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October 18, 2011

To: Portland Planning and Sustainability Commission

From: Courtney Duke, AICP
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Subject: Transportation System Plan Technical Amendment:
Portland-Milwaukie Light Rail and Land Use Final Order Amendments

On October 25, 2011, the Planning and Sustainability Commission will hold a hearing on Minor Amendments to the City of Portland's Transportation System Plan (TSP), part of the City's Comprehensive Plan. Portland Bureau of Transportation staff proposes that the Planning and Sustainability Commission recommends that City Council amend the City's TSP in order to comply with a Land Use Final Order for the Portland-Milwaukie Light Rail project.

Background

In early 2011, PBOT received funding from TriMet to amend the TSP as necessary to implement the Portland-Milwaukie Light Rail Project (PMLRT), a project in the City's adopted TSP. The required amendment also complies with the approved Land Use Final Order (LUFO). In addition to the LUFO, the proposed amendments outlined in this memo are included in the following the previously adopted City Council decisions:

- New Water Avenue Realignment (January 2011, Resolution 36841)
- Clinton-to-the-River Multi-Use Path (January 2011, Resolution 36842)
- North Macadam Transportation Development Strategy (April 2009, Resolution 36696)
- South Waterfront District Street Plan (November 2009, Resolution 36753)

There are four City Council decisions and projects that result in a number of street classification and amendments to the TSP Project List. The LUFO informs these amendments as well.

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SE Water Avenue Realignment

The Central East Side industrial area is a critical employment center for the city of Portland and is home to 1,700 jobs. The area suffers from connectivity challenges, due to the fact that it is a congested multi modal corridor. The district is bisected by several rail lines and has numerous at grade crossings. In 2012, the east side streetcar loop will open, serving the district with high quality transit. In 2015, the Portland to Milwaukie Light Rail transit bridge will open, providing light rail connections to Clackamas and Washington Counties. These transit investments, and the potential development opportunities they provide, support the permanent relocation of SE Water Ave.

The Bureau of Environmental Services temporarily closed SE Water Ave to accommodate a sewer project. The Temporary Alignment is the preferred permanent route for traffic in the district. New Water Ave will be built as a complete street with stormwater treatments, curbs, sidewalks and bike lanes (see page 10, Attachment C for a map of the realignment).

PBOT, and partners including the Portland Opera, TriMet, OMSI, PDC and BES, support the relocation of SE Water Ave because the new alignment will improve district circulation, create a more direct connection to SE 4th Ave, create the possibility for improved pedestrian corridor to access the new bridge, and support "Portland Loop" and "Close the Loop" streetcar projects. The alignment will eliminate interaction between streetcar and through-district freight activities, and improve functionality of traffic and train signal operations at the intersection of "old" Water Avenue and the light rail transitway.

The new alignment and construction of the new street was approved by resolution by City Council in January 2011, Resolution 36841.

Clinton to the River Multi-Use Path

The Portland-Milwaukie Light Rail (PMLRT) project provides a unique opportunity to design a multi-use path in conjunction with a transit project. The path will increase connections to the river and improve safety for pedestrians and bicyclists. The Clinton to the River multi-use path will utilize both excess right-of-way from the PMLRT project and city-owned right-of-way to provide a comfortable path to ride a bike or walk. The Path will reduce conflict, increase safety, add signalized crossings for bikes and pedestrians, improve travel time, provide connections to the river in a neighborhood with an active freight corridor, reduce out of direction travel and provide a state

of the art pedestrian and bicycle facility for the current and future users of the network. See Page 11, Attachment D for a map of the project alignment.

This project was approved by resolution by City Council in January 2011, Resolution 36842.

North Macadam Transportation Development Strategy

The North Macadam Transportation Development Strategy (NMTDS) is a study to identify priority transportation projects to accommodate future development within the North Macadam Urban Renewal Area which includes a 20-year list of recommended multi-modal projects. With the aid of an appendix to the study detailing proposed amendments to the TSP to implement NMTDS-recommended projects, PBOT staff proposes a number of changes to the TSP project list that also implement the existing TSP.

Changes were approved by resolution by City Council in April 2009, Resolution 36696.

South Waterfront Street Plan

The South Waterfront District is identified as a Central City neighborhood and is expected to host up to 3,000 new housing units and up to 10,000 new jobs. The 2009 update to the South Waterfront District Street Plan, Criteria and Standards responded to the Locally Preferred Alternative of the Portland to Milwaukie Light Rail alignment, the agreed upon outcome of the North District Partnership Process including the OHSU Schnitzer Campus master plan. Changes approved in the updated master plan are reflected in this TSP update. See Page 12, Attachment E to see the map of the South Waterfront District that incorporates the new and adjusted street alignments.

Changes were approved by resolution by City Council in November 2009, Resolution 36753.

