multimodal circulation in South Waterfront and Central Eastside Industrial District and improve access to and within these employment districts.
29. **Goal 3, Neighborhoods**, calls for the preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density. The amendments support this goal because they help implement the regional priority project, the Portland-Milwaukie Light Rail that will increase transit access and connectivity in several major neighborhoods in the city, including South Waterfront, Brooklyn, and Sellwood-Moreland.
30. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The amendments are consistent with this goal because the amendments help increase transit access and connectivity in two major employment centers in the city, including the South Waterfront and the Central Eastside Industrial District.
31. **5.4, Transportation System**, calls for the promotion of a multi-modal regional transportation system that stimulates and supports long term economic development and business investment. The amendments are consistent with this goal because the amendments increase transit, pedestrian and bicycle access within and between two major employment centers in the city.
32. **Goal 6, Transportation**, calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility. The amendments support this goal because the Portland-Milwaukie Light Rail is a transit supportive project, providing increased multi-modal transportation accessibility and reduced auto-dependence.
33. **6.1, Coordination**, calls for coordination with affected state and federal agencies, local governments, special districts and providers of transportation services when planning for and finding transportation facilities. The amendments support this policy because these amendments implement the decision by the FTA to approve construction of a regional priority project, the Portland-Milwaukie Light Rail in coordination with other agencies as discussed in finding 23 above.

34. **6.2, Public Involvement**, calls for carrying out a public involvement process that provides information about transportation issues, projects, and processes to citizens, businesses and other stakeholders, especially those traditionally underserved by transportation services, and that solicits and considers feedback when making decisions about transportation. These amendments support this policy for the reasons stated in the findings addressing Statewide Planning Goal 1 (findings 13 a - e above) and incorporated here.
35. **6.4, Classification Descriptions** calls for street classifications and designations that describe the types of motor vehicle, transit, bicycle, pedestrian, truck, and emergency vehicle movement that should be emphasized on each street. These amendments are consistent with this policy because the street classification changes support the implementation of PMLRT and allow the streets to reflect this modal emphasis for the streets in the street plan and for the realignment. Classification changes were reviewed against other classifications in order to not create conflict in modal classifications. Classifications increase pedestrian and bicycle access in two important central city neighborhoods. Exhibit A.1 describes the proposed classification changes in both text and map form.
36. **6.17, Coordinate Land Use and Transportation**, calls for implementing the Comprehensive Plan and the 2040 Growth Concept through long-range transportation and land use planning and the development and effective transportation projects and programs. These amendments meet this goal because the changes allow the implementation of a regionally significant project (PMLRT) that meets numerous land use and transportation goals including the coordinated development of light rail transit, pedestrian and bicycle facilities, and the potential for residential and commercial development around the light rail stations.
37. **6.18, Adequacy of Transportation Facilities**, calls for ensuring that amendments to the Comprehensive Plan (including goal exceptions and map amendments), zone changes, conditional uses, master plans, impact mitigation plans, and land use regulations that change allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. These amendments meet this goal because the changes allow the implementation of a significant project (PMLRT) from the city's existing Comprehensive Plan that meets numerous land use and transportation goals. The amendments are consistent with allowed land uses and clarify the identified function and capacity of the affected transportation facilities to support these land uses.
38. **Policy 6.20, Connectivity**, calls for supporting the development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers. **Policy 6.22, Pedestrian Transportation**, calls for the planning and completion of a pedestrian network that increases the opportunities for walking to shopping and services, schools and parks, employment, and transit. **Policy 6.23, Bicycle Transportation**, calls for making the

bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. Policy **6.24, Public Transportation**, calls for developing a public transportation system that conveniently serves City residents and workers 24 hours a day, seven days a week, and that can become the preferred form of travel to major destinations, including the Central City, regional and town centers, main streets, and station communities. The amendments implement the PMLRT, which supports policies 6.20-6.24 by increasing transit, motor vehicle, bicycle and pedestrian connectivity in the affected neighborhoods. The PMLRT includes connections to the river, improves pedestrian connectivity and connections to transit, and increases bicycle connectivity with the Clinton-to-the-River project.

