

Amendments to Freight Routes and Highway Segment Designations

Findings of Compliance with Applicable Land Use Policy and Regulations

1. State Agency Coordination (SAC) Program Requirements

Oregon's 1973 land use planning act requires state agencies to coordinate their activities in two main ways: first, through the preparation, acknowledgement and periodic review of local comprehensive plans, and second, by the preparation and certification of state agency coordination programs. Under the 1990 State Agency Coordination Program on Transportation, ODOT must carry out its programs affecting land use in compliance with Oregon's planning goals and in a manner compatible with acknowledged local comprehensive plans.

FINDING 1.1: The August 2005 changes to the 1999 Oregon Highway Plan (OHP) Policy are Amendments to the Plan as defined in the SAC agreement, OAR 731-015-0055. The amendments were developed and brought to the Commission by the following steps:

Freight Route and Freight Policy Changes:

- In the spring of 2004, the Oregon Department of Transportation (ODOT) began a review of the State Highway Freight System. An advisory committee representing various stakeholder groups was formed to participate in the discussion and designation of new freight routes on state highways. A list of the membership of the advisory committee is on file.

Advisory committee meetings occurred during the summer of 2004. The committee worked with ODOT staff to develop the Freight Route Analysis Project (FRAP), with the objectives to designate new freight routes, and to develop consistent policy to address freight needs when developing management plans for Special Transportation Areas (STAs) and Urban Business Areas (UBAs) Copies of the meeting notes are on file.
- A draft staff report compiling the FRAP work to date was circulated in September 2004, soliciting comments from various stakeholders including government and business interests, DLCD, MPOs, cities and counties, and interested state and federal agencies.
- Action on the FRAP recommendations was delayed to allow time for review of proposed freight route legislation in the 2005 legislative session.
- The recommended changes include amendments to Oregon Highway Plan Policies 1A, 1C, 1F, 4A, three new policies regarding Freight Routes, and the designation of 30 new State Highway Freight Routes which are identified in the Staff Report supporting the recommendation.

Land Use and Transportation, Policy 1B Changes:

- At the January 14, 2004 OTC meeting, amendments to OHP Policy 1B and related Actions were adopted. The revisions simplified the highway segment designation process, clarified planning requirements including the timing of such plans when new freight routes are designated, and required local government approval prior to highway segment designation. In the course of the 2004 amendment deliberations, The OTC recognized the need to continue work on balancing the needs of freight haulers and local governments with highway segment designations. At that time they asked staff to follow up with further outreach and recommendations.
- One specific staff assignment was to development highway segment management plan guidelines to help ODOT and local government planners implement Policy 1B. The guidelines were intended to result in management plans that balanced local plans for business areas on freight routes with the need to move freight through town efficiently. A preliminary set of guidelines, the “Highway Segment Management Plan Framework,” was completed to be used as a reference in the Freight Route Analysis Project (FRAP).
- A consultant was hired in the fall of 2004 to facilitate the development of the Segment Management Plan Guidelines, a more detailed guidance document than the “framework” above, and a Technical Advisory Committee including local government representatives, ODOT regional and TDD planners, and ODOT technical staff was convened in January 2005. A list of the members of the TAC and meeting notes are on file.
- Due to the small number of STA and UBA designations completed since January 2004, the small number designated on existing state freight routes, and in response to issues raised during the FRAP process about when management plans are most needed, the decision was made by the Department to revisit how highway classifications relate to the need for highway segment management plans and when management plans should be required.

Amendments Currently before the Commission, August 17, 2005

- In June 2005, ODOT created the combined draft staff report describing all proposed changes to applicable OHP Policies and Actions, and including proposed designation of 30 highway sections as state freight routes. The report also includes a discussion of amendments to OAR 734-051, the access management rule, which amendments will be necessary to implement the OHP changes proposed for highway approach spacing standards. (These findings address only the OHP amendments, and discussion of the anticipated Division 51 changes is advisory only.) The draft staff report, a web link to maps showing proposed new freight routes, draft OHP Policy and Action language, and other supporting information were emailed on June 20th to a broad range of stakeholders including all local government planning offices, three ODOT stakeholder committees

working on related issues, MPOs and DLCD. The packet of information was also made available online at:

<http://www.oregon.gov/ODOT/TD/TP/ohpAmend.shtml> . Comments were accepted until the Commission closed discussion at the August 17, 2005 commission meeting. Comments submitted by July 8, 2005 were included in the staff report submitted to the Commission. A copy of the mailing list is on file.

