

**BEFORE THE BOARD OF COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

In The Matter Of Approval Of An Inter-)
governmental Agreement for Management)
of the "Willamette Shore Line" Right-of-Way)

RESOLUTION

93-389

WHEREAS, In 1988, a Consortium of local jurisdictions was formed to purchase the *Jefferson Street Branch Line* from Southern Pacific Railroad; and

WHEREAS, The Consortium includes: Multnomah County, Clackamas County, ODOT, Metro, Tri-Met, and the cities of Portland and Lake Oswego; and,

WHEREAS, The Consortium renamed the corridor the "Willamette Shore Line" Right-of-Way; and,

WHEREAS, The members of of the Consortium have consulted in the development of a policy for management and protection of the Right-of-Way for potential transit use in the future; and

WHEREAS, Proposed policies limit structures and uses which may encroach into the Right-of-Way and provides for revocable permits for pedestrian and vehicular crossings ; and,

WHEREAS, The draft policies were presented to the public at a meeting on September 14, 1993 and interested persons were given opportunity to review and discuss the proposal with Consortium members; and,

WHEREAS, The members of of the Consortium have revised the policies in response to citizen comments received; and,

WHEREAS, The Multnomah County Board of Commissioners has considered the draft Intergovernmental Agreement and its associated Right-of-Way Management Policies as presented at a public hearing on December 16, 1993;

THEREFORE BE IT RESOLVED:

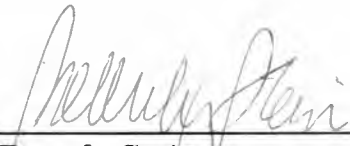
1. That the Multnomah County Board of County Commissioners authorizes the Chair to execute an Intergovernmental Agreement substantially in the form as attached Exhibit A; and,

2. That County staff coordinate with Consortium members to implement the provisions of the proposed Intergovernmental Agreement and the associated Willamette Shoreline Right-of-Way Management Policy detailed in the attached Exhibit B.

APPROVED this 16th day of December, 1993



MULTNOMAH COUNTY, OREGON

By 
Beverly Stein
Multnomah County Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

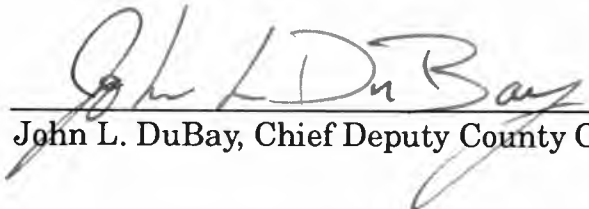
By: 
John L. DuBay, Chief Deputy County Counsel

Exhibit A – Proposed Intergovernmental Agreement
Exhibit B – “Willamette Shoreline” Right-of-Way Management Policy

INTERGOVERNMENTAL AGREEMENT FOR THE MANAGEMENT
OF THE
WILLAMETTE SHORE LINE RIGHT-OF-WAY

THIS AGREEMENT is entered into by and between the CITY OF PORTLAND, OREGON (Portland), METRO (Metro), the CITY OF LAKE OSWEGO, OREGON (Oswego), MULTNOMAH COUNTY, OREGON (Multnomah), CLACKAMAS COUNTY, OREGON (Clackamas), TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (Tri-Met), and the STATE OF OREGON DEPARTMENT OF TRANSPORTATION (ODOT). The parties shall collectively be referred to as the "Consortium."

RECITALS:

A. Portland and Oswego are municipal corporations of the State of Oregon organized and existing under the laws of the state of Oregon. Multnomah is a home rule political subdivision, and Clackamas is a general law county of the State of Oregon organized and existing under the laws and constitution of the State of Oregon. Metro is a municipal corporation of the State of Oregon with its own home rule charter. Tri-Met is a mass transit district of the State of Oregon established under Chapter 267 of Oregon Revised Statutes. ODOT is an administrative agency of the State of Oregon.

B. This Agreement is entered into pursuant to Chapter 190 of Oregon revised Statutes.

C. In December 1986, the Consortium entered into an Intergovernmental Agreement to Option and lease the Jefferson Street Rail Line (the "Line"). That intergovernmental agreement was amended to include Tri-Met.

D. In August 1987, the Consortium entered into an Intergovernmental Operations Agreement.

E. In June 1988, the Consortium entered into an Intergovernmental Agreement for the Purchase of the Jefferson Street Rail Line. That agreement stated that it was the Consortium's desire to preserve the line for possible future mass transit use.

F. Since the purchase of the line, the Consortium has recognized the need to address a variety of issues which affect its ability to so preserve the line. Those include: encroachments into the right of way; unpermitted crossings of the right of way; requests from developers and property owners to cross the right of way; and the development of abutting property. In addition, the Consortium has become aware of federal funding opportunities, which require the development of a long term plan for the use of the line.

G. The Consortium members desire to enter into an intergovernmental agreement which provides a structure for the long term governance of the line during this period of its preservation for possible future uses.

TERMS:

1. Consortium Established. The participating jurisdictions formally constitute themselves as the Willamette Shore Line Consortium for the overall management of the Line. Each jurisdiction will appoint as its representative to the Consortium either its director of planning or its director of transportation or someone of similar position who is authorized to speak on a policy level for the jurisdiction.

2. **Consortium Chair and Staff.** Metro's representative will be the initial Chairperson of the Consortium. Tri-Met and Metro will provide technical and administrative staff for the Consortium.

3. **Regular Meetings.** The Consortium will meet at least annually. The Consortium will be convened at the request of any of its members. A majority of the Consortium members shall constitute a quorum for the transaction of business at any meeting. The act of the majority of the members present at any meeting at which a quorum exists shall be the act of the Consortium.

