



Oregon

Tina Kotek, Governor

Department of Transportation

Transportation Region 1

123 NW Flanders St.

Portland, OR 97209-4012

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June 8, 2023

Mayor Stan Pulliam and Sandy City Council
39250 Pioneer Boulevard
Sandy, OR 97055

RE: City of Sandy's Transportation System Plan 2023 Update

Mayor Pulliam and City Councilors,

ODOT has worked in collaboration with the City of Sandy and the consultant, DKS Associates, throughout the 2023 Transportation System Plan Update (TSP) process. The City of Sandy's 2023 TSP Update is managed through the Transportation and Growth Management Program (TGM), which is jointly overseen by the Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD). TGM is primarily funded by Federal transportation funds, with additional staff support and funding provided by the State of Oregon. ODOT finds that the City of Sandy's draft 2023 TSP is consistent with the Oregon Transportation Plan and Statewide Modal and Topic Plans with the following caveats:

Design

As identified in the draft TSP, any project along a State facility will require review and approval by ODOT, and may require Region or State Traffic Engineer approval. Final design of any project on a State facility is subject to ODOT design and operational standards and engineering approval.

Project Cost Estimates

ODOT is currently seeing significant costs increases on projects on State facilities across the region. The planning level estimates detailed in the project list tables appear to be low based on current inflation costs. These estimates may present issues during TSP implementation, such as when establishing proportional share costs to private developers abutting or impacting State facilities. This could limit the City's ability to carry out its established land use and transportation vision.

Funding

The Statewide Transportation Improvement Project (STIP) is ODOT's capital improvement program and funding mechanism for state and federally-funded projects. The Oregon Transportation Commission and ODOT develop the STIP in coordination with the Area Commissions on Transportation, with the involvement of a wide range of stakeholders and the public. The STIP is typically funded on a four-year cycle and updated every three years. The STIP funds are distributed, statewide, over five categories: Fix-It, Enhance, Safety, Non-highway, and Local Government. Each program area has its own criteria and process for prioritizing projects. The Commission typically allocates most funds to the Fix-It program, leaving very limited funds for Enhance or Modernization projects. In previous STIP cycles, revenues



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have been insufficient to address all identified needs. It is not possible for ODOT to forecast if or when federal or state funds may become available for projects that are identified in the TSP.

Therefore, the City of Sandy is advised that ODOT's participation in the development of the TSP does not constitute a commitment to fund projects on State facilities. Understandably, this caveat does not apply to funds currently allocated to projects in the adopted STIP program.

OAR 660-012-0060: Plan and Land Use Regulation Amendments

The Transportation Planning Rule (TPR), OAR 660-012-0060 establishes procedures for amendments to a comprehensive plan or land use regulation (including a zoning map). OAR660-012-0060(4) identifies which planned improvements local agencies can rely on or assume to be in place when an amendment significantly affects transportation facilities. The key point of this section of the Transportation Planning Rule is that projects must be funded, or reasonably likely to be funded in the adopted State STIP, City Capital Improvement Plan, Systems Development Charges, Local Improvement District, Development Agreement, or Condition of Approval. While the TPR does not require the TSP itself to be financially constrained, it does require that, for the City to rely on projects to be in place for purposes of compliance with OAR 660-012-0060, funding for those projects must be "reasonably likely."

ODOT's recognition of any project on State Highways in the TSP does not constitute a "reasonably likely" determination of funding from the State for purposes of compliance with the Transportation Planning Rule (TPR), OAR 660-012-0060. Explicitly, this is applicable for any future amendments to the comprehensive plan or land use regulations, such as the zoning map.

Alternative Mobility Targets

Alternative Mobility Targets were determined through the TSP and will be adopted with the TSP by the City. The targets will not be final until adopted by the Oregon Transportation Commission (OTC) following City adoption with the TSP.

Conclusion

In summation, the Oregon Department of Transportation finds that the City of Sandy's draft 2023 TSP is consistent with the Oregon Transportation Plan and Statewide Modal and Topic Plans with the with the following caveats:

1. All improvements on a State facility and/or on State right-of-way are subject to ODOT standards and require Region or State Engineer approvals.
2. The draft TSP project estimates on State facilities are low compared to current inflation costs.
3. Participation in the TSP development process does not ensure that STIP funds will be allocated to projects – either in general or in a specific time period – on State facilities identified in the draft TSP.
4. None of the projects in the draft TSP are "reasonably likely" for purposes of TPR -0060 compliance, given the anticipated funding shortfall to project costs.
5. Alternative Mobility Targets are not considered final until adoption by the OTC.



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ODOT appreciates the opportunity to comment and continue working towards the City of Sandy's envisioned transportation network.

Sincerely,

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cc: Neelam Dorman, PE, Planning Manager, ODOT
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