- The Oregon Transportation Commission heard public comments and deliberated on the draft plan amendments in the course of their regularly scheduled meeting August 16-17, 2005 in LaGrande which serves as the public meeting required for OHP amendments by ODOT's State Agency Coordination Agreement.

2. Compliance with Statewide Planning Goals

The Oregon Transportation Plan (OTP) is the State's Transportation System Plan (TSP) and addresses general issues of providing and maintaining the state transportation system. The OHP is a modal plan concerned with the state highway system. These amendments of the OHP are consistent with the statewide planning goals, rules and plans.

Goal 1 (Citizen Involvement)

Goal 2 (Land Use Planning)

FINDING 2.1: Goals 1 and 2 are addressed by ODOT's SAC Program. ODOT has complied with these goals by following its SAC Program procedures (OAR 731-015-055), as described in section 1, above.

The 1999 Oregon Highway Plan (OHP) is the modal plan that addresses system wide management strategies and policies related to the highway system. It does not identify specific geographic areas that would be affected by future highway improvements. Consequently, the statewide land goals relating to the management of land in specific locations do not apply to these OHP amendments. These include:

Goal 3 (Agricultural Land)

Goal 4 (Forest Lands)

Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources)

Goal 7 (Areas Subject to Natural Disasters and Hazards)

Goal 15 (Willamette River Greenway)

Goal 16 (Estuarine Resources)

Goal 17 (Coastal Shorelands)

Goal 18 (Beaches and Dunes)

FINDING 2.2: These OHP amendments concern broad statewide policies and do not propose new facilities that would affect distinct geographic areas. Accordingly, these goals will be addressed during the development of facility plans or during the project development process for construction projects. At the time that specific improvements are identified and/or designed in a specific geographic context, the land use impacts will be identified and compliance with goals 3-7 and 15-18 will be appropriately addressed.

Goal 8 (Recreational Needs)

Goal 10 (Housing)

FINDING 2.3: Goals 8 and 10 have only an indirect relationship to the Oregon Highway Plan. These OHP policy amendments do not propose new facilities which would affect recreational resources or housing needs.

Goal 6 (Air, Water and Land Resources Quality)

FINDING 2.4: These OHP policy amendments do not propose new facilities. Land, water and air quality issues will be addressed when new facilities are added. Water quality related to state highway facilities is addressed through the discharge permitting process at the time of private development or highway construction.

The proposed amendments to the OHP may enhance Air Quality. By protecting the efficiency of the freight system, stop-and-start traffic will be reduced which should mitigate harmful air emissions. Lowering the standard for congestion (i.e. higher v/c) and closer spacing of accesses on urban highways with speeds \leq 35 mph may contribute to higher levels of air emissions due to increased congestion. However, in most cases where a state highway meets warrants for a 35 mph speed or lower, existing conditions already include a high level of build-out with multiple approaches that may or may not meet the current spacing standards, and periodic congestion already exists.

Goal 9 (Economic Development)

FINDING 2.5: The amendments to the OHP specifically serve the stated interests of the freight and retail industries as well as cities who have planned their downtown business districts as STAs. The addition of 30 new freight routes and the changes to OHP policies regarding freight routes are the result of advisory committee work where the industry was well represented. Increased efficiency for freight traffic saves time and money for the freight industry which in turn reduces the cost of goods and services at all levels of the marketplace. The changes to OHP Policy 1B regarding UBA and urban highways with posted speeds \leq 35 mph were proposed in response to concerns about the

effectiveness of earlier implementation of the policy to areas with UBA characteristics. These amendments provide greater flexibility for commercial design, potentially reducing time and costs related to design review and construction, and allowing better visibility and easier access to business sites. The issue of timing of management plans for STAs is in response to the concerns of cities with STAs with limited resources to develop plans who nonetheless want to implement STA design standards to benefit the local economy. Consequently, the amendments serve the interests of both the local and the statewide economy.