4. **Right-of-Way Protection.** The local general purpose government with geographic jurisdiction over a rail segment will be responsible for receiving applications and issuing right-of-way "incursion" permits relevant to that segment. As part of the permit application, an applicant will be required to obtain a Tri-Met technical review based on the "Shore Line Right-of-Way Management Policy" attached to the Agreement, as amended by the Consortium from time to time. Tri-Met will be responsible for making engineering judgments, where called for by the Policy. The permitting jurisdictions will be obligated to abide by Tri-Met's engineering recommendations, including the denial of permits where the Policy as applied indicates denial and the attachment of conditions where the Policy as applied so indicates; except that, should a permitting jurisdiction disagree with the engineering recommendations made by Tri-Met, it may appeal such decision to the Consortium. The decision of the Consortium shall be followed by the permitting jurisdiction. Copies of any such right-of-way permits shall be forwarded to the right-of-way title holder.

5. **Right of Way Ownership.** The City of Portland will continue to be the title holder for the right-of-way, for the benefit of the Consortium. As title holder, the City will receive notice of all "incursion" permits issued.

6. **Current Operations and Maintenance.** Current operation and maintenance of the right-of-way will continue as provided in the current Lake Oswego/Portland agreement, until that agreement is changed.

7. **Defense of Claims.** All Consortium members agree to consult as soon as possible upon any member receiving a notice of a claim arising out of any activity related to the preservation of the Line. Should the Consortium decide to defend against the claim, all members will participate as parties in a coordinated defense. Should the Consortium decide not to defend against the claim, those jurisdictions against which the claim has been filed may decide on their own how to respond to the claim. Should a claim result in either an award of damages or a settlement, the Consortium members will determine by agreement the appropriate allocation of those costs. Each member will bear the costs of its own legal counsel.

8. **Changes in Use.** Changes in use of the right-of-way will be subject to Consortium approval.

9. **Interim Planning and Coordination.** The Consortium will consider adoption of an Interim Plan for improvements to and use of the right-of-way. Any Consortium member may propose expenditures for capital improvements to the right-of-way or related to its use. To assure coordination of capital expenditures, any such expenditures will be subject to Consortium approval.

10. **Land Use in Areas Abutting Right-of-Way.** Metro will coordinate the development of a model land use regulation to assure that the development of land

immediately abutting the right-of-way is consistent with potential transit uses of the right-of-way. This model regulation will be proposed to Portland, Lake Oswego, and Clackamas and Multnomah Counties for their adoption.

11. Term of Agreement. The term of this Agreement shall be for ten years and may be renewed for a like term upon the approval of the individual members.

CITY OF PORTLAND, OREGON

APPROVED AS TO FORM

By: _____

By: _____

By: _____

CITY OF LAKE OSWEGO, OREGON

APPROVED AS TO FORM

By: _____

By: _____

By: _____

MULTNOMAH COUNTY, OREGON
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM

By: _____

By: _____

CLACKAMAS COUNTY, OREGON
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM

By: _____

By: _____

METRO

APPROVED AS TO FORM

By: _____

By: _____

OREGON DEPARTMENT OF
TRANSPORTATION

APPROVED AS TO FORM

By: _____

By: _____

TRI-COUNTY METROPOLITAN TRANS-
PORTATION DISTRICT OF OREGON

APPROVED AS TO FORM

By: _____

By: _____

**Willamette Shore Line
Right-of-Way Management Policy**

RECEIVED
OCT 28 1993

**Multnomah County
Zoning Division**

I. Need for a Policy

1. A Consortium of Local Governments (Metro, ODOT, Tri-Met, Multnomah County, Clackamas County, the City of Portland and the City of Lake Oswego) purchased the Willamette Shore Line Right-of-Way in 1988 from the Southern Pacific Railroad to preserve it for possible use as a future high capacity transit corridor.
2. The right-of-way extends for approximately 7 miles from the base of the Marquam Bridge, south along the old Southern Pacific rail line into the City of Lake Oswego. The right-of-way varies in width from 17 feet to 80 feet, and is generally held in fee title by the City of Portland for the Consortium. In some limited segments, ownership was conveyed by easement.
3. The Consortium had not established a policy for management of the right-of-way in the interim period. The interim period is the period before a regional decision is made to utilize the right-of-way for High Capacity Transit purposes.
4. The integrity of the right-of-way for use as a high capacity transit corridor has been incrementally diminished over the past few years due to new and existing development encroaching into the right-of-way. This includes new public and private vehicular and pedestrian at-grade crossings that are being built which threaten the safe and continued operation of the trolley.
5. The Consortium believes that continued use of the corridor for trolley purposes is an appropriate interim use.
6. Interim management of the right-of-way requires the establishment of a policy that defines when uses and crossings of the right-of-way are appropriate without diminishing the longer term goal of development of the right-of-way for High Capacity Transit purposes.
7. Additional regulation of new development on lands adjacent to the right-of-way may be necessary to adequately preserve the corridor for future development of high capacity transit and to minimize the impacts and costs of eventual development of the right-of-way on adjacent uses and neighborhoods.
8. Definition of interim development standards is necessary to facilitate development that will occur in areas adjacent to the right-of-way, before a regional decision is made as to the type of high capacity transit that will be developed within the Shore Line Right-

of-Way. Light Rail Transit (LRT) design standards have been developed by Tri-Met, because LRT has thus far been the high capacity transit mode of choice in the region.

9. There are two types of at-grade vehicular railroad crossings:

a. Public Crossings. These operate as public streets in that they are unrestricted with respect to who may use them. Depending on the location and type of crossing control, public rail line crossings in Oregon are regulated either by the state Public Utility Commission (PUC) or by the local traffic jurisdiction. In general, traffic signals are used for rail line crossings where trains operate within a street right-of-way and are controlled by the local traffic jurisdiction. The PUC generally requires railroad gates to be used at crossings where rail lines operate in exclusive right-of-way and are crossed at-grade by public streets, a condition that applies to many crossings of the Willamette Shore Line Right-of-Way.

b. Private Crossings. Private crossings are associated with private uses such as driveways, not public streets. They are established by agreement between the rail line owner and the private party desiring to cross the right-of-way, and generally would not be regulated by the PUC.

