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The Mythical World of Transit-Oriented Development

Steele Park in Washington County, Oregon

by Michael L. Barton, Ph.D.

September 2003

About the Author

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Acknowledgments

The author would like to thank Mark Ferris, Jamie Voytko and Kurt T. Weber for reviewing the manuscript, and John A. Charles for research assistance and editorial comments. Any errors remain the responsibility of the author.

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Introduction

During the past decade, Portland-area planners have embraced Transit-Oriented Development (TOD) as the region's dominant land use/transportation strategy. They assert that TOD, especially based on light rail, will reduce traffic congestion, increase transit use, and make neighborhoods more livable.

Transit-oriented development is generally defined as compact, mixed-use development that concentrates retail, housing and jobs in neighborhoods well-served by public transit. TOD has become so important to local planners that it is now the primary justification for expansion of Portland's light rail system. Rail advocates concede that light rail is not worth the cost if it is built only as a transit system.

Dozens of TODs have been constructed in the Portland region since 1990, with several winning national acclaim. Most have received public subsidies, on the assumption that the public benefits of TOD outweigh the costs. However, little is known about how transit-oriented projects actually perform in terms of transit use and any correlated reduction in auto dependency. The purpose of this paper—the second in a series of Cascade Policy Institute TOD case studies—is to help fill in that gap.¹

Steele Park: TriMet's First Single Family TOD

Most Transit-Oriented Developments feature mid-rise or high-rise apartments, lofts or condominiums, built at 30 units per acre or more. Portland-area government planners envisioned Steele Park to be the showcase project demonstrating that Transit-Oriented Development (TOD) could also work with detached, single family homes. The first phase

was built in 1996, two years before the Westside light rail line opened. Developers Steve Prince and Carl Spitznagle originally planned a 44-lot subdivision on a 9.1-acre parcel, located in unincorporated Washington County just north of the intersection of Baseline Road and 170th SW Avenue. At its nearest point the site lies 1,300 feet from what is now Elmonica Station of the light rail line. Because of its proximity to light rail, county planners approached Prince and Spitznagle with an offer to help transform the planned development into one deemed more transit friendly.

County planners wanted much higher density for the project and offered several incentives for the developers to change their concept. Calthorpe Associates—a nationally prominent design firm specializing in TOD—was brought in to develop a revised site plan, draft a “context” plan to assess how this higher-density development might fit in with its neighbors, analyze the salability of the homes in existing markets, and develop design guidelines for the proposed housing types and street sections.² The county paid \$15,000 for these services.

The county offered to obtain a federal Congestion Mitigation and Air Quality – Transit Oriented Developments (CMAQ-TOD) grant for \$300,000 to build a wall buffering the development from adjacent streets (see Figures 1 and 5). Help was also offered with the permits for wetlands mitigation.

The result was a new plan for 74 individual homes and 18 units in a multi-family development on an adjacent lot of 0.6 acre. The 74 homes were built, but the 0.6-acre lot remains a field of grass and weeds (see Figure 1).

Steele Park homes are on small lots and built close to the sidewalk. They all have small front

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porches, a standard facet of the so-called New Urbanism philosophy that attempts to promote “community” by moving the private realm of the individual home closer to the public streetscape.

The planning process took between one and a half and two years versus the usual six months for a standard suburban subdivision. In ordinary circumstances this delay could have been fatal, but because it came during a period of rapid increases in property values, the cost of delay was compensated for by the increased profits on the sale of the units. Prince described the process of getting approval as “slow, but the people at the county were amenable, very good people.”³



Figure 1 - Washington County planners haven't gotten the density they planned for in Steele Park because the highest density section, the 18-unit multi-family development on a 0.6-acre lot (above right), was never built. That lot has been sold and is no longer part of Steele Park, which is seen in the background.

Cars, Parking and Light Rail

Steele Park was planned to discourage car ownership and use. The roads are narrow and parking is scarce. Public parking is only allowed on one side of each street in the development. The plan tried to encourage one-car families, an idea Prince said was “very unrealistic.”