Goal 11 (Public Facilities and Services)

FINDING 2.6:

Policy 1B enables ODOT and local governments to plan for services in accordance with the community's needs and capacities rather than responding to development as it occurs. STA designation represents agreement that local priorities will be considered when highway projects are designed. The amended standards relating to UBAs recognize that urban areas with low speeds typically are developed in ways that require convenient access and a somewhat higher level of congestion is an acceptable tradeoff.

Allowing the designation of UBAs on sections with speeds higher than 35 mph is recognition that, as local business areas develop or redevelop, the needs along the highway will change, so a UBA with a management plan can help to anticipate design solutions for future conditions.

Goal 12 (Transportation)

FINDING 2.7: The transportation goal is to provide "a safe, convenient and economic transportation system."

- The changes support the safe operation of the highway system by recognizing that design of the highway needs to accommodate safe freight movement, while in certain urban conditions pedestrian, bicycle and transit need also to be recognized. The changes represent further refinements of the policy to balance these needs in planning and project development.
- The changes support the convenient operation of the highway system by allowing more flexibility in commercial design for the convenience of the retail industry and the traveling public, and by recognizing the need to eliminate impediments to large trucks to increase convenience for through traffic where freight is a priority.
- The changes support the economic operation of the transportation system by further refining how we identify local and statewide priorities for the function of roadways so that design and investment in facilities is directly related to that function.

FINDING 2.8: Goal 12 is implemented by the Transportation Planning Rule (TPR), OAR 660-012. Those parts of the TPR that apply to transportation system planning are pertinent to amendments of the OHP. Other sections of the TPR apply to transportation project development, not at the system level of the OHP. Relevant sections that are directly related to these amendments are:

- **Section 0015** requires ODOT to prepare a State TSP. The Oregon Transportation Plan is the state TSP and the OHP is the highway modal element of the OTP. These amendments amend the OHP. Adoption of OHP amendments must comply with OAR 731-015-0055.
- **Section 0020** requires that a TSP establish a coordinated network of transportation facilities, the functional classification of the roadways and the standards for the roadways. These amendments further refine coordination of the various functions of the state highway system, including how the function of the roadway relates to the classification, how to balance local priorities with statewide priorities, and which design standards apply to an individual highway section.
- **Section 0030** requires that a TSP identify the transportation needs including the state needs and the needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR 660-0009 and Goal 9. The subject amendments relate to existing conditions on existing facilities. The intention is to preserve through movements for freight vehicles on freight routes (a statewide function) and also to improve flexibility for commercial development where warrants for low speeds have already been met or where a plan has been approved showing future impacts of the existing land uses on the highway. The 30 routes being designated as freight routes were selected based upon criteria developed in the FRAP process. The results of measuring the new routes against the agreed upon criteria are summarized in a Table in the Section I of the Staff Report.
- **Section 0035** contains requirements for evaluating and selecting transportation alternatives. The subject amendments are not addressing specific projects requiring the evaluation of alternatives.
- **Section 0060: Plan and Land Use Regulation Amendments: An amendment to a plan triggers the requirements of TPR Section 0060 where an amendment to a functional plan, would change the functional classification of an existing or planned transportation facility or change standards implementing a functional classification system.** The subject amendments are not changes to the functional classification of affected highways. To the extent that the changes affect standards that implement the objectives of the (federally defined) functional classification system, the standards have been changed in connection with the policy changes to maintain internal consistency. The Section 0060 provisions are not triggered by these amendments.

Goal 13 (Energy Conservation)

FINDING 2.9: The proposed amendments to the OHP help conserve fuel used in the transport of goods. Management of the freight system with less congestion will reduce stop and start traffic and conserve fuel. Adding the 30 new freight routes prioritizes those routes to be managed and operated to minimize delay and congestion and to maintain system capacity which will conserve fuel related to freight movement over the long term. Changes to mobility standards and access spacing standards in urban areas based solely upon posted speeds could contribute to lower efficiency for vehicles in affected areas. However, highway sections that meet warrants for low speeds are already characterized by conditions likely to include some congestions and stop-and-start traffic at times, so the policy change is not likely to cause a significant change in the air quality impacts of localized traffic.