10. Conditions found at typical private at-grade crossings along the Willamette Shore Line Right-of-Way are significantly different from those at public street crossings. In general neither traffic signals, nor gates can offer a satisfactory level of safe crossing control. For instance:

a. Neither gates or traffic signals can provide adequate protection for children or pets in a driveway situation.

b. Private crossings allow access into the rail right of way which could otherwise be fenced from public access for safety purposes.

c. An at-grade crossing creates a break in any noise wall that might be provided, significantly reducing the noise wall's effectiveness. Also, crossing bells, mandated by the PUC, could create a significant noise impact.

d. The permittee (depending on the crossing permit provisions) is generally responsible for construction of the crossing, safety devices, insurance and maintenance costs. The financial and legal liabilities associated with a private crossing are a burden on the property's use and may be reflected in the property's value.

For these reasons, private at-grade crossings of rail lines are seldom justified.

11. Upgrading the Willamette Shore Line Corridor to high capacity transit standards would require major safety improvements at all private at-grade crossings. This could involve the replacement of most private at-grade crossings with pedestrian or vehicular grade separations, or by providing alternative access in order to close some private crossings.
12. There are some privately owned lands between the Willamette Shore Line Right-of-Way and the Willamette River that would not have access to a public road without crossing the right-of-way. However, in many cases access could be combined for more than one property, or achieved through crossing other private property such as through creation of access roads.

II. Right-of-way Management Goals

1. To manage the right-of-way in a manner that preserves it for possible future development of high capacity transit.
2. To provide factual information to the public regarding possible future use of the right-of-way for high capacity transit.
3. To provide a safe operating environment for continued operation of the Trolley and to enhance the safety of the right-of-way for eventual future use for high capacity transit purposes.
4. To prohibit temporary or permanent uses within the right-of-way which will increase the cost of developing the right-of-way for transit or other purposes in the future.
5. To prohibit new private at-grade crossings of the right-of-way, and work to phase out existing private at-grade crossings of the right-of-way.
6. To coordinate crossings of the right-of-way with ODOT's access management goals, plans and policies for the Highway 43 Corridor.
7. To develop and maintain access to the right-of-way for Operations and Maintenance, Emergency Repairs, and Capital Improvements.
8. To ensure that private property owners are not prohibited from accessing their property, while ensuring conformance with these Management Goals and Policies.

III. Right-of-way Management Policy

This policy is intended to apply only to the land within the right-of-way owned by the Consortium either by fee title or by easement. The policy does not apply to abutting privately owned property. All development within the right-of-way shall be in accordance with a revokable permit (and the conditions therein) issued by the appropriate local jurisdiction, in conformance with this "Willamette Shore Line Right-of-Way Management Policy".

Light Rail Transit (LRT) design standards have been developed by Tri-Met, because LRT has thus far been the high capacity transit mode of choice in the region. Therefore, Tri-Met's existing LRT design standards will be used as interim standards, until such time as the region makes a decision regarding development of the Willamette Shore Line Right-of-Way. These standards are briefly illustrated in figures 1 and 2. These illustrations are not intended to represent the full standards, but to illustrate the more common issues related to the management of the Willamette Shore Line Right-of-Way. For additional details related to the standards, contact Tri-Met.

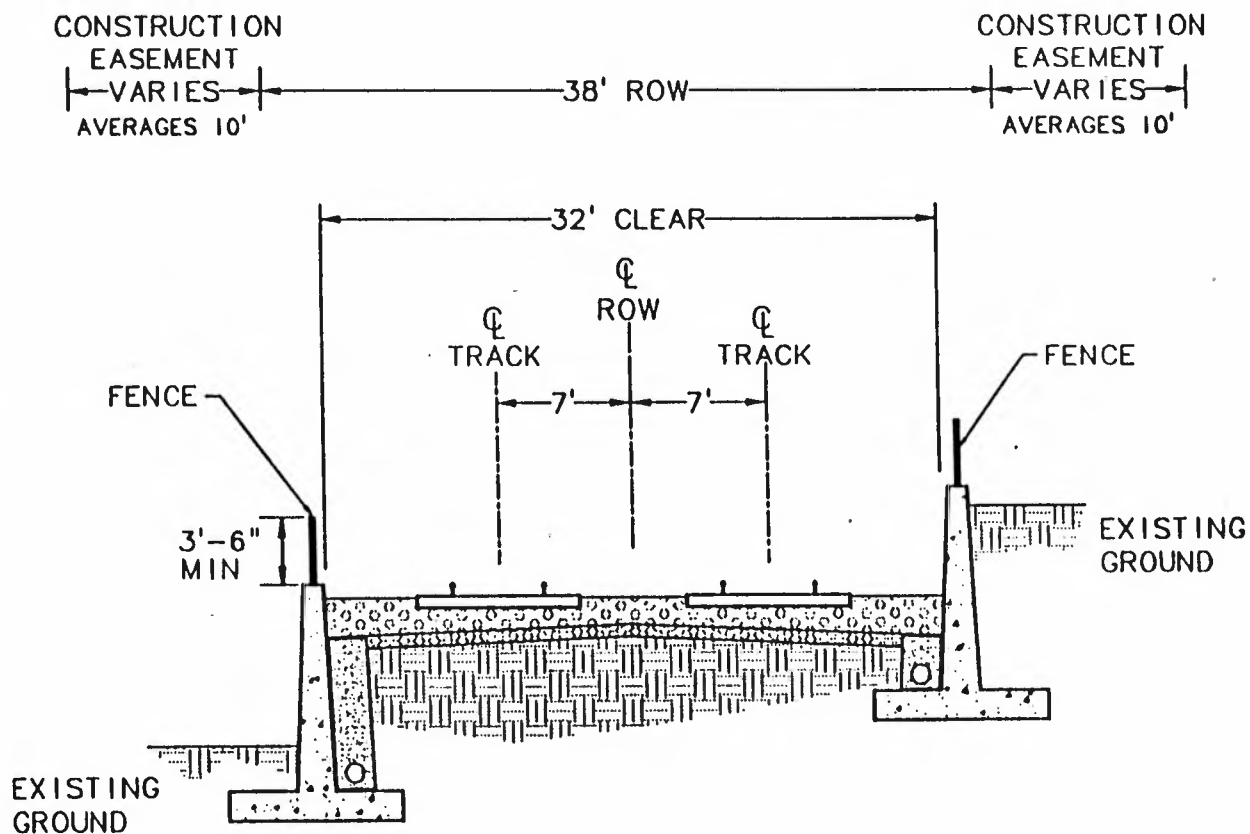
In addition to the LRT design standards, the following policies and standards shall apply to all development within the right-of-way.