For personal investment reasons on the part of the two developers, half of the two- and three-bedroom units were originally sold for ownership and the other half marketed as rentals. Homeowners I spoke with and Karen Smith, the agent for the units initially designated as rentals, agreed that at least half of the units originally sold are now occupied by renters. Steele Park is thus mainly a rental development and this makes meeting other goals, e.g. limiting car use, more difficult, because renters tend to bring in additional roommates to split rent payments and each tenant usually has a car.

The rental agreements limit cars to two for the two-bedroom and three for the three-bedroom units. This limit is much higher than the original goal of one-car per unit and Smith admits this limit is not met nor enforced. The rental units are often occupied by more than one family, which further exacerbates the parking problem. In fact homeowners and Smith agree that a kind of war is being waged in Steele Park between the renters and homeowners. The issues in dispute, such as parking and home maintenance, are probably common to developments shared by those with differing incentives to maintain the properties, but everyone agrees that the problems are aggravated by the limited parking and close proximity of neighbors.

In much of the literature regarding Transit-Oriented Development there is an explicit or implicit expectation that people will change their behavior to conform to the worldview of planners. The notion, simply put, is that by providing access to transit, forcing reductions in living space and restricting parking, planners will “get people out of their cars.” Leaving aside the question of whether it should be the business of government planners to work against the free choices of resi-

dents, it is clear that the effort has proven ineffective in Steele Park. Because of the crowded conditions, people respond by parking in their neighbors' spots, in no-parking areas and on the streets of adjacent communities where developers were allowed to provide adequate road space.

Portland advocates of TOD go to great lengths to deny or understate this reality. For instance, in its flyer *Density in Your Backyard*, the planning advocacy group 1000 Friends of Oregon argues that:

Transit-oriented developments throughout the region also supply a mix of transit service, higher density housing, and neighborhood services. Such development offsets increases in automobile trips per household because people can walk, bicycle or ride the bus to a park or grocery store.⁴

Figure 2 shows a view of Steele Park taken from this flyer. It shows five tidy homes lined up close together on small lots, and a total of one car. This projects the desired image of Transit-Oriented Development: people will not need cars when transit options are provided. A nearly identical photo appears in TriMet's profile of Steele Park in the agency's 1999 edition of *The Community Building Sourcebook*.⁵



Figure 2 - The Promise: Steele Park homes as shown in the 1000 Friends of Oregon brochure, *Density in Your Backyard*. (Photo courtesy of 1000 Friends of Oregon, www.friends.org).

The reality of TODs is shown in Figures 3 and 4, both were taken on an average afternoon. The residents of Steele Park are typical suburban renters and homeowners who need and enjoy their automobiles. Because they lack adequate parking they leave their cars in any open spot, legal or not.



Figure 3 - The Reality: A goal of government planners was for Steele Park residents to be one-car families. The above photo, taken on a typical afternoon—with cars parked in driveways and in the street—shows that there is often a big difference between what people want and the ideas government planners want to impose on them.

I did a traffic survey on Wednesday morning, April 17, 2002 for two hours starting at 6:25 a.m. The weather was partly overcast with no rain and a temperature in the mid-40s. I was positioned to observe all trips leaving Steele Park from the main exit on 170th SW Avenue just north of Baseline Road and from the main pedestrian exit at the corner of 170th and Baseline. Of the 73 trips out of the 74-unit subdivision 11 went to the Max light rail station. There were seven pedestrians of whom four went to Max, one bicyclist going elsewhere, and two of 14 multi-occupant cars and five of 51 single-occupant cars went to Max. Table 1 below summarizes the results.

A total of 92 people left Steele Park in these 73 trips and four of them walked to take light

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rail. These data may understate the number of people *not* going to Max because there is a back way out of the subdivision, which heads east, away from the Elmonica Station.