Goal 14 (Urbanization)

FINDING 2.10: The proposed amendments address various urban development and local governance issues, and are generally intended to accommodate existing urban conditions and increased demand for the use of transportation facilities over time. The changes to UBA standards address the need to recognize commercial uses, both existing and proposed, within Urban Growth Boundaries and Urban Unincorporated Community boundaries but outside of downtown areas.

3. Internal Consistency with the OHP

These amendments are consistent with the OHP.

FINDING 3.1: System Definition – The amendments revise certain definitions and actions related to the System Definition Goal and are intended to facilitate implementation of the affected Policies. No changes are made to highway classifications directly related to FHWA functional classification standards. The addition of 30 new freight routes to the State Highway Freight System further implements the current system definition. The OHP text amendments further refine the system definition.

FINDING 3.2: System Management – The OHP amendments are the result of partnerships with a variety of stakeholders including freight haulers and the retail industry. The changes are intended to improve conditions for a variety of economic sectors. Partnership with local governments is enabled through highway segment designation, creating the opportunity to coordinate local plans for an area with the needs of the highway facility. The change in the timing and reasonable limits on the requirement for segment management plans is in response to local government concerns about limited resources and is balanced against the perceived benefits of management plans for the state transportation

system. The intent of the amendments is to better manage the highway system to meet multiple needs.

FINDING 3.3: Access Management – The proposed changes to Policy 1B regarding Urban Business Areas include allowing closer spacing standards on urban highways with posted speeds less than or equal to 35 mph. The standards are represented in the access spacing tables being revised with the OHP text amendments. (Rulemaking to implement the new standards in the highway approach permitting process will follow adoption of these standards.) Freight route designation does not change how the access management spacing standards are applied; spacing standards are based upon highway classification and posted speed.

FINDING 3.4: Travel Alternatives – One of the primary reasons for these amendments is to promote the efficiency of freight movement and the function of the state highway system. Other travel modes are not directly addressed in these amendments. The importance of pedestrian, transit and bike modes in STAs is recognized in Policy 1B and the current changes do not affect that focus. Nothing in the current changes affects the appropriate implementation of transportation demand management or park and ride facilities.

FINDING 3.5: Environmental and Scenic Resources – No new projects or facility changes are created by these amendments. Consequently, the amendments will not affect the surrounding environment. For example, the management and operation of a freight route will not affect the scenic qualities of a scenic byway. Future improvements to these highway segments will be made consistent with the scenic highway management plan. Freight route designations have coexisted with scenic routes and other such resources in rural parts of the state for the life of the OHP with no significant conflicts.

FINDING 3.6: Designation of the STA and UBA in Florence – This designation is consistent with current policy and with the proposed changes to Policy 1B. The City has done extensive planning for the proposed STA area, partly through the TGM program and with active participation by ODOT Region staff. The City's planning to date satisfies the management planning requirement for new STAs on freight routes. The UBA is consistent with the characteristics of UBAs denoted in Policy 1B, essentially a lower speed facility characterized by auto oriented commercial development. Only the STA segment is located on the proposed US 101 freight route from Florence to Reedsport.

FINDING 3.7: Designation of an Expressway in Grants Pass – Designation of this expressway section to connect the existing Expressway on US 199 to the interchange between US 199 and Interstate 5 implements OHP Policy 1C.3 to continue to treat freight routes as Expressways within UGBs where existing facilities are limited access or where a corridor plan or TSP indicates limited access. The section proposed for Expressway designation meets the OHP Expressway criteria for limited access.

4. Findings of Compliance with the Oregon Transportation Plan

One of the purposes of the Oregon Highway Plan is to meet the requirements of the Oregon Transportation Plan for a modal plan for the state highway system. It provides more detailed policies, actions and strategies for the state highway system. The Oregon Highway Plan is considered an element of the unified transportation plan as described in the State Agency Coordination Program, December 1990.

Relationship between OTP and OHP Goals and Policies

The Oregon Highway Plan delineates and expands all of the policies in the Oregon Transportation Plan related to the highway system except for the financial policies which the OHP does not address because it does not advocate a funding package. The Table below summarizes policies in the Oregon Highway Plan that elaborate OTP policies, as applicable to the subject amendments.