39. **6.37, Southeast Transportation District, Objective D**, calls for facilitating pedestrian access and safety in Southeast Portland by improving connections to the Willamette River; adding connections between neighborhoods and parks, institutions, and commercial areas; and enhancing pedestrian crossings with curb extensions and improved markings. **Objective J** calls for supporting planning for and development of light rail transit and streetcars in Southeast Portland, including consideration of feeder transit service and pedestrian and bicycle access. The amendments support these goals by implementing the PMLRT, a light rail development in southeast Portland. This project also includes improved pedestrian, bicycle and streetcar connections to many destinations including the river, OMSI, the Portland Opera, the South Waterfront district, and multiple other destinations and neighborhood areas.
40. **Goal 8, Environment**, calls for maintaining and improving the quality of Portland's air, water and land resources and protect neighborhoods and business centers from detrimental noise pollution. The amendments support this goal because they facilitate implementation of the PMLRT project, which supports multi-modal transportation options, reduces reliance on personal automobiles, and will help reduce air, noise and water pollution.
41. **8.4, Ride Sharing, Bicycling, Walking, and Transit**, calls for promoting the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area. The amendments support this goal because they will implement projects that support the PMLRT transit project and that support bicycle and pedestrian connectivity as described in finding 34 above.
42. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons explained in the findings for Statewide Planning Goal 1, Citizen Involvement (sections 13a-13e of this document) and incorporated here.

43. **Goal 10, Plan Review and Administration**, calls for periodic review and implementation of the Comprehensive Plan and addresses amendments to the Plan, the Plan Map, and the Zoning Code and Zoning Map. The amendments support this goal by implementing the decision of the FTA to approve construction of the PMLRT. Implementation of the PMLRT does not move forward the planning horizon of the TSP or Comprehensive Plan, and the City followed the process for amending the TSP as required by the LUFO, state law and the zoning code.
44. **Goal 11-B, Public Rights-Of-Way**, calls for improvements to the quality of Portland's transportation system. The amendments support this goal by implementing new streets and connectivity in the central city.
45. **11.10, Street Design and Right-of-Way Improvements**, calls for design improvements to existing and new transportation facilities that implement transportation and land use goals and objectives. The amendments support implementation of the PMLRT, which will build new streets in conformance with existing design guidelines, and that allow for all modes of travel.
46. **11.11, Street Plans**, calls for the promotion of a logical, direct, and connected street system through the development of street plans. The amendments support this goal because facilitate implementation of the PMLRT, which supports increased connectivity within the adopted South Waterfront District Street Plan.
47. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The amendments support this goal because they help implement the PMLRT, a transit project that support the urban character of inner Portland neighborhoods.
48. **12.4, Provide for Pedestrians**, calls for recognizing that auto, transit and bicycle users are pedestrians at either end of every trip and that Portland's citizens and visitors experience the City as pedestrians; for providing a pleasant, rich and diverse experience for pedestrians; and for ensuring that those traveling on foot have comfortable, safe and attractive pathways that connect Portland's neighborhoods, parks, water features, transit facilities, commercial districts, employment centers and attractions. The amendments support this goal because the PMLRT project will provide additional pedestrian connections and enhance access to transit through the construction of the light rail line and stations and through the implementation of the actions described in findings 2-5 above.

NOW, THEREFORE, the Council directs:

- a. The map amendments to the Transportation System Plan in Exhibit A titled *Chapter 2 Transportation Element to the Comprehensive Plan; Goal 6: Policies and*



Objectives, dated February 21, are hereby adopted.

- b. The text amendments to the Transportation System Plan in Exhibit B titled *Chapter 3: Major System Improvements*, dated February 21, 2012, are hereby adopted.
- c. The map amendments to the Transportation System Plan System Improvements in Exhibit C, titled *Chapter 3: Major Transportation Improvements*, dated February 21, 2012, are hereby adopted.
- d. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council: MAR 14 2012

Mayor Adams

Prepared by: C. Duke

Date Prepared: February 21, 2012

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

808281

Agenda No.  
**ORDINANCE NO. 185208**

Title

Amend the Transportation System Plan, part of the Portland Comprehensive Plan, to include updated street segment classifications, project list descriptions, and project alignments on transportation system improvement maps ~~in order~~ to implement the Land Use Final Order (LUFO) for the Portland-Milwaukie Light Rail Project (PMLRT) (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b> <i>K. Williams on behalf of Mayor Adams</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Transportation Division Manager: Paul Smith <i>P.S.</i></p> <p>Prepared by: Courtney Duke: JF <i>JD</i> Date Prepared: February 24, 2012</p> <p><b>Financial Impact &amp; Public Involvement Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> <i>Per Clerk</i></p> <p><b>Council Meeting Date</b> <b>March 7, 2012</b></p> <p><b>City Attorney Approval</b> <i>MRM</i></p>	<p><b>CLERK USE: DATE FILED</b> <u>MAR 02 2012</u></p> <p align="right">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p>MAR 07 2012 <b>PASSED TO SECOND READING</b> MAR 14 2012 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p><b>Total amount of time needed:</b> <u>30 min</u> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	