	Max	Other
Pedestrian	4	3
Bicycle	0	1
Multi-occupant Car	2	12
Single-occupant Car	5	46
Total	11	62

Table 1 - Trips out of Steele Park, mode and destination

Density and Fire Safety Concerns

Nationally recognized fire codes call for 20 feet of “clear road access” within 50 yards of a building. The roads in Steele Park are 24 feet wide with parking allowed on one side. Thus, when cars are parked in the street, there is less than 20 feet of clear road access. Jeff Grunewald, Fire Marshall for Tualatin Valley Fire and Rescue, agreed to the narrow streets with parking limits but says police rarely enforce the parking limits.⁶ Grunewald subsequently worked on a project for reducing street widths leading to issuance of the *Neighborhood Street Design Guidelines* by the Oregon Department of Land Use and Conservation. This guide calls for the provision of “adequate parking” so that on-street parking is not the typical primary source of parking. The objective is to have space between parked cars so that there are queuing opportunities.⁷ Also, parking near intersections on narrow streets should not be permitted because it can interfere with the turning movements of large vehicles.⁸

Fire Marshall Grunewald readily agreed that Steele Park does not meet even these relaxed requirements (see Figure 4).

Surprisingly, the State Fire Marshall does not have the last word when it comes to review-

ing proposed subdivision plans for fire safety. The question of authority was clarified in 1997 when ORS 92.044 was amended to state that standards for the width of streets established by local governments shall “supersede and prevail over any specifications and standards for roads and streets set forth in a uniform fire code adopted by the State Fire Marshal, a municipal fire department or a county firefighting agency.”⁹

This change came about as a result of liability concerns by the State Fire Marshall and the Oregon Fire Chiefs Association (OFCA). The OFCA wrote in a June 26, 1997 letter to Metro, the Portland-area regional government, “Planners are promoting and approving development that we may not be able to service.”¹⁰ The letter noted that legal opinions at the time differed on where liability would fall in the event emergency vehicles were denied access in a development where nationally recognized standards for fire department access had been ignored, and proposed ceding authority to local planning departments. According to Grunewald the OFCA endorsed this proposal because local



Figure 4 - Another typical late-afternoon street scene in Steele Park. Contrary to government planners’ desires, residents continue to drive cars. Here, because of planned narrow streets, parking is restricted to one side of the road—so cars often impinge on the corners where there is supposed to be a no-parking zone for fire access.

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planners were overriding their recommendations anyway.

Public Subsidies and the Wall

TriMet's 1999 *Community Building Sourcebook* described Steele Park's financing this way: "The project is privately financed with the exception of a \$300,000 CMAQ-TOD grant..."¹¹ It turns out, however, public subsidies for the project totaled some \$463,000, plus the \$15,000 cost of the Calthorpe contract, and none of the money came directly from a federal Congestion Management and Air Quality grant.

The original purpose of the \$300,000 grant was to fund the construction of a wall around the project as an inducement to the developers to go with the high-density design producing 74 homes rather than their original plan for 44 larger homes on larger lots. Unfortunately the plan called for the wall to be built on the developer's land rather than on public land, and that made it ineligible for the CMAQ-TOD grant, which had already been approved. Forging ahead, Washington County arranged to use unrestricted county funds for the wall and entered into two Intergovernmental Agreements (IGAs) to execute the deal.

One IGA with the Portland Development Commission promised Washington County "a \$300,000 federal Congestion Management and Air Quality (CMAQ) grant for bike and pedestrian facilities on 185th from Blanton to Kinnaman ... in exchange for the County's pedestrian-oriented improvements at 170th and Baseline."¹² This exchange did not ultimately work out and the CMAQ grant money eventually was used for bike and pedestrian improvements to Cedar Hills Boulevard.¹³ The County paid the \$12,000 administration fee for this grant, an additional cost of the money exchange.

A separate IGA with TriMet provided up to \$200,000 from the County's Traffic Impact Fee fund for TriMet to use in Tualatin in exchange for a like amount of TriMet general funds, which could be legally used to build a wall on private property.

