



Sam  
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Mayor

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Director

May 24, 2011

Co-Charis Bentz and Read  
House Transportation and Economic Development Committee  
900 Court St. NE, Room 453  
Salem, Oregon 97301

Dear Representatives Bentz and Read:

The City of Portland and the League of Oregon Cities (LOC) believe the proposed legislation for SB 264-A will provide positive improvements in a number of areas in the current rules and processes related to access management. These include providing more transparency and flexibility, as well as improvements in various aspects of the Approach Road Permit application process. These changes will also provide a more context sensitive approach to state highways that travel through local jurisdictions. Highways operate differently throughout the state. Flexibility will be provided, so that a highway in an urban environment is seen not only as a highway, but part of the local street network. ODOT has been an important partner in this process and I want to thank their efforts to improve how highways work in cities and counties.

#### **Public Roads**

An important benefit of the proposed legislation is that it will provide an acknowledgement of existing public road connections to state highways eliminating the requirement for a local jurisdiction to apply for these time consuming permits. This is an improvement over the current process that is challenging and in some cases arduous.

#### **Transparency**

ODOT has identified a key problem with access permits is the lack of transparency. The proposed legislation will provide an applicant with more clear information related to both the process, as well as the conditions that ODOT staff will use to evaluate applications. These changes provide more definition of access spacing standards, turn lane channelization and median requirements, as well as mobility, operational and safety issues. There will be more definition of when an approach application can be approved because it "moves in the direction of" the prescribed standards. In addition, there will be more certainty of when a Transportation Impact Analysis is required by an applicant allowing businesses and developers to plan for this lengthy and costly process.

#### **Flexibility**

The proposed legislation will provide more flexibility for new low impact development proposals as well as existing development proposals with minor increases in impacts. There is formal/direct acknowledgement of properties that have frontage only on the state highway. The changes respond more directly to the environment of highways that traverse through urban areas. As a result, the process will be more efficient for low impact developments that meet the proposed standards.

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**Improved Application Process**


These changes will improve the application process dramatically. Timelines for providing decisions have been shortened and a Dispute Resolution Process is well defined. By making these shifts in transparency and flexibility we expect a much more efficient and responsive process. The City of Portland feels that the proposed changes will provide significant improvements in how applications are reviewed and evaluated, especially for smaller private business and property owners. There is still much work to be done and we look forward to opportunities to continue this partnership with ODOT.

**Jurisdictional Transfers**

The City recognizes that any jurisdictional transfer of a roadway consider the current and future needs of both the local and state highway systems and the way they function. The proposed language allowing for the annual transfer of funding for things like repair and ongoing maintenance will improve the success of jurisdictional transfers. The City supports this language.

SB 264 --A represents good work by the task force. I appreciate the fact that the City of Portland was invited to collaborate on the recommendations. This bill recognizes and improves the way access to highways will be managed in municipal environments.

Sincerely,



Tom Miller  
Director