Uses Permitted Within the Right-of-Way

1. Only uses that are consistent with eventual use of the right-of-way for a future high capacity transit corridor will be permitted within the right-of-way.
2. No grading shall be permitted within the right-of-way except where required for an approved crossing, or to improve drainage of the right-of-way. All grading or drainage changes within the right-of-way must be in accordance with a permit approved by the Rail Representative.
3. No vehicle backup or other maneuvers will be allowed within the right-of-way, and all vehicular turn arounds shall occur on abutting private property.
4. No fixed improvements (including, but not limited to; landscaping, fountains, benches, rockeries, fences, irrigation facilities, parking pads, sidewalks or paths, gates, driveways or steps) shall be permitted within the right-of-way that would mean a loss of significant investment, upon removal. Notwithstanding the above, facilities for the safe function of existing crossings may be allowed through a permit.

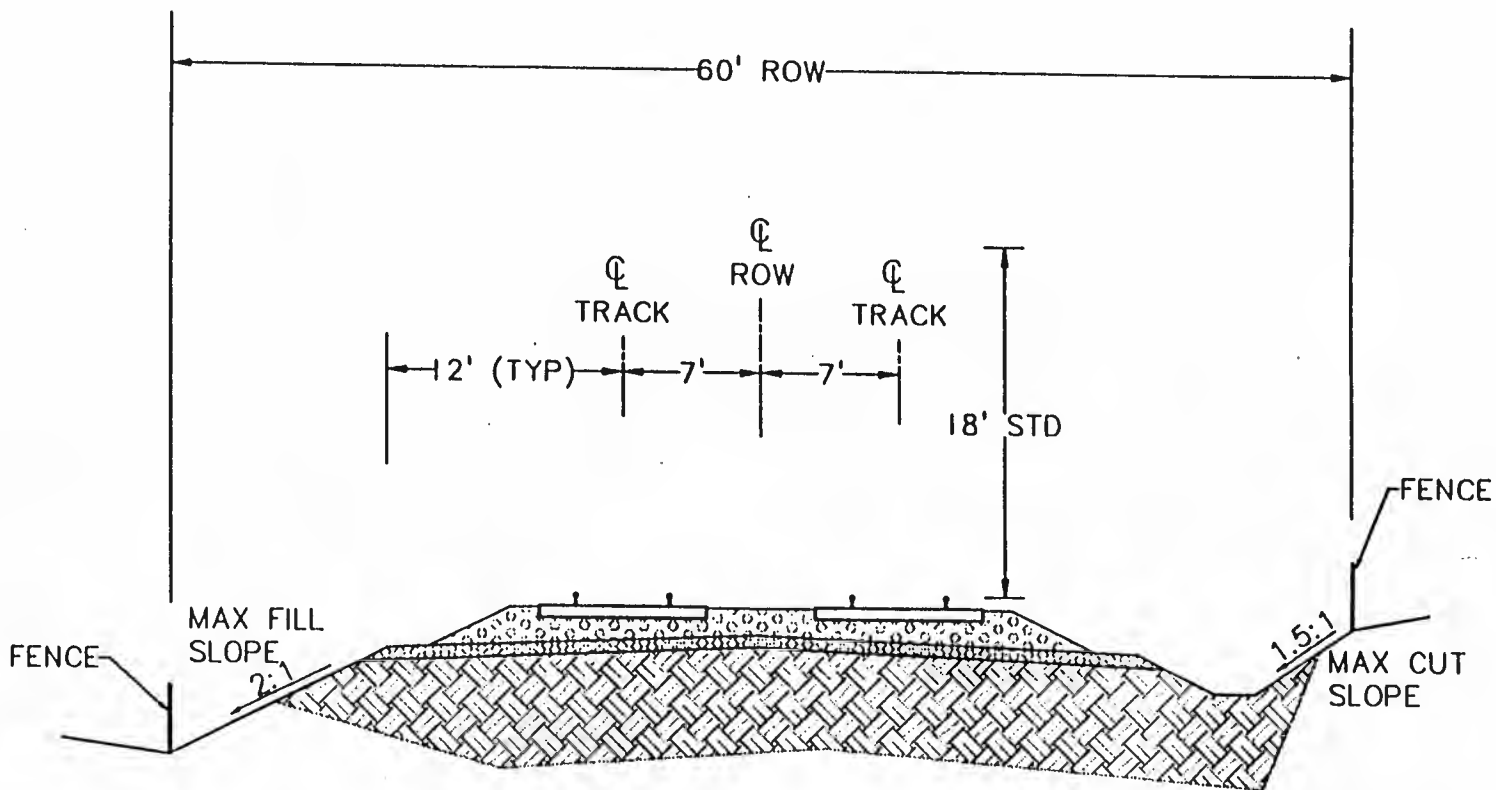


WHERE EXISTING ROW IS LESS THAN 60' ELEMENTS OF THE
MINIMUM SECTION DESIGN MAY BE REQUIRED



NOTES:

- 1 SOUND WALLS, IF REQUIRED, NOT SHOWN
- 2 STANDARD VERTICAL CLEARANCE 18' ABOVE TOP OF RAILS
- 3 CL = CENTERLINE
- 4 REFERENCE WESTSIDE CORRIDOR PROJECT DESIGN CRITERIA, JULY 1993



NOTES:

- 1 SOUND WALLS, IF REQUIRED, NOT SHOWN
- 2 STANDARD VERTICAL CLEARANCE 18' ABOVE TOP OF RAILS
- 3 C = CENTERLINE
- 4 REFERENCE WESTSIDE CORRIDOR PROJECT DESIGN CRITERIA, JULY 1993

5. Private landscaping is not allowed in the right-of-way, except as provided for in a revokable permit. A revokable permit may be issued for temporary landscaping for areas not currently required for rail operation or maintenance purposes when in conformance with the landscaping standards below.