This sort of money laundering—swapping restricted-use funds between government agencies—seems to be commonplace in today's planning bureaucracy.¹⁴ In several phone conversations, TriMet and Portland Development Commission staff members promised to provide their reasons for entering into these IGAs but failed to do so.

Aside from the arcane financing scheme, it's not clear what the purpose of the wall was and what it had to do with Transit-Oriented Development. Because government planners obtained the CMAQ grant to help pay for it, they presumably thought it would help reduce congestion or air pollution (otherwise it would not have qualified for CMAQ funding). But Mark Ferris, a planner who worked with the developers to design Steele Park, wrote, "the wall was strictly decorative."¹⁵ Mark Brown, a principal planner with Washington County, told an *Oregonian* reporter, "it's [*sic*] primary purpose was to be an architectural feature for the neighborhood."¹⁶

However, many of the early residents of Steele Park apparently thought the wall had been built as a sound barrier, and complained it wasn't working. In 1997 *The Oregonian* reported that occupants of 32 of the subdivision's then-completed 49 homes submitted a petition to the County, asking it "to beef up the wall for several reasons, including child safety, crime prevention, sound reduction, increased personal privacy and its effect on future resale prices."¹⁷ According to the article, Steve Prince acknowledged that he might have told some residents a sound

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Figure 5 - Part of the Steele Park decorative wall that many residents thought would be a sound barrier.

barrier would be built. Prince told me the article was “not accurate” but he did not specify in what regard. The wall is shown in Figures 1 and 5.

Washington County declined to make any improvements to the wall and today it remains ornamental. A homeowner I spoke with, who lives just across the wall from Baseline Road, describes it as “useless” for noise reduction.

The Planners’ Dream of Density Dissipates

Washington County planners haven’t gotten the density they had planned for in Steele Park because the highest density section of the development, the 18-unit multi-family development on a 0.6-acre lot, was never built. In fact it isn’t even part of the Steele Park development anymore.

Steve Prince sold the lot to Emerald Development Company of Beaverton, which attached the lot to its yet-unbuilt Meridian Village project just west of Steele Park (see Figure 6).

Emerald Development got the zoning changed for the 0.6-acre lot and plans a mixed-use facility with three commercial

outlets and 12 condominiums.¹⁸ Emerald Development Co. manager Habib Matin said he was pleased to have negotiated 50 parking spaces after “a back and forth battle with the City.” This victory may be short-lived, however, because the approval for Emerald’s plan has expired and it has to start the regulatory process anew.

Steele Park and its Neighbors

A walk through Steele Park reveals a crowded but pleasant neighborhood with lots of cars and lots of kids. Because the houses are small most residents seem to use their garages for storage and I saw no car actually parked in a garage. Parking is restricted to one side of the road and parked cars often impinge on the corners where there is a no-parking zone for fire access. Residents share a concern over safety and agree that the narrowing of street widths at the corners fails to control speeds; coupled with the presence of parked cars on the corners, owners and renters alike worry over the safety of their children with drivers taking the sharp corners at high speed.

The developments adjacent to Steele Park feature larger homes on larger lots and the owners and occupants seem unhappy with their more crowded neighbors. One man had moved two blocks out of Steele Park because



Figure 6 - Site of unbuilt Meridian Village.

The developments adjacent to Steele Park feature larger homes on larger lots and the owners and occupants seem unhappy with their more crowded neighbors.

of its “undesirable character.” Another homeowner, whose house is right next to Steele Park, complains of residents parking in front of his home and refers to the development as a “ghetto.” Because one of the goals of the planning process is the creation of livable communities this animosity raises the issue of how high-density, limited-parking developments can coexist with more traditional neighborhoods.

Conclusion

Steele Park is a pleasant little neighborhood. New residents are planting shrubs and making home improvements, and neighbors seem concerned about each other. The problems the residents have with parking would just be their own problems (except for the fire safety concerns) and their unhappiness with the decorative wall would be their own unhappiness except for the fact that several local governments stepped in and created this neighborhood with these problems because of a philosophy of Transit-Oriented Development.