Land Use Final Order

A Land Use Final Order for Portland-Milwaukie light rail was issued on July 24, 2008. The projects listed above and in the amendments implement this order. See Page 5, Attachment A for language from the resolution.

Relation to Periodic Review of the Portland Comprehensive Plan

The TSP is a chapter of the City's Comprehensive Plan; the 2011 Technical amendment is a separate process from the current Comprehensive Plan update being conducted by the Bureau of Planning

and Sustainability. Similarly, the technical amendment is not a part of the Portland Plan or the state-mandated Periodic Review.

Proposal

The proposed action will amend the City's Transportation System Plan to change street classifications, alignments and modify projects to implement the LUFO and build the PMLRT.

The proposed Transportation System Plan amendment is a legislative action and must be reviewed by the Planning and Sustainability Commission prior to being submitted for adoption by City Council. The City will follow the legislative process spelled out in Chapter 33.430 of the Portland City Code, for hearing and adopting the proposed public facilities plan. After adoption by City Council, the amendment will be submitted to the Oregon Department of Land Conservation and Development as a post acknowledgement plan amendment. The City will follow the public notification and procedural steps required for this type of amendment.

Recommendation

Staff proposes that the Planning and Sustainability Commission recommend that City Council take the following actions:

- Amend the City's Transportation System Plan, the Comprehensive Plan, and the Public Facilities Plan as specified in this memorandum; and
- Adopt the ordinance.

Attachments

Ordinance to 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).

Attachment A: Relevant language from the LUFO resolution

Attachment B: Summary matrix of LUFO-related TSP changes

Attachment C: Map of SE Water Avenue Realignment

Attachment D: Map of Clinton to the River Multi-Use Path Alignment

Attachment E. Map of new street alignments in the South Waterfront District

Attachment A

From Pages 14 and 15 of Exhibit C of Metro Resolution No. 08-3964, July 24 2008

Findings of Fact and Conclusions of Law (Portland-Milwaukie Project)

4.2 Effect of Land Use Final Order on Local Comprehensive Plans and Land Use Regulations

Section 8(1)(a) of HB 3478 requires the affected cities and counties and Metro to amend their comprehensive or functional plans, including their public facility and transportation system plans and land use regulations, to the extent necessary to make them consistent with a land use final order. Section 8(2) further provides that a LUFO "shall be fully effective upon adoption." (emphasis not in original)

The legal effects of these provisions are (1) to immediately authorize, as permitted uses, the light rail route, stations, lots and maintenance facilities and the highway improvements, including their locations, as identified and approved in a land use final order, and (2) to require appropriate plan and land use regulation amendments so that local land use requirements are consistent with a land use final order. (See Footnote 8.) However, as noted above, the uses approved in a land use final order remain subject to local imposition of reasonable and necessary approval conditions under Section 8(1)(b).

While approval of a LUFO identifies where rail and highway improvements may go and authorizes their development at these locations subject to reasonable and necessary conditions, it does not concurrently prevent other uses allowed by existing zoning. Stated another way, a LUFO is not a right-of-way preservation tool. It does not prevent development of economically feasible uses currently permitted under acknowledged plans and land use regulations. It merely adds to the list of uses permitted on the properties affected by the LUFO without eliminating other uses from that list.

Similarly, a LUFO does not require local zoning amendments to allow more intense scales of development. Instead, it requires amendments only as necessary to authorize the approved Project elements and ancillary facilities or improvements that may be required to ensure the safe and proper functioning and operation of the light rail system, provide Project access, improve traffic flow, circulation or safety in the Project vicinity, or mitigate adverse impacts resulting from the Project.

In summary, Metro Council adoption of a LUFO has the immediate effect of permitting, on the affected properties, the light rail and highway facilities and improvements approved in the LUFO. It also identifies the affected locations for future public acquisition for rail or highway purposes. However, LUFO adoption in no way prevents or limits currently allowed uses on these properties during the interim period pending ultimate public acquisition, nor does it mandate the rezoning of areas nearby light rail stations to achieve regional growth management objectives.

(Footnote 8) This may require amendments to authorize the ancillary facilities and improvements for the South/North Project.