Landscaping standards for use within the right-of-way:

1. The private landscaping shall not interfere with the current or future operations, maintenance or safety (including sight lines) as determined by the rail representative responsible for operation and/or maintenance.
2. Landscaping that could increase the cost of development of the right-of-way for high capacity transit purposes will not be permitted.
3. Landscaping within the right-of-way will not be designed or developed as an integral part of a total landscaping design for the abutting private property.
4. The landscaping shall not include any improvements of uses (fixed or not) that would, on removal, mean a loss of significant investment to either the public owners or the abutting private property owners. This includes but is not limited to plantings, shrubs, trees, buffers or irrigation systems.
5. Maintenance of the landscaping shall not require irrigation or watering of the right-of-way or the installation of irrigation systems within the right-of-way. This provision does not apply to public agencies or utilities.
6. All landscaping shall be maintained by the permittee. The public owners retain the right to bill the permittee for costs incurred for maintenance or removal of any of the landscaping improvements made by an adjacent property owner, or other uses within the right-of-way that create an operational hazard.
7. Permits will be revoked for non-compliance with any conditions of the permit, and may be revoked at any time the permitting jurisdiction or the consortium determines that it is in the interest of the owners of the right-of-way.

Permitted Crossings of the Right-of-Way

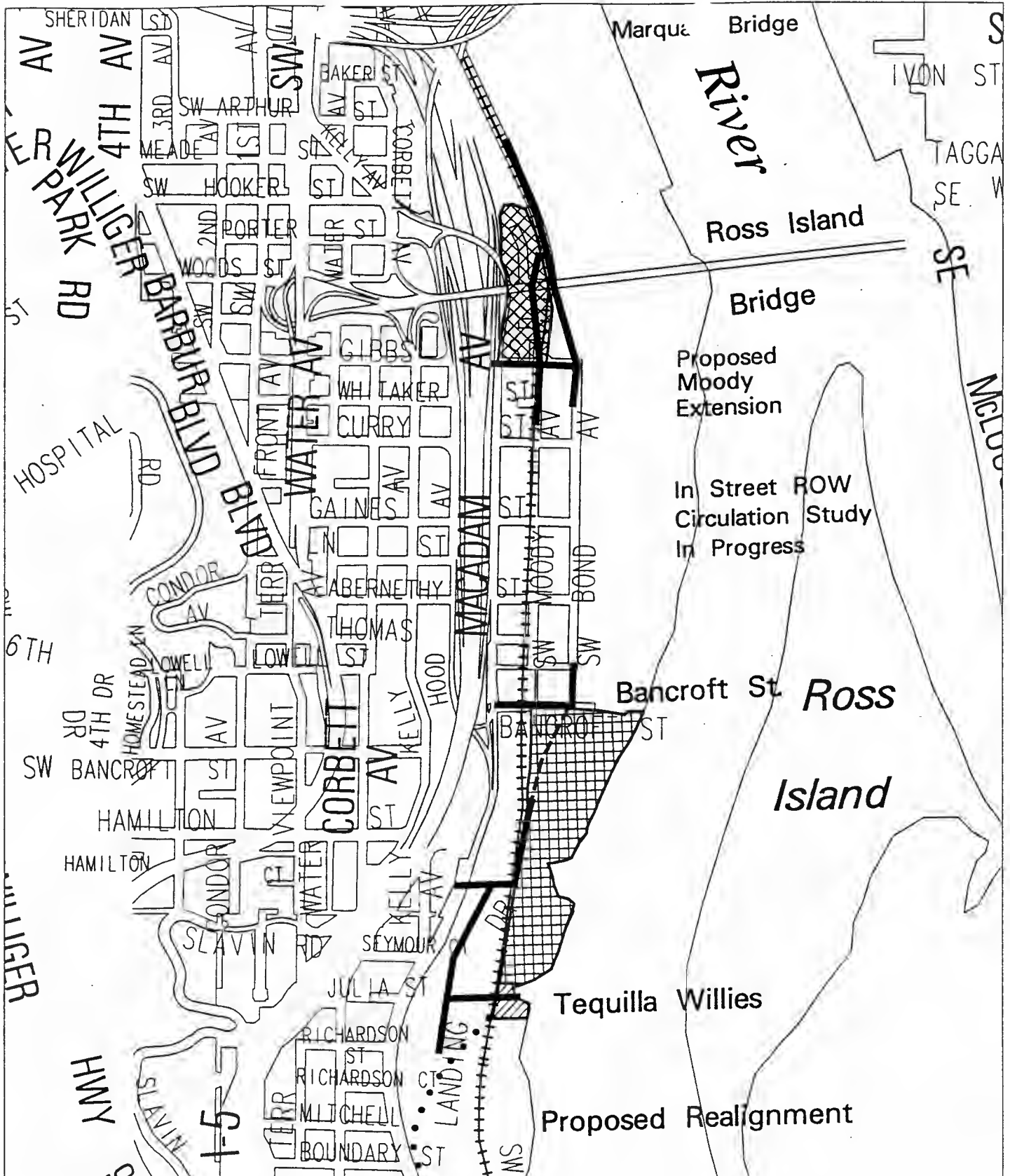
1. No new private at-grade crossings of the right-of-way shall be permitted. No new crossings of the right-of-way shall be permitted if an alternative access to the subject property is available. New crossings of the right-of-way may be permitted for access to properties between the right-of-way and the Willamette River only when no

alternative access exists, and then only when in conformance with the LRT design standards.