In comparing the stated objectives of TOD with the reality of Steele Park, it’s apparent that the objectives are not being met. Most residents don’t use light rail regularly, and those who do tend to drive the quarter mile to TriMet’s free Park-n-Ride lot. Local roads receive more traffic from the Steele Park development than they would have under the original, medium-density design, and consequently it’s impossible to argue that TOD has resulted in improved air quality. The attempt to use \$300,000 in federal Congestion Mitigation and Air Quality funds for the decorative wall led to high transaction costs due to the complexity of the Intergovernmental Agreements required to swap funds, and the wall itself ultimately proved useless for noise reduction or any other environmental benefit.

TOD advocates claim that light rail is a catalyst for real estate development, but the experience at Steele Park suggests that developers have to be induced and/or coerced to build at higher densities through the use of public subsidies and land-use regulation. Even then, land near light rail frequently lies vacant because it is not economically feasible to build the kinds of projects desired by government planners.

Bill Avery, principle planner with the Washington County Department of Land Use & Transportation, called Steele Park a “long-range fiasco,” citing the look of the project, the high ratio of renters to owners, the dislike of the adjacent neighborhoods and “opposition from the Fire Marshall.”¹⁹

Perhaps the most notable assessment of Steele Park has come, in a subdued fashion, from TriMet. In 1999 TriMet published the *Community Building Sourcebook* as a one-stop information source about transit, land-use planning and TOD. Chapter Three included profiles of more than 20 Transit-Oriented Developments, one of which was Steele Park. TriMet described Steele Park as the first Portland-area TOD to feature detached, single-family homes.

In December 2002 TriMet published a new edition of the *Community Building Sourcebook*. Although Transit-Oriented Development is still heavily promoted, the Steele Park profile has been deleted.²⁰

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Notes

¹ The first Cascade TOD case study was John A. Charles, MPA, and Michael Barton, Ph.D., *The Mythical World of Transit Oriented Development: Light Rail and the Orenco Neighborhood, Hillsboro, Oregon* (Portland, OR: Cascade Policy Institute, April 2003), www.cascadepolicy.org/pdf/env/I_124.pdf.

² Professional Services Agreement between Calthorpe Associates and Washington County, March 28, 1994, Attachment "A".

³ Steven Prince, personal communication with author, May 2002.

⁴ 1000 Friends of Oregon, "Density in Your Backyard," www.friends.org.

⁵ *Community Building Sourcebook* (Portland, OR: TriMet, 1999), pp. 3-7.

⁶ Brent Hunsberger, "Narrow Streets Increase Fire Officials' Worries," *The Oregonian*, Sept. 7, 1998, p. B2.

⁷ "Queuing" refers to using the gaps between parked cars to accommodate two-way traffic along a narrow street.

⁸ *Neighborhood Street Design Guidelines* (Salem, OR: Oregon Dept. of Land Use and Conservation, Nov. 2000), p. 11.

⁹ *Ibid.*, p. 5.

¹⁰ Letter from Oregon Fire Chiefs Association to Metro (regional government, OR), June 26, 1997.

¹¹ *Community Building Sourcebook*, p.3-7.

¹² Washington County [Oregon] Board of Commissioners Agenda, Aug. 6, 1996.

¹³ Joe Younkens, Washington County Capital Project Management, personal communication to author.

¹⁴ See, e.g., Charles and Barton, pp. 21-22.

¹⁵ Mark Ferris, personal communication with John A. Charles, Cascade Policy Institute (Portland, OR), July 9, 2003.

¹⁶ Alex Pulaski, "Residents Dissatisfied with County's Buffer," *The Oregonian*, March 3, 1997, p. B4.

¹⁷ *Ibid.*

¹⁸ Habib Matin, Manager of Emerald Development Co., personal communication with author, October 2002.

¹⁹ Bill Avery, interview with Michael L. Barton, Ph.D., April 18, 2002.

²⁰ *Community Building Sourcebook* (Portland, OR: TriMet, Dec. 2002).



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