Portland-Milwaukie Light Rail LUFO-related Proposed Changes – CLASSIFICATION CHANGES

Change	From what project	Current TSP Details	Change TSP to...	TSP Maps to be Changed
Clinton-to-the-River Multi-Use Path Classification Changes	Clinton-to-the-River Multi-Use Path (Resolution 36842, January 2011)	<p>SE Caruthers Street: Eastbank Esplanade to 4th Ave – Local Traffic Street, Local Transit Street, Off-street Path (Bicycle), Off-street Path (Pedestrian), Freight District, Minor Emergency Response Street, Local Service Street Design</p> <p>SE Caruthers: 4th Ave to 7th Ave – Local Traffic Street, Local Transit Street, Off-street Path (Bicycle), Off-street Path (Pedestrian), Freight District, Minor Emergency Response Street, Local Service Street Design</p> <p>SE 7th Ave: Caruthers to Division Place – Alignment currently doesn't exist</p> <p>SE Division Place / 9th to Proposed Clinton Station along Portland-Milwaukie Light Rail – Alignment currently doesn't exist</p>	<p>SE Caruthers Street: Eastbank Esplanade to 4th Ave - Update bicycle classification to City Bikeway</p> <p>SE Caruthers Street: 4th Ave to 7th Ave – Update bicycle classification to City Bikeway</p> <p>SE 7th Ave: Caruthers to Division Place – Add new alignment and classify the following: Traffic: Local Service Transit: Local Service Bicycle: City Bikeway Pedestrian: Local Service Freight: Local Service ER: Minor Emergency Response Design: Local Street</p> <p>SE Division Place / 9th Ave to Proposed Clinton Station along Portland-Milwaukie Light Rail – Add new alignment and classify as the following” Traffic: N/A Transit: N/A Bicycle: Off-street Path Pedestrian: Off-street Path Freight: Local Service ER: Minor Emergency Response Design: Local Street</p>	<p>6.42 All Central City Classification maps (7)</p> <p>6.38 All Southeast District Classification Maps (7)</p>
Transfer classifications of the “Old” Water Ave to the new Water Ave	New Water Avenue Realignment (Resolution 36841, January 2011)	SE Water Avenue classifications: Traffic Access Street Transit Access Street City Bikeway City Walkway Local Service Truck Street / Freight District Major Emergency Response Street Local Street (Design)	Carry over all existing classifications to new alignment (SEE ATTACHED MAP FOR NEW ALIGNMENT).	<p>6.42 All Central City Classification maps (7)</p> <p>6.38 All Southeast District Classification Maps (7)</p>
SW Moody Ave, north of SW Gibbs Ave	South Waterfront District Street Plan (Resolution 36753, November 2009)	Traffic Access Street Transit Access Street City Bikeway Pedestrian-Transit Street Local Service Truck Street Major Emergency Response Street Community Main Street	<p>Upgrade transit classification to Major Transit Priority Street</p> <p>Downgrade bicycle classification to Off-street Path</p>	<p>6.42.2 Central City Transit Classification Map (1)</p> <p>6.42.3 Central City Bicycle Classification Map (1)</p>

SW Bond	South Waterfront District Street Plan (Resolution 36753, November 2009)	Traffic Access Street Major Transit Priority Street City Bikeway Pedestrian-Transit Street Local Service Truck Street Major Emergency Response Street Community Main Street	Extend SW Bond Ave and all current classifications north to SW River Parkway (SEE ATTACHED MAP FOR EXTENSION)	6.42 All Central City Classification maps (7)
SW River Parkway (from SW Woods to SW Lowell)	South Waterfront District Street Plan (Resolution 36753, November 2009)	Local Service Traffic Street Local Service Transit Street Local Service Bikeway Local Service Walkway Local Service Truck Street Minor Emergency Response Street Local Street (Design)	Extend SW River Parkway and all current classifications north to SW Woods Ave (SEE ATTACHED MAP FOR EXTENSION)	6.42 All Central City Classification maps (7)
SW Porter	South Waterfront District Street Plan (Resolution 36753, November 2009)	n/a (new, SEE ATTACHED MAP FOR ALIGNMENTS)	New street that carries light rail, street car, bus, bikes, and pedestrians only. Add new alignment and classify as: Traffic: N/A Transit: Regional Transitway Bicycle: City Bikeway Pedestrian: Pedestrian-Transit Street Freight: N/A ER: Minor Emergency Response Design: Regional Corridor	6.42 All Central City Classification maps (7)
SW Woods	South Waterfront District Street Plan (Resolution 36753, November 2009)	n/a (new, SEE ATTACHED MAP FOR ALIGNMENTS)	New street. Add alignment and classify as the following: Traffic: Local Service Traffic Transit: Major Transit Priority Bicycle: Local Service Bikeway Pedestrian: Pedestrian-Transit Freight: Local Service Truck ER: Minor Emergency Response Design: Community Main Street	6.42 All Central City Classification maps (7)
SW Grover	South Waterfront District Street Plan (Resolution 36753, November 2009)	Fragments of SW Grover exist and are classified as: Local Service Traffic Street Local Service Transit Street Local Service Bikeway Local Service Walkway / Pedestrian District Local Service Truck Street Minor Emergency Response Street Local Street (Design)	New extension for SW Grover along both sides of ODOT facility (SEE ATTACHED MAP FOR EXTENSION). Classify existing and new segments as the following: Upgrade pedestrian classification to City Walkway	6.42.4 Central City Pedestrian Classification Map (1)

Portland-Milwaukie Light Rail LUFO-related Proposed Changes – PROJECT LIST CHANGES

Change	From what project	Current TSP Text	Change TSP Text to....	TSP Maps to be Changed
Clinton-to-the-River Multi-Use Path	Clinton-to-the-River Multi-Use Path (Resolution 36842, January 2011)	n/a (new)	<p><u>20100</u> <u>Clinton-to-the-River Multi-Use Path</u></p> <p><u>Implement bicycle boulevard along SE Caruthers Street from the Eastbank Esplanade / Transit Way to SE 7th Avenue; Implement two-way cycle track along SE 7th Ave from SE Caruthers St to SE Division Pl; and implement a multi-use path from SE Division Pl and SE 9th Ave to the proposed Clinton Station along the Portland-Milwaukie Light Rail line.</u></p> <p><u>Portland/Trimet</u></p> <p><u>\$ TBD (Years 1-5)</u></p>	<p>3.3 Central City District Improvements Map (1)</p> <p>3.8 Southeast District Improvements Map (1)</p>
SE Water Ave relocation	New Water Avenue Realignment (Resolution 36841, January 2011)	<p><u>20054</u> <u>Water Ave, SE (Caruthers – Division Pl): Street Extension Phase II</u></p> <p><u>Provide new roadway connection with sidewalks, bike lanes, landscaping, access to Willamette Greenway, and reconstruction of existing roadway.</u></p> <p><u>Portland</u></p> <p><u>\$288,750 (Years 11 – 20)</u></p>	<p>Match language of RTP Project 11195?</p> <p><u>20054</u> <u>Water Ave, SE (Caruthers – Division Pl): Street Extension Phase II Realignment</u></p> <p><u>Provide new roadway connection with sidewalks, bike lanes, landscaping, access to Willamette Greenway, and reconstruction of existing roadway. Realign temporary Water Avenue to permanent alignment to facilitate traffic, streetcar, bicycle, pedestrian and light rail improvements in the Central Eastside Industrial District.</u></p> <p><u>Portland</u></p> <p><u>\$288,750 \$13,322,199 (Years 11 – 20)</u></p>	<p>3.3 Central City District Improvements Map (1)</p>

<p>Light Rail Extension 3, SW/SE (Rose Quarter – Milwaukie TC)</p>	<p>North Macadam Transportation Development Strategy (Resolution 36696, April 2009)</p>	<p>20031 Light Rail Extension 3, SW/SE (Rose Quarter – Milwaukie TC) Construct LRT from Rose Quarter to Milwaukie TC. Tri-Met \$515,000,000 (Years 6 – 10)</p>	<p>Delete (and replace. See below.) 20031 Light Rail Extension 3, SW/SE (Rose Quarter – Milwaukie TC) Construct LRT from Rose Quarter to Milwaukie TC. Tri-Met \$515,000,000 (Years 6 – 10)</p>	<p>3.3 Central City District Improvements Map (1) 3.8 Southeast District Improvements Map (1)</p>
<p>Bond Ave, SW (River Parkway – Bancroft): Street Improvements</p>	<p>North Macadam Transportation Development Strategy (Resolution 36696, April 2009)</p>	<p>20009 Bond Ave, SW (River Parkway – Bancroft): Street Improvements Improve SW Bond to serve as the primary north-south mobility street in the new North Macadam neighborhood. Portland \$5,000,000 (Years 1 – 5)</p>	<p>20009 Bond Ave, SW (River Parkway – Bancroft): Street Improvements Improve SW Bond to serve as the primary northbound - south mobility street in the new North Macadam neighborhood. Portland \$5,000,000 (Years 1 – 5)</p>	<p>Not applicable</p>
<p>Portland-Milwaukie Light Rail: Transit Improvements</p>	<p>North Macadam Transportation Development Strategy (Resolution 36696, April 2009)</p>	<p>n/a (new)</p>	<p>10004 (recommended project number) Portland-Milwaukie Light Rail: Transit Improvements Construct light rail from Milwaukie to Portland City Center transit mall via new transit / bike / pedestrian bridge across the Willamette River. Trimet, Portland \$1.2 – 1.3 billion (Years 11-20)</p>	<p>3.2 Citywide Major Transportation Improvements Map (1) 3.3 Central City District Improvements Map (1) 3.8 Southeast District Improvements Map (1)</p>
<p>Moody / Bond Couplet – Moody Avenue Realignment, SW</p>	<p>North Macadam Transportation Development Strategy (Resolution 36696, April 2009)</p>	<p>n/a (new)</p>	<p>20101 Moody, SW: Realignment Realign SW Moody Ave as development occurs. Portland \$ TBD (Years 11-20)</p>	<p>3.3 Central City District Improvements Map (1)</p>