**Comparison of Applicable OTP Policies to
Proposed Amended and Related OHP Policies**

OTP Policy	OHP Policies
Policy 1A – Balance	Policy 1B – Land Use/Transportation
Policy 1B – Efficiency	Policy 1C – State Highway Freight System Policy 1F – Highway Mobility Standards
Policy 1C – Accessibility	Policy 1B – Land Use/Transportation
Policy 1E – Connectivity Among Places	Policy 1C – State Highway Freight System
Policy 1F – Connectivity Among Modes	Policy 4A – Efficiency of Freight Movement Policy 1C – State Highway Freight System
Policy 2A – Land Use	Policy 1B – Land Use/Transportation
Policy 2B – Urban Accessibility	Policy 1B – Land Use/Transportation
Policy 2C – Relationship of Interurban & Urban Mobility	Policy 1B – Land Use/Transportation Policy 1F – Highway Mobility Standards Policy 3A, 3C – Access Management
Policy 2D – Facilities for Pedestrians & Bicyclists	Policy 1B – Land Use/Transportation
Policy 2E – Minimum Levels of Service Policy 2F – Rural Mobility	Policy 1C – State Highway Freight System Policy 1F – Highway Mobility Standards
Policy 2G – Regional Differences	Policy 1B – Land Use/Transportation Policy 1C – State Highway Freight System
Policy 3A – Balanced & Efficient Freight System	Policy 4A – Efficiency of Freight Movement
Policy 3B – Linkage to Markets Policy 3C – Expanding Freight System Capacity	Policy 1C – State Highway Freight System Policy 4A – Efficiency of Freight Movement

FINDING 3.1: Amendments to the Statewide Freight System and OHP Policies 1A and 1C improve connections between freight handling modes; identify rural routes where greater attention to freight needs supports reducing or preventing new conflicts with other travel modes; improves linkage to regional and out-of-state markets; identifies routes where infrastructure improvements are an economic priority; reflects cooperation among freight services and facility providers; remove barriers; and recognizes the metro area's role as a major freight hub.

FINDING 3.2: Amendments to OHP Policy 1B increase urban accessibility; acknowledge existing conditions on low speed facilities and allow higher levels of accessibility in those areas, and recognize that higher classification facilities require higher levels of protection to maintain the functionality of the statewide transportation system.

4. Transportation System Plans and Local Comprehensive Plans

Transportation planning is carried out at the local level by cities, counties, and metropolitan planning organizations. The regional and local transportation system plans adopted by regional and local governments must be consistent with the State Transportation System Plan, including the 1999 Oregon Highway Plan.

FINDING 4.1: Consistency Between the OHP and Local Comprehensive Plans - The design, operation and maintenance of state facilities is the responsibility of ODOT, and policy regarding how the management of those facilities is to be done is vested in the OTC. Pursuant to OAR 731-015-0055, amendments to the modal plan (OHP) must be coordinated with DLCD, the MPOs and affected Cities and Counties and state agencies and federal agencies. This has occurred through the series of steps summarized in FINDING 1.1, above.

FINDING 4.2: Consistency of Segment Designations with Local Plans - Specific freight route or highway segment designations, and the default mobility and spacing standards to be applied to low speed highway facilities have a relationship to local plans. The subject amendments:

- Reflect existing conditions on the state facility;
- Are closely related to existing local conditions including connections to retail and industrial uses and to other freight modes, such as ports and distribution centers;
- Local governments that have expressed the opinion that a freight route designation is counter to local plans have been accommodated within reason. That is, the management plan requirement has been limited to freight routes

that are also on statewide highways, and the timing of plans is deferred to the time of the next TSP (or required comprehensive plan) update or during the project development stage of a highway construction project.

However, the subject policies and the freight route designations are specifically applicable to the development, maintenance and operations of state highway facilities and how those functions are coordinated with local jurisdiction plans. They do not create or require changes to local land use plans and policies.

FINDING 4.3: Consistency of Florence Highway Segment Designations with Local Plans - The designations of a Special Transportation Area and an Urban Business Area in Florence are consistent with local plans that were developed over several years by the city with the full participation of ODOT Region staff.