

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 1998)	RESOLUTION NO. 11-4280
LAND USE FINAL ORDER FOR THE)	
SOUTH/NORTH LIGHT RAIL PROJECT AND)	INTRODUCED BY COUNCILOR REX
ADOPTING A LAND USE FINAL ORDER FOR)	BURKHOLDER
THE EXPO CENTER/HAYDEN ISLAND)	
SEGMENT OF THE PROJECT INCLUDING THE)	
I-5 COLUMBIA RIVER CROSSING BRIDGE)	
AND ASSOCIATED HIGHWAY)	
IMPROVEMENTS)	

WHEREAS, the Oregon Legislature enacted Oregon Laws 1996, Chapter 12 (the Act), establishing procedures for developing the South/North Light Rail Project through adoption by the Metro Council of a Land Use Final Order (LUFO); and

WHEREAS, in accordance with section 4 of the Act, the Oregon Land Conservation and Development Commission adopted criteria to govern Council review of an application for a LUFO for the South/North Light Rail Project, or any segment of it, on May 30, 1996; and

WHEREAS, the Metro Council endorsed a Locally Preferred Alternative (LPA) for the I-5 Columbia River Crossing Project by Resolution No. 08-3960B (For the Purposes of Endorsing the Locally Preferred Alternative for the Columbia River Crossing Project and Amending the Metro 2035 Regional Transportation Plan with Conditions), adopted July 17, 2008, that includes extension of South/North Light Rail from the Expo Center to Vancouver, Washington; and

WHEREAS, among the conditions of Council endorsement of the LPA was a list of concerns and considerations, contained in Exhibit A to Resolution No. 08-3960B, to be addressed before the Council would approve a land use final order for the project; and

WHEREAS, by Resolution No. 11-4264 (For the Purpose of Concluding that the Concerns and Considerations Raised about the Columbia River Crossing Project in Exhibit A to Resolution No. 08-3960B Have Been Addressed Satisfactorily), adopted June 9, 2011, the Council accepted the responses to the concerns and considerations, based upon the assessment set forth in Exhibit B to Resolution No. 11-4264, and the acknowledgement that further refinements and decisions, involving the Council, would be made to address the concerns and considerations during later design, engineering and financial phases of project development, with involvement of the Council and the local community and its elected representatives; and

WHEREAS, Metro’s Regional Transportation Plan (RTP) calls for extension of light rail from the Expo Center to Vancouver, Washington, as part of the I-5 Columbia River Crossing Project and places the project on the RTP’s Financially Constrained Roadway Network; and

WHEREAS, section 6.3.2.1 of the RTP required reconsideration of the I-5 Columbia River Crossing Project and amendment of the RTP if the number and design of auxiliary lanes on the I-5 Columbia River Bridge or approaches to the bridge are inconsistent with the description of the project in the RTP; and

WHEREAS, in accordance with section 6 of the Act, on June 23, 2011, the LUFO Steering Committee recommended that TriMet submit to Metro an application for, and the Metro Council adopt, an amendment to the 1998 South/North Light Rail LUFO to approve the light rail route, a station and highway improvements within the Expo Center/Hayden Island Segment of the South/North Light Rail Project; and

WHEREAS, in accordance with section 6 of the Act, in a letter from Matt Garrett, Director, the Oregon Department of Transportation (ODOT) recommended that TriMet submit to Metro an application for, and the Metro Council adopt, an amendment to the 1998 South/North Light Rail LUFO to approve the light rail route, a station and highway improvements within the Expo Center/Hayden Island Segment of the South/North Light Rail Project; and

WHEREAS, in accordance with section 6 of the Act, on July 13, 2011, TriMet filed an application for a LUFO for the Expo Center/Hayden Island segment of the South/North Light Rail Project with the light rail route, station and highway improvements recommended by both the LUFO Steering Committee and ODOT; and

WHEREAS, the light rail route, station and highway improvements are in the form of boundaries within which the light rail route, station and highway improvements will be located, as required by section 6 of the Act; and

WHEREAS, the number and design of auxiliary lanes on the I-5 Columbia River Bridge and the approaches to the bridge project proposed in the TriMet LUFO application are consistent with the I-5 Columbia River Crossing Project described in the RTP; and

WHEREAS, Metro published a notice in *The Oregonian*, containing all the information required by section 7 of the Act, on July 14, 2011, of a public hearing before the Metro Council to consider TriMet's LUFO application on August 11, 2011;

WHEREAS, Metro provided additional public notice of the August 11, 2011, public hearing by mailing postcards to all persons who own property within 250 feet of the proposed light rail alignment and stations and by posting notice at Metro's website, both on July 14, 2011; and

WHEREAS, Metro sent notice of the public hearing on July 15, 2011, to ODOT, Clackamas and Multnomah counties and the cities of Portland, Milwaukie, Gladstone, Gresham and Oregon City; and

WHEREAS, the Council finds and determines that *The Oregonian* is a newspaper of general circulation in the region and the above-described notices are reasonably calculated to give notice to persons who may be affected substantially by a decision to approve TriMet's LUFO application; and

WHEREAS, on July 14, 2011, Metro made available for public inspection a staff report addressing compliance of TriMet's application with the requirements of the Act; and

WHEREAS, the Council held a public hearing on the TriMet LUFO application on August 11, 2011; and

WHEREAS, the Council President made a statement at the beginning of the hearing containing the information required by section 7 of the Act; and

WHEREAS; the Council considered TriMet's application, the recommendations of the LUFO Steering Committee and ODOT, the staff report, the Findings of Fact and Conclusions of Law and all public testimony presented on the application; now, therefore,

BE IT RESOLVED THAT the Metro Council:

1. Hereby amends the 1998 Land Use Final Order (LUFO) for the South/North Light Rail Project, and adopts the LUFO for the Columbia River Crossing Light Rail Project, Expo Center/Hayden Island Segment of the South/North Light Rail Project, attached and incorporated into this resolution as Exhibit A, including the locations of the light rail route, station and highway improvements extending from the Expo Center to the Oregon-Washington line, and as shown in Exhibit A to be identical to the TriMet LUFO application.
2. Adopts the Findings of Fact and Conclusions of Law, attached and incorporated into this resolution as Exhibit B, as the Council's written findings demonstrating how the application and Council's decision comply with the applicable criteria.

ADOPTED by the Metro Council this 11th day of August, 2011.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Acting Metro Attorney