2. The "Conceptual Crossing Plan" (Figures 3, 4, 5, and 6) are intended to illustrate the possible public access routes for areas between the right-of-way and the Willamette River.
3. Requests for new right-of-way crossings shall be coordinated with ODOT for conformance with ODOT's access management goals, plans and policies applicable to the Highway 43 Corridor.
4. All crossings shall provide for Consortium access to the right-of-way for operations and maintenance, emergency repairs, and capital improvements of the right-of-way.
5. The Consortium will work with adjacent private property owners to phase out existing at-grade private crossings as properties are altered or redeveloped, and as applications are made for land use or building permits. Methods for phasing out private at-grade crossings include; consolidating crossings, replacing crossings with alternative access, and creating grade separated crossings by replacing an at-grade crossing with a bridge over the right-of-way or an underpass.
6. Utility crossings, including drainage crossings shall require a permit and shall be constructed in conformance with Tri-Met's LRT Standards.
7. Construction and maintenance of all private crossings shall be the responsibility of the permittee. The Consortium or local jurisdiction may bill the permittee for any costs incurred by the Consortium or local jurisdiction for maintenance or repairs associated with a private uses or crossings of the right-of-way.
8. All crossings shall be consistent with the need to ensure the long-term public safety and avoidance of nuisance throughout the corridor. This includes improving the operational characteristics of the interim Trolley use and for a future high capacity transit use, through minimizing and improving the crossings of the right-of-way.


IV. Process regarding issuance of right-of-way crossing or use permits

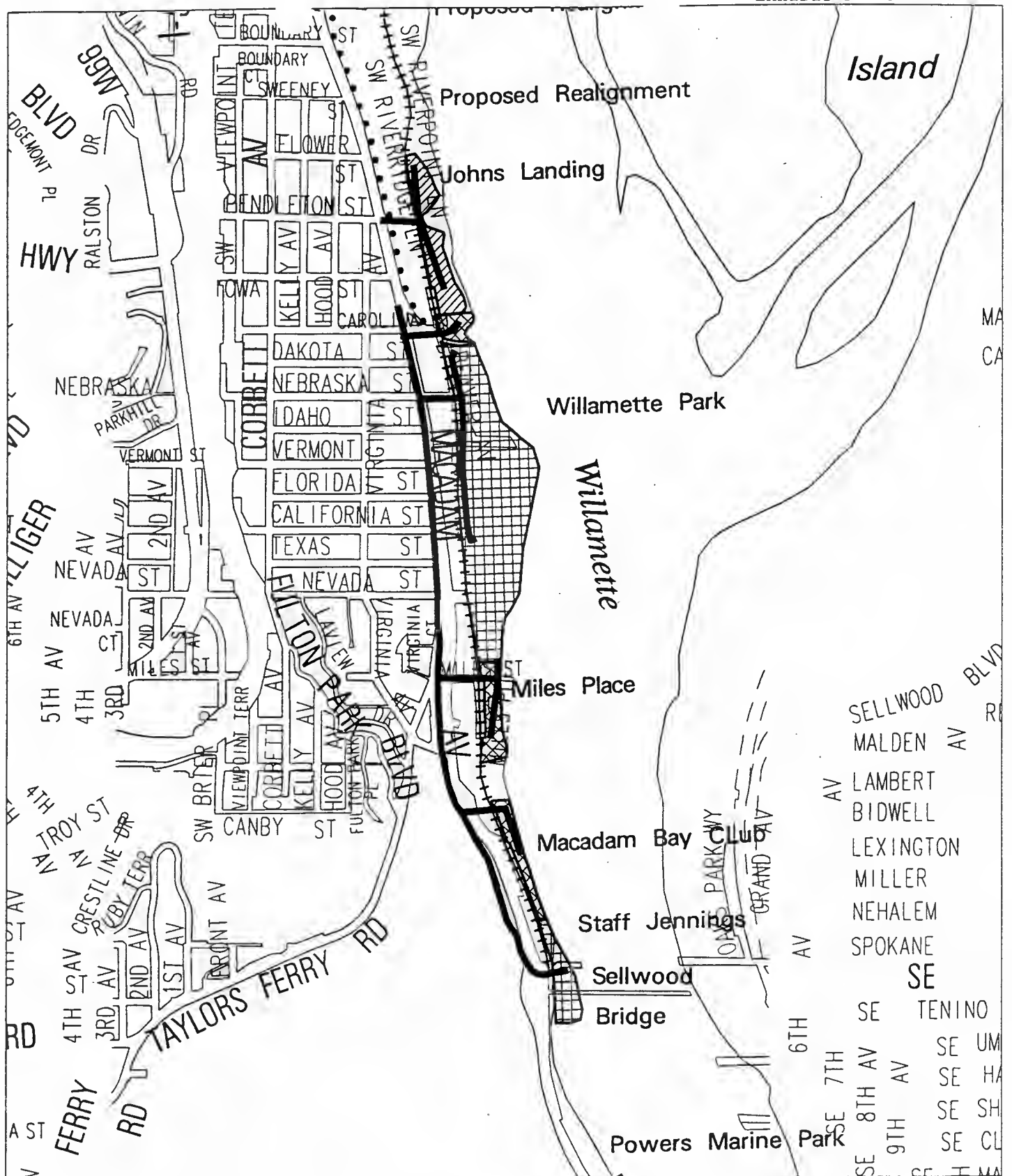
Permits for crossing or modifying the right-of-way will be issued by the appropriate local jurisdiction as specified in the Inter-Governmental Agreement.



**Willamette Shore Line
Conceptual Crossing Plan**

Figure 3

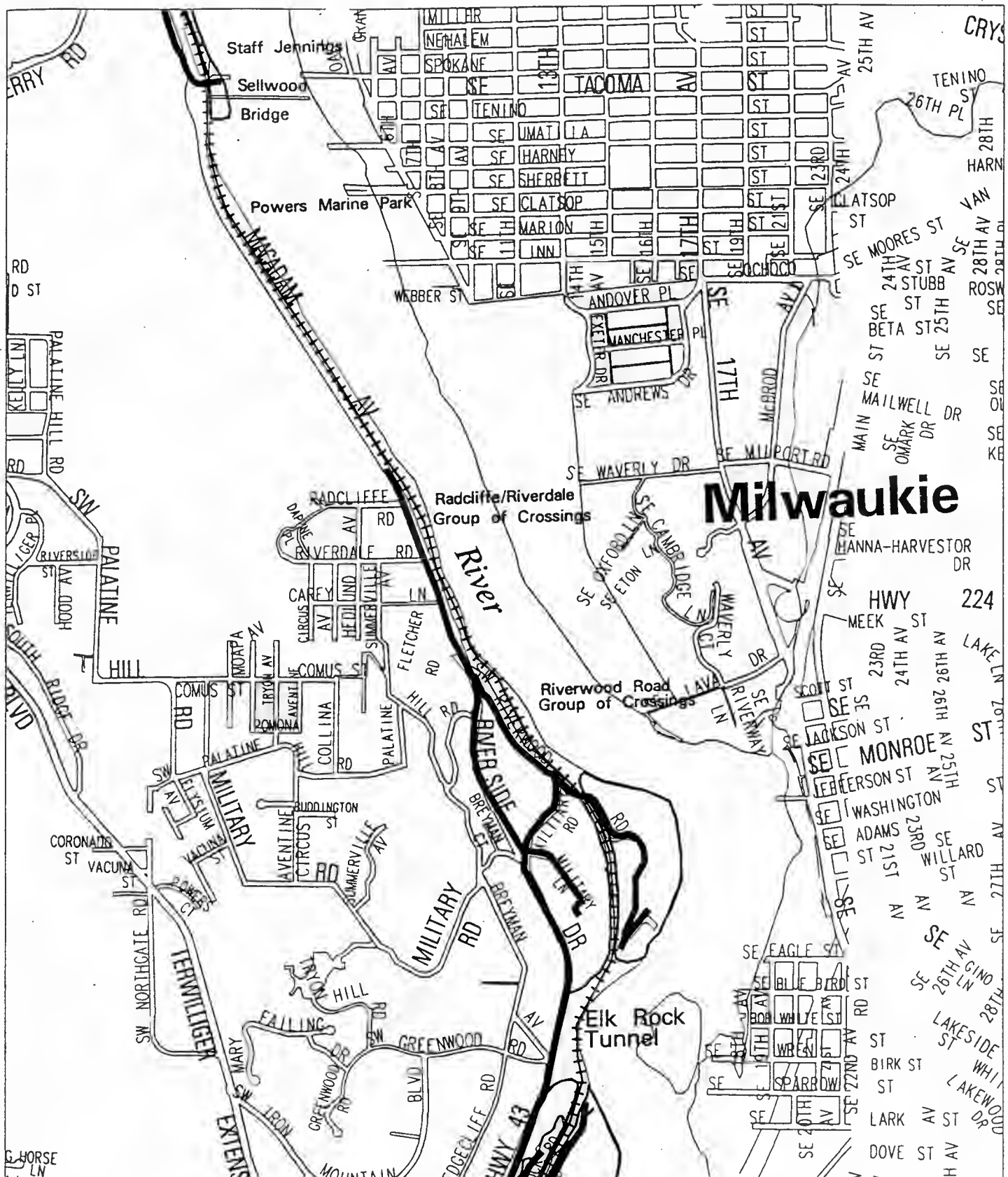
- +++++ Shore Line Rail ROW
- Street Crossing Shore Line ROW
-  Access from street within hatched area



Willamette Shore Line Conceptual Crossing Plan




Figure 4

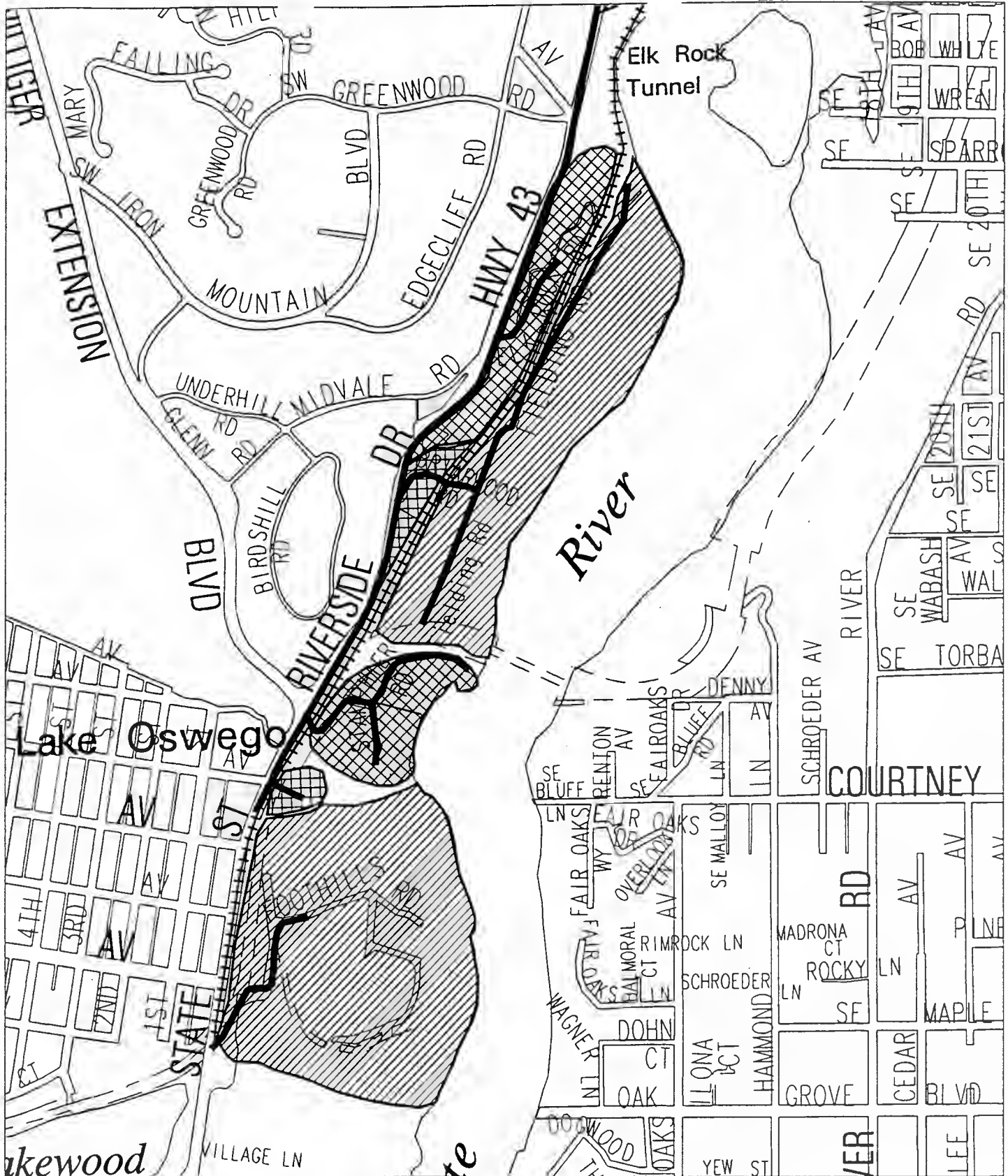
- +++++ Shore Line Rail ROW
- Street Crossing Shore Line ROW
- Access from street within hatched area



Willamette Shore Line Conceptual Crossing Plan

Figure 5

-  Shore Line Rail ROW
 Street Crossing
 Access from street
 within hatched area



Willamette Shore Line Conceptual Crossing Plan

Figure 6

- +++++ Shore Line Rail ROW
- Street Crossing
Shore Line ROW
- Access from street
within hatched area



V. Definitions

Abutting Property: Property with any area of common boundary with the Willamette Shore Line Rail Right-of-Way.

At-Grade Crossing: A vehicle or pedestrian crossing the railroad at the same elevation as the railroad tracks.

Willamette Shore Line Right-of-Way: The common name of the Rail Right-of-Way that was purchased from the Southern Pacific Railroad in 1988. It was previously known as the Southern Pacific Jefferson Street Branch Rail Line. It is legally defined as "The City of Portland Shore Line". It runs for approximately 7 miles along the west bank of the Willamette River from underneath the Marquam Bridge in Portland to A and State Streets in Lake Oswego.

Consortium: The group of public agencies that purchased the Southern Pacific Jefferson Street Branch Rail Line through an Intergovernmental Agreement. Those agencies are: Metro, ODOT, Tri-Met, City of Portland, City of Lake Oswego, Multnomah County, and Clackamas County.

Corridor: A narrow passageway or route.

Crossings: A place where any non-railroad activity crosses the railroad tracks. An example would be a road or pedestrian crossing of the railroad.

Drainage: The act, process, or mode of draining water. Also a system of drains.

Grade Separated Crossing: A vehicle or pedestrian crossing using an underpass or overpass to cross the railroad tracks.

Grade/Grading: To alter an area of ground to a level or sloping surface.

High Capacity Transit (HCT): High Capacity Transit is any mode of transit that operates primarily in its own right of way, allowing large numbers of riders to move through an area at relatively high speeds. Some examples of HCT are Light Rail Transit, Commuter Rail, Subways, and Busways.

Improvements: Items that improve or enhance the value or excellence of a property.

Jefferson Street Branch Rail Line: The Jefferson Street Branch Rail Line was previously owned by the Southern Pacific Railroad. It is now the Willamette Shore Line Right-of-Way purchased by the Consortium.

Lake Oswego Corridor: A Transportation Corridor that runs north-south from Downtown Portland to Downtown Lake Oswego along the west side of the Willamette River. The Lake Oswego Corridor is identified as a possible future high capacity transit corridor in the Regional Transportation Plan.

Light Rail Transit (LRT): Urban mass transit using electrically powered rail vehicles on a partially controlled right-of-way with some at-grade crossings of public streets.

Metro: Metro is the directly elected regional government that serves the urban portions of Clackamas, Multnomah and Washington Counties and the 24 cities that make up the Portland metropolitan area.

ODOT: Oregon Department of Transportation

Permanent Improvements: Improvements that become part of the long term function of a piece of property or landscaping and that last longer than one year, such as houses, garages, and decks.

Permittee: The owner of abutting property for which a permit.

Permitter: The local government issuing a permit.

Public Owners: The Consortium.

PUC: Public Utility Commission. The PUC regulates all public crossings of Railroad Right-of-Ways.

Rail Representative: A representative of the Willamette Shore Line or their designee.

Reliance: An owner will be considered to have significant reliance on an improvement if the improvement has significant financial, emotional, aesthetic, or other non-financial value to the owner.

Revocable: A revocable permit may be terminated at any time by the Permitter for any reason whatsoever in the Permitter's sole discretion.

Right-Of-Way: The strip of land conveyed to the railroad and currently owned by the Consortium. Generally, it encompasses the railroad track bed and side slopes. It varies in width from 17 to 80 feet.

Safety Devices: Equipment or devices that enhance the safety of Railroad Crossings. Some examples are gates, signals, bells and flashing lights.

Sight Lines: Minimum site distances along the railroad Right-of-Way to assure a reasonable reaction time and stopping distance for the rail vehicle if there is an object on the trackway.

Significant Investment: An investment of more than ½% of the fair market value of the property, including improvements, abutting the right-of-way area in which the investment is made, or of \$3000, whichever is less.

Southern Pacific Jefferson Street Branch Rail Line: The Jefferson Street Branch Rail Line was previously owned by the Southern Pacific Railroad. It is now the Willamette River Shore Line Right-of-Way.

Temporary Landscaping/Improvements: Landscaping or Improvements that will last less than one year.

Tri-Met: Tri-County Metropolitan Transportation District of Oregon, which operates the regions Mass Transit system including building and operating the Light Rail Transit system in the Metro Region.

Tri-Met LRT Standards: Based on the "Design Criteria, Westside Corridor Project, Portland, Oregon, July 1993" or as periodically updated by Tri-Met. This Engineering design manual establishes the basic criteria to be used in the design and construction of the Tri-Met's Light Rail Transit System. The Design Criteria are directed toward minimum feasible costs for design, construction, capital facilities, and operating expense, minimum energy consumption, and minimum disruption of local facilities and communities. They should be consistent with passenger safety, system reliability, service comfort, mode of operation, type of LRT vehicle to be used, and maintenance.

Uses: Activities, structures, or occupancies of or within the Right-of-Way.

Utility crossings: Crossings of the right-of-way for Public Utility purposes (such as for power, water